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24 **UNITED STATES DISTRICT COURT FOR THE**
 25 **EASTERN DISTRICT OF WASHINGTON**

26 JAMES S. GORDON, JR.,

27 Plaintiff,

28 vs.

29 IMPULSE MARKETING GROUP,
 30 INC.,

31 Defendant

32 _____
 33 IMPULSE MARKETING GROUP,
 34 INC.,

35 Third-Party Plaintiff,

36 vs.

37 BONNIE GORDON, et al.,

38 Third-Party Defendants.

No. CV-04-5125-FVS

DECLARATION OF FLOYD E. IVEY
 REGARDING MOTION TO
 CLARIFY SCHEDULING ORDER

1 The Scheduling Order in this matter sets, in paragraph 1, a discovery cutoff
2 of June 5, 2006. Paragraph 2 states that dispositive motions are to be filed on or
3 before June 12, 2006. Third Party Defendant's have filed Motions to Dismiss
4 noted for December 5, 2005 and dates thereafter in December. There will have
5 been no discovery conducted by December 5, 2005. The Plaintiff and Defendant
6 request clarification. Are dispositive motions to be filed after discovery cutoff or
7 at any time prior to June 12, 2006?

8 I certify and declare, under penalty of perjury under the laws of the State of
9 Washington, that the foregoing is true and correct.

10 DATED this 9th day of November, 2005.

11 LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE
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13
14 By s/ Floyd E. Ivey
15 FLOYD E. IVEY, WSBA#6888
16 Attorneys for Defendant

17 I hereby certify that on November 9, 2005, I electronically filed
18 **Declaration of Floyd E. Ivey Re: Motion to Clarify Scheduling Order** with the
19 Clerk of the Court using the CM/ECF System which will send notification of such
20 filing to Douglas E. McKinley, Jr., Peter J. Glantz and Sean A. Moynihan. I
21 hereby certify that I have served the foregoing to the following non-CM/ECF
22 participants by other means: Bonnie Gordon, Jonathan Gordon, James S. Gordon,
23 III, Robert Pritchett, Emily Abbey and Jamila Gordon.

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S/ FLOYD E. IVEY
FLOYD E. IVEY