

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100 Seattle WA 98101.1374 TEL 206.623.9900 FAX 206.624.8885

February 25, 2005

Hand Delivered

Lowell Williams, Deputy Clerk
Laurie Cuaresma, Deputy Clerk
The Honorable Richard S. Martinez
UNITED STATES DISTRICT COURT
700 Stewart Street
Seattle WA 98101

FILED ENTERED
LODGED RECEIVED

FEB 25 2005

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

Re: Fleming, et al. v. Corporation of the President of the Church of Jesus Christ of Latter-day Saints, et al.
Case No. C04-2338 RSM

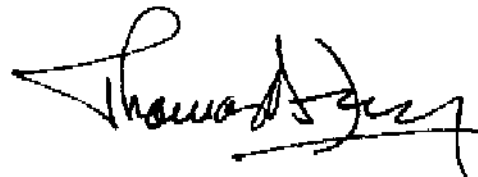
Dear Mr. Williams and Ms. Cuaresma:

This firm represents defendants in the above-referenced matter. We are in receipt of the Court's Order Setting Trial Date & Related Dates.

We write to advise the court of an irreconcilable conflict with the scheduled trial date of March 6, 2006, and to request a brief continuance of the trial date. The assigned representatives for the Corporation of The President of the Church of Jesus Christ of Latter-day Saints are unavailable during the month of March 2006, but would be available anytime after April 5, 2006. Defendants are not requesting a change in any of the pretrial dates listed in the Court's Order, specifically and including, the discovery and mediation deadlines, only the trial date itself.

We appreciate your consideration of this request. Please do not hesitate to contact the undersigned should you need additional information.

Respectfully submitted,



Thomas D. Frey
Marcus B. Nash
Attorneys for Defendants



04-CV-02338-NTC

cc: Michael Pfau, *Counsel for Plaintiff*
Timothy Kosnoff, *Counsel for Plaintiff*

FILED ENTERED
LODGED RECEIVED

FEB 25 2005

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY
Thomas D. Frey DIR 206.667.8212 tfrey@staffordfrey.com
ADMITTED IN Washington and Idaho