

1 Brian T. Rekofke
2 Ross P. White
3 Witherspoon, Kelley, Davenport & Toole
4 1100 US Bank Building
5 422 West Riverside
6 Spokane, WA 99201
7 (509) 624-5265

8 Attorneys for Corporation of the President and
9 Corporation of the Presiding Bishop and Donald C. Fossum

10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 THOMAS A. WAITE,

13 Plaintiff,

14 vs.

15 CORPORATION OF THE PRESIDING
16 BISHOP OF THE CHURCH OF JESUS
17 CHRIST OF LATTER DAY SAINTS, a
18 Utah corporation, CORPORATION OF
19 THE PRESIDENT OF THE CHURCH OF
20 JESUS CHRIST OF LATTER DAY
21 SAINTS, a Utah corporation; DONALD C.
22 FOSSUM; and STEVEND. BRODHEAD,

23 Defendants.

Case No.: CV-05-399-EFS

COP, CPB and FOSSUM'S
SUPPLEMENTAL
IDENTIFICATION OF
EXPERT WITNESSES AND
DISCLOSURE OF EXPERTS'
PRELIMINARY REPORTS

24 The above-named defendants hereby submit the following supplemental
25 expert disclosures:

- 26 5. William H. Burke, Ph.D.
27 William H. Burke & Associates
28 Nobles Island, #7
500 Market Street, Suite 6
Portsmouth, New Hampshire 03801

Dr. Burke is a certified rehabilitation counselor and life care planner. He is expected to testify concerning Mr. Waite's residual impairments and disabilities as well as future care needs. Dr. Burke will also comment on the conclusions and opinions of Anthony Choppa. Dr. Burke's preliminary expert report, curriculum

COP, CPB AND FOSSUM SUPPLEMENTAL
IDENTIFICATION OF EXPERT WITNESSES AND DISCLOSURE
OF EXPERTS' PRELIMINARY REPORTS - 1

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 vitae, case listings and fee schedule have been previously filed. Dr. Burke's
2 supplemental report is attached as Exhibit 5A. Dr. Burke made himself available
3 for deposition. However, counsel for Plaintiff decided not to depose Dr. Burke.

4 Defendants reserve the right to supplement these disclosures listed above
5 as the discovery process proceeds.

6 DATED this 23rd day of April, 2007.

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

9 By:


10 Brian T. Rekofke, WSBA No. 13260
11 Ross P. White, WSBA No. 12136
12 Attorneys for COP, CPB and Fossum

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

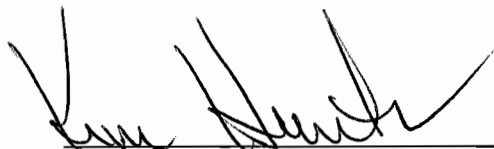
I hereby certify that on the 23rd day of April, 2007:

1. I electronically filed the foregoing **COP, CPB and FOSSUM'S SUPPLEMENTAL IDENTIFICATION OF EXPERT WITNESSES AND DISCLOSURE OF EXPERTS' PRELIMINARY REPORTS** 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.**



Kimberley L. Hunter, Legal Assistant
Witherspoon, Kelley, Davenport & Toole, P.S.
422 W. Riverside Ave., #1100
Spokane, WA 99201-0300
Phone: 509-624-5265
Fax: 509-478-2728
kimh@wkdtlaw.com