

1 Brian T. Rekofke
Ross P. White
2 Witherspoon, Kelley, Davenport & Toole
1100 US Bank Building
3 422 West Riverside
Spokane, WA 99201
4 (509) 624-5265
5 Attorneys for LDS and Donald C. Fossum

6
7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9 THOMAS A. WAITE,

10 Plaintiff,

11 vs.

12 THE CORPORATION OF THE
13 PRESIDING BISHOP OF THE CHURCH
OF JESUS CHRIST OF LATTER DAY
14 SAINTS, a Utah corporation; THE
CORPORATION OF THE PRESIDENT
15 OF THE CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS, a Utah
16 corporation; DONALD C. FOSSUM; and
STEVEN D. BRODHEAD,

17 Defendants.
18

Case No.: CV-05-399-EFS

DEFENDANTS' MOTION TO
EXTEND EXPERT
DISCLOSURE DATE FOR
NEUROPSYCHOLOGY
OPINIONS

19 **I. RELIEF REQUESTED**

20 Defendants move the Court to extend the time to disclose neuropsychology
21 opinions from February 16, 2007 to March 5, 2007.

22 **II. GROUNDS**

23 The parties stipulated that Mr. Waite would undergo an Independent
24 Medical Examination ("IME") with neuropsychologist Frederick Wise, Ph.D.
25 The testing was scheduled for February 7 and 8, 2007. Due to no fault of the
26 parties, Dr. Wise had a scheduling conflict. The next available date for Plaintiff's
27

28 DEFENDANTS' MOTION TO CONTINUE
EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ... - 1

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WITHERSPOON, KELLEY, DAVENPORT & TOOLE
A PROFESSIONAL SERVICE CORPORATION
ATTORNEYS & COUNSELORS

1100 U.S. BANK BUILDING
422 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

1 IME was February 23 and 24, 2007. Dr. Wise will be able to complete his report
2 no later than March 5, 2007.

3 **III. BASIS**

4 This motion is based upon the Affidavit of Ross P. White, Defendants'
5 Memorandum in Support of Motion To Extend Expert Disclosure Date For
6 Neuropsychology Opinions and the files and records herein.

7 DATED this 14th day of February, 2007.

8 **WITHERSPOON, KELLEY, DAVENPORT
9 & TOOLE**

10 By: /s/ Ross P. White
11 Brian T. Rekofke, WSBA No. 13260
12 Ross P. White, WSBA No. 12136
13 Attorneys for LDS and Donald Fossum

14 **PAINE, HAMBLIN, COFFIN, BROOKE
15 & MILLER**

16 By: /s/ Andrew Smythe
17 Andrew C. Smythe, WSBA No. 7948
18 Attorneys for Steven D. Brodhead

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28 DEFENDANTS' MOTION TO CONTINUE
EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 2

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(509) 624-5265

CERTIFICATE OF SERVICE

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I hereby certify that on the 14th day of February 2007:

- 1. I electronically filed the foregoing **Defendants' Motion to Extend Expert Disclosure Date for Neuropsychology Opinions** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

(for Waite) Richard C. Eymann and Stephen L. Nordstrom;
 (for Brodhead) Andrew C. Smythe

- 2. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants at the address listed below: **None.**

- 3. I hereby certify that I have hand delivered the document to the following participants at the addresses listed below: **None.**

/s/ Ross P. White
 Ross P. White
 Witherspoon, Kelley, Davenport & Toole, P.S.
 422 W. Riverside Ave., #1100
 Spokane, WA 99201-0300
 Phone: 509-624-5265
 Fax: 509-478-2728
rpw@wkdtlaw.com