

**ORIGINAL**

AO 440 (Rev. 8/01) Summons in a Civil Action

**FILE WITH CLERK'S OFFICE**

**UNITED STATES DISTRICT COURT**

**EASTERN**

District of

**WASHINGTON**

THOMAS A. WAITE,  
Plaintiff,  
V.

**SUMMONS IN A CIVIL CASE**

THE CHURCH OF JESUS CHRIST OF  
LATTER DAY SAINTS, a Utah  
corporation; DONALD C. FOSSUM;  
and STEVEN D. BRODHEAD,  
Defendants.

CASE NUMBER: **CV-05-399-EFS**

TO: (Name and address of Defendant)

The Church of Jesus Christ of  
Latter Day Saints  
50 East North Temple  
16th Floor  
Salt Lake City, UT 84150

Donald C. Fossum  
740 N 1100th East  
Provo, UT 84606

Steven D. Brodhead  
9031-11th Place West  
Everett, WA 98204

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Richard C. Eymann  
Eymann Allison Fennessy  
Hunter Jones, P.S.  
2208 W. Second Avenue  
Spokane, WA 99204

Stephen L. Nordstrom  
Nordstrom & Nees, P.S.  
323 S. Pines Road  
Spokane, WA 99206

an answer to the complaint which is served on you with this summons, within 120 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**James R. Larsen**

CLERK

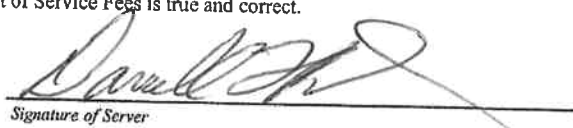
*Renee Demante*

(By) DEPUTY CLERK

**DEC 12 2005**

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	December 24, 2005
NAME OF SERVER (PRINT) Darrell Bennett	TITLE	Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where _____ _____		
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were <u>James Brodhead, Father</u>		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL 48.85
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	<u>12-28-05</u>	
	Date	Signature of Server
	<u>2927 Rockefeller Ave.</u>	
	Address of Server Everett, Wa 98201	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

THOMAS A. WAITE, Plaintiff / Petitioner
vs. THE CHURCH OF JESUS CHRIST OF LATETER DAY SAINTS, A UTAH COPORATION; ET AL. Defendant / Respondent

Cause #: CV-05-399-EFS

Declaration of Service of: SUMMONS IN A CIVIL CASE, COMPLAINT FOR DAMAGES PERSONAL INJURIES AND DEMAND FOR JURY TRIAL

ORIGINAL SENT DEC 28 2005 FOR FILING

Hearing Date:

Declaration:

The undersigned hereby declares: That s(he) is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of Dec 24 2005 2:30PM at the address of 9031 11TH PL W EVERETT within the County of SNOHOMISH State of WASHINGTON

the declarant duly served the above described documents upon

STEVEN D BRODHEAD

by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with

JAMES BRODHEAD/FATHER/CO-RESIDENT A White male approx. 45-55 years of age 6'2"-6'4" in height weighing 220-240 lbs with brown hair

a person of suitable age and discretion who stated the above address to be the residence and usual place of abode of themselves and the subject(s) and/or subject's legal representative listed above.

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: December 27, 2005 at Everett, WA

by [Signature] D. Bennett 2004-22

The documents listed above were served in accordance with RCW 4.28.080 and/or client instructions. If service was substituted on another person or left with a person that refused to identify themselves, it is incumbent upon the client to notify ABC Legal Services, Inc. immediately in writing if further attempts to serve, serve by mail, or investigate are required.

Service Notes: FATHER SAID S/O IS HOME FOR VACATION WILL GIVE PAPERS TO SON WHEN HE GETS HOME

Table with 4 columns: Documents, Travel, Invalid Address, Proof Preparation, Summons Copy, Secretarial, Postage, Photo, Rush / Special, Wait / Stake Out Time, Other, Total, Pre-Paid Retainer, AMOUNT DUE. Values range from 0.00 to 48.85.

Client Ref.: RCE-12256 Eymann, Allison, Hunter & Jones, P.S. 2208 W 2nd Ave Spokane, WA 99204 509 747-0101

CLIENT COPY PROOF OF SERVICE

ABC Legal Services, Inc. 910 5th Ave. Seattle, WA 98104 (206) 521-9000 Tracking #: 3687730

