

Movant's Name
Faulkner Land & Livestock Company

Attorney's Name & Addresses

JOSEPHINE P. BEEMAN
C. A. DAW
Dillion, Bosch, Daw & Bock
Chartered
Fidelity Building
242 N. 8th St., Suite 200
Boise, ID 83702
Tel. (208) 344-8990
Fax. (208) 344-9140

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Case No. 36-00049
	)	
Case No. 39576	)	AFFIDAVIT OF
	)	DEBRA L. CLINE
	)	
_____	)	

Debra L. Cline, duly sworn on oath, states as follows:

1. I am over eighteen years of age and competent to testify and am testifying from personal knowledge of the facts herein recited.
2. I am the legal assistant to Josephine P. Beeman, attorney for Faulkner Land & Livestock Company, the Movants in this matter.
3. On Thursday, November 9, 1995 at 10:09 a.m., I received a phone call from LeAnn McMillan asking to schedule depositions for Sand Springs Ranch, Faulkner Land and Livestock and May Farms starting at 9:00 a.m. on November 17 at the Gooding County Courthouse. I informed Ms. McMillan that Ms. Beeman was out of the office but I could check her calendar for availability. I told Ms. McMillan that Ms. Beeman's calendar appeared to be clear, but she may have something

that I was not aware of. I told Ms. McMillan that I would give the information to Ms. Beeman and have her call back to confirm if the dates were agreeable. No dates other than November 17 were discussed during this phone call. I then delivered a written phone message (a true and correct copy is attached) to Ms. Beeman with the information.

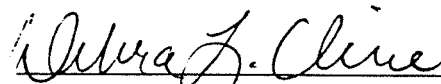
4. On November 10 at 1:20 p.m. I received another phone call from LeAnn McMillan following up on her request to schedule depositions. She asked if I had spoken with Ms. Beeman about the depositions. She stressed the need to "get going" on the depositions. I told Ms. McMillan that Ms. Beeman had not been able to reach her clients to confirm their availability and that I would have Ms. Beeman return her call. I delivered a written phone message (a true and correct copy is attached) to Ms. Beeman, who was on another phone call at the time Ms. McMillan called.

5. At no time during the phone conversation on November 10 at 1:20 p.m. were any dates mentioned. I reviewed Ms. McMillan's affidavit which states at Page 3, Number 8, "I told her that I needed to get the notices prepared and faxed because I was running out of time with the scheduling of those for Monday." To my knowledge, Ms. McMillan never mentioned "Monday", or any other day or date in connection with the depositions, the filing of the notices of deposition or anything else during this phone conversation. The only date ever discussed in any of my conversations with LeAnn McMillan was November 17. No other days or dates were ever mentioned.

6. The only contact I have had with LeAnn McMillan or anyone else at Hepworth, Lezamiz & Hohnhorst regarding depositions in this case were the phone calls on November 9 and 10 mentioned above.

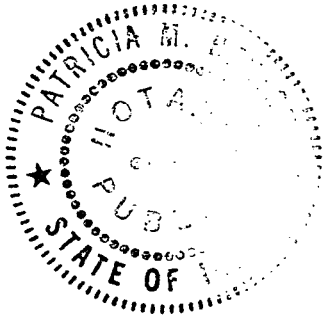
7. Further your affiant sayeth not.

DATED: November 15, 1995


Debra L. Cline

STATE OF IDAHO)
) ss
County of Ada)

Subscribed and sworn before me on November 15, 1995.



Patricia M. Benton
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires: 6/4/98

To DO ☐ URGENT
 Date 11-9 Time 10:09 A.M.
 P.M.
WHILE YOU WERE OUT
 From I am
 of Pat Browns Office
 Phone 734-7510
 Area Code Number Ext.
 Fax _____
 Area Code Number

Telephoned	☒	Please call	☒
Came to see you	☐	Wants to see you	☐
Returned your call	☐	Will call again	☐

 Message Wants to set up
depos for Daniel Springs
Porch, Faulkner & May
Farms starting at
9:00 AM on Nov. 17.
at Gooding W. Courthouse
 Signed WL

Quill Corporation • Re-order Number 7-92001

1790.3

To DO ☐ URGENT
 Date 11-10 Time 1:20 A.M.
 P.M.
WHILE YOU WERE OUT
 From I am
 of Pat Brown
 Phone _____
 Area Code Number Ext.
 Fax _____
 Area Code Number

Telephoned	☒	Please call	☒
Came to see you	☐	Wants to see you	☐
Returned your call	☐	Will call again	☐

 Message Called to check
on dates for depositions.
I told her you had
not been able to confer
dates w/ clients yet.
 Signed WJL

CERTIFICATE OF SERVICE

I certify that on the 16th day of November, 1995, I caused a true and correct copy of the following documents to be served on the following person(s) in the manner designated:

AFFIDAVIT OF JOSEPHINE BEEMAN

AFFIDAVIT OF DEBRA L. CLINE

Patrick D. Brown
Hepworth, Lezamiz & Hohnhorst
Chartered
133 Shoshone St. N.
Twin Falls, Idaho 83301

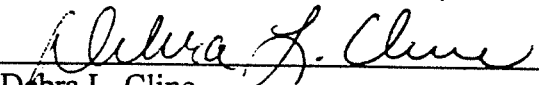
☒ U.S. Mail
☐ Fed-Ex
☐ Hand Delivery
☐ Facsimile

Chief, Natural Resources Div.
Office of Attorney General
P. O. Box 44449
Boise, Idaho 83711

☒ U.S. Mail
☐ Fed-Ex
☐ Hand Delivery
☐ Facsimile

Jeffrey C. Fereday
Givens, Pursley & Huntley
P.O. Box 2720
Boise, Idaho 83701-2720

☒ U.S. Mail
☐ Fed-Ex
☐ Hand Delivery
☐ Facsimile


Debra L. Cline