

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

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KENNETH FLEMING, JOHN DOE, R.K.
and T.D.

NO. 04-2338 RSM

Plaintiff,

**STIPULATION AND ORDER TO
PERMIT JACK ONEFREY TO
ENTER UNITED STATES FOR
DEPOSITION**

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

Defendant.

I. INTRODUCTION

A. Recitals

Whereas the Parties above-named are seeking to complete deposition discovery by February 27, 2006, they hereby represent and agree as follows:

1. Jack Onefrey has been identified by the parties as a key witness in the above-captioned matter;

2. Plaintiffs in the above described action have noted the deposition of Mr. Jack Onefrey for Friday, January 27, 2006;

STIPULATION AND ORDER PERMITTING ONEFREY TO
ENTER UNITED STATES - 1

04-2338 RSM
7566-025226 64244

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION
601 Union Street, Suite 3100
Seattle WA 98101.1374
TEL 206.623.9900 FAX 206.624.6885

1 3. Mr. Onefrey is a citizen and resident of British Columbia, Canada;

2 4. The parties believe that the interest of justice will be served by
3 Mr. Onefrey's appearance at the deposition on January 27, 2006; and

4 5. The parties wish to avoid any scheduling difficulties with the deposition
5 which might arise should Mr. Onefrey be denied entry into the United States en route to
6 his January 27, 2006 deposition which is scheduled to take place in Seattle,

7 NOW, THEREFORE, the parties hereby stipulate as follows:

8 **II. STIPULATION OF THE PARTIES**

9 1. Mr. Onefrey shall, subject to Order of this Court, be deposed in the United
10 States of America, State of Washington, at the place and time designated on the
11 attached Notice of Deposition; and

12 2. They (the parties) jointly request that the court enter the subjoined Order
13 authorizing and directing (a) that Mr. Onefrey be allowed entry into the United States no
14 earlier than January 25, 2006 and (b) that Mr. Onefrey return to Canada and depart
15 from the United States no later than 6:00 pm on January 28, 2006.

16 **III. ORDER**

17 The Court, having considered the above mutual Recitals and Stipulation of the
18 parties, and deeming itself fully advised of the premises, hereby

19 ORDERS, ADJUDGES, AND DECREES as follows:

20 1. Mr. Jack Onefrey, a witness in the above captioned case, is hereby
21 authorized to enter the United States no earlier than Wednesday, January 25, 2006 for
22 the express purpose of appearing at the deposition scheduled for January 27, 2006;

23
STIPULATION AND ORDER PERMITTING ONEFREY TO
ENTER UNITED STATES - 2

04-2338 RSM
7566-025226 64244

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION
601 Union Street, Suite 3100
Seattle WA 98101.1374
TEL 206.623.9900 FAX 206.624.6885

1 2. Mr. Onefrey shall present himself to officials at the Aldergrove Port of
2 Entry into the United States;

3 3. Mr. Onefrey is authorized to meet with his attorney prior to the deposition.

4 4. Upon completion of his deposition, Mr. Onefrey shall return to Canada and
5 shall depart the United States no later than 6:00 pm on Saturday, January 28, 2006.

6 5. The United States Department of Homeland Security and the United
7 States Border Patrol and any other U.S. government agencies or personnel are directed
8 to and shall admit Mr. Onefrey into the United States at such time as he presents
9 himself at the Aldergrove Port of Entry.

10 DATED THIS 23 day of January, 2006.

11 

12 RICARDO S. MARTINEZ
13 UNITED STATES DISTRICT JUDGE

14 Prepared and presented by:

15 STAFFORD FREY COOPER

16 By: /s/ Marcus B. Nash via ECF
17 Thomas D. Frey, WSBA #1908
18 Marcus B. Nash, WSBA #14471
19 Attorneys for Defendants COP and LDS Family Services

20 *Agreed, approved as to form and substance, and stipulated:*

21 GORDON THOMAS HONEYWELL MALANCA & PETERSON

22 By: /s/ Michael Pfau via ECF
23 Michael Pfau, WSBA #24649

LAW OFFICES OF TIM KOSNOFF

By: /s/ Timothy Kosnoff via ECF
Timothy Kosnoff, WSBA #16586

STIPULATION AND ORDER PERMITTING ONEFREY TO
ENTER UNITED STATES - 3

04-2338 RSM
7566-025226 64244

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION
601 Union Street, Suite 3100
Seattle WA 98101.1374
TEL 206.623.9900 FAX 206.624.6885

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

STIPULATION AND ORDER PERMITTING ONEFREY TO
ENTER UNITED STATES - 4

04-2338 RSM
7566-025226 64244

STAFFORD FREY COOPER

PROFESSIONAL CORPORATION

601 Union Street, Suite 3100

Seattle WA 98101.1374

TEL 206.623.9900 FAX 206.624.6885