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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

REVISED ORDER SETTING TRIAL  
DATE & RELATED DATES

Upon the written request of counsel, the pretrial and trial schedule is amended as follows:

<b>TRIAL DATE</b>	April 10, 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 ( <u>see</u> 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 ( <u>see</u> 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	March 13, 2006

1	Agreed pretrial order due	March 29, 2006
2	Pretrial conference	To be scheduled by the Court
3	Trial briefs, proposed voir dire questions, jury instructions and proposed findings of fact & conclusions of law due	April 5, 2006
4	Length of Trial: 4-5 weeks	Jury <u>XXX</u>

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6 These dates are set at the direction of the Court after reviewing the joint status report and

7 discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules.

8 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal

9 holiday, the act or event shall be performed on the next business day. These are firm dates that

10 can be changed only by order of the Court, not by agreement of counsel or the parties. The

11 Court will alter these dates only upon good cause shown: failure to complete discovery within

12 the time allowed is not recognized as good cause.

13 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must

14 notify the Deputy Clerk, Lowell Williams or Laurie Cuaresma, in writing within 10 days of the

15 date of this Order and must set forth the exact nature of the conflict. A failure to do so will be

16 deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should

17 be understood that the trial may have to await the completion of other cases.

18 **COOPERATION:**

19 As required by CR 37(a), all discovery matters are to be resolved by agreement if

20 possible. Counsel are further directed to cooperate in preparing the final pretrial order in the

21 format required by CR 16.1, except as ordered below.

22 **EXHIBITS:**

23 The original and one copy of the trial exhibits are to be delivered to chambers five days

24 before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the

25 Clerk's Office. The Court hereby alters the CR 16.1 procedure for numbering exhibits:

26 plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall

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

5 **SETTLEMENT:**

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

10 DATED this 10<sup>th</sup> day of March, 2005.

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