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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH FLEMING AND JOHN DOE,

Plaintiffs,

v.

THE CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah Corporation
sole, a/k/a "MORMON CHURCH," LDS
SOCIAL SERVICES a/k/a LDS FAMILY
SERVICES, a Utah corporation,

Defendants.

Case No. C04-2338RSM

ORDER SETTING TRIAL
DATE & RELATED DATES

TRIAL DATE

March 6, 2006

Deadline for joining additional parties

March 18, 2005

Reports from expert witnesses under FRCP 26(a)(2) due

September 7, 2005

All motions related to discovery must be filed by
and noted on the motion calendar no later than the
third Friday thereafter (see CR7(d))

October 7, 2005

Discovery completed by

October 31, 2005

All dispositive motions must be filed by
and noted on the motion calendar no later than the
fourth Friday thereafter (see CR 7(d))

November 30, 2005

Mediation per CR 39.1(c)(3) held no later than

May 27, 2005

All motions in limine must be filed by
and noted on the motion calendar no later than the
second Friday thereafter

February 6, 2006

Agreed pretrial order due

February 22, 2006

Pretrial conference

To be scheduled by the Court

ORDER SETTING TRIAL DATE & RELATED DATES - 1

1 Trial briefs, proposed voir dire questions, jury instructions and
2 proposed findings of fact & conclusions of law due

March 1, 2006

3 Length of Trial: 4-5weeks

Jury XXX

4 These dates are set at the direction of the Court after reviewing the joint status report and
5 discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules.
6 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal
7 holiday, the act or event shall be performed on the next business day. These are firm dates that
8 can be changed only by order of the Court, not by agreement of counsel or the parties. The
9 Court will alter these dates only upon good cause shown: failure to complete discovery within
10 the time allowed is not recognized as good cause.

11 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must
12 notify the Deputy Clerk, Lowell Williams or Laurie Cuaresma, in writing within 10 days of the
13 date of this Order and must set forth the exact nature of the conflict. A failure to do so will be
14 deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should
15 be understood that the trial may have to await the completion of other cases.

16 **COOPERATION:**

17 As required by CR 37(a), all discovery matters are to be resolved by agreement if
18 possible. Counsel are further directed to cooperate in preparing the final pretrial order in the
19 format required by CR 16.1, except as ordered below.

20 **EXHIBITS:**

21 The original and one copy of the trial exhibits are to be delivered to chambers five days
22 before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the
23 Clerk's Office. The Court hereby alters the CR 16.1 procedure for numbering exhibits:
24 plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall
25 be numbered consecutively beginning with the next number not used by plaintiff. Duplicate
26

1 documents shall not be listed twice: once a party has identified an exhibit in the pretrial order,
2 any party may use it. Each set of exhibits shall be submitted in a three-ring binder with
3 appropriately numbered tabs.

4 **SETTLEMENT:**

5 Should this case settle, counsel shall notify Lowell Williams or Laurie Cuaresma as soon
6 as possible at 206-370-8521. Pursuant to GR 3(b), an attorney who fails to give the Deputy
7 Clerk prompt notice of settlement may be subject to such discipline as the Court deems
8 appropriate.

9 A copy of this Order shall be mailed to all counsel of record.

10 DATED this 17th day of February, 2005.

11
12 /s/ Ricardo S. Martinez
13 Ricardo S. Martinez
14 United States District Judge
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