IN THE IOWA DISTRICT COURT IN AND FOR SCOTT COUNTY

JAMES N. WELLS,)
Plaintiff,) Law No. 101220)
vs. FATHER JAMES JANSSEN and DIOCESE OF DAVENPORT,))) MOTION FOR SUMMARY JUDGMENT) AND REQUEST FOR ORAL ARGUMENT)
Defendants.)

Now comes the Defendant, Diocese of Davenport, by its attorneys, Lane & Waterman, and moves this Court to grant summary judgment in its favor and against the Plaintiff, James N. Wells, pursuant to Iowa Rule of Civil Procedure 1.981. Defendant's Statement of Undisputed Facts and Memorandum in Support of this motion are filed herewith and incorporated as if fully set forth herein.

Charles E. Miller

3798

Mikkie R Schiltz

/17672

Attorneys for Defendant, Diocese of Davenport

Of Counsel:

LANE & WATERMAN 220 N. Main St., Ste. 600 Davenport, IA 52801-1987 Phone: (563) 324-3246

FAX: (563) 324-3240

Copies to:

Craig A. Levien 600 Union Arcade Building 111 E. Third Street Davenport IA 52801

Edward N. Wehr Wehr, Berger, Lane & Stevens 326 W. Third Street, Suite 900 Davenport IA 52801

Proof of Service

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on

respective	#//2	_, 2003.
By:	✓ U.S. Mail	Fax
-	Hand Delivered	UPS
	FedEx	Other
Signature_	S. Dhaj H	