

ORIGINAL

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U.S. COURTS

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REC'D... FILED...
CAMERON S. BURKE
CLERK IDAHO

Attorney for Defendant InterDent Service Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

POCATELLO DENTAL GROUP, P.C., an
Idaho Professional Corporation

Plaintiff,

v.

INTERDENT SERVICE
CORPORATION, a Washington
Corporation

Defendant.

Case No.: CV-03-450-E-LMB

AFFIDAVIT OF ERIK F. STIDHAM IN
SUPPORT OF INTERDENT SERVICE
CORPORATION'S MOTION TO
CONDUCT EXPEDITED DEPOSITIONS

STATE OF IDAHO)

:ss.

County of Ada)

I, Erik F. Stidham, hereby depose and state as follows:

1. I am a partner with the law firm of Stoel Rives LLP. I am one of the attorneys representing Defendant InterDent Service Corporation ("ISC") in the above-captioned matter.

The facts presented in this affidavit are true and based upon my personal knowledge.

2. The Complaint, affidavits, and memorandum filed in support of Pocatello Dental Group's ("Plaintiffs") requested injunctive relief raise numerous, serious issues. There are issues

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of fact, credibility, and motive which are relevant to the Court's consideration of the issues raised by Plaintiffs. ISC would like to conduct expedited discovery in aid of its defense.

3. G.Rey Reinhardt, an associate at Stoel Rives LLP, and I have been in contact with Jim Price, counsel for Plaintiffs, regarding discovery. Price has expressed a willingness to allow some discovery to proceed prior to the preliminary injunction hearing. Price has agreed to make some members of the partnership available for depositions on an expedited basis.

4. However, issues have arisen regarding depositions of some of the individuals who filed affidavits in support of Plaintiffs' action. For example, Price has informed my firm that Dr. Baker and Dr. Dean will only agree to be deposed if they are paid \$1,600.00 per hour, respectively.

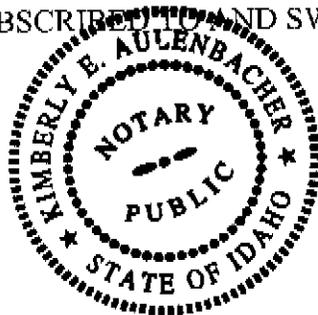
5. Similarly, Lowell Hawkes, counsel for Dr. Romriell, is apparently contending that Dr. Romriell must also be paid on an hourly basis. Moreover, Hawkes also will only agree to Dr. Romriell's deposition if other conditions are satisfied, such as narrowing the scope of the deposition to impeaching certain sections of Dr. Romriell's affidavit.

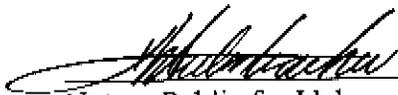
FURTHER AFFIANT SAYETH NAUGHT.

DATED this 4th day of November, 2003.


Erik F. Stidham

SUBSCRIBED TO AND SWORN TO before me this 4th day of November, 2003.




Notary Public for Idaho
Residing at Boise, ID
My commission expires 6-22-2006

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **Affidavit of Erik F. Stidham in Support of InterDent Service Corporation's Motion to Conduct Expedited Depositions** on the following named person(s) on the date indicated below by

- mailing with postage prepaid
- hand delivery
- facsimile transmission
- overnight delivery

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

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DATED: this 4th day of November, 2003.



Erik F. Stidham
Attorneys for Defendant