

1 FLOYD E. IVEY  
 2 Liebler, Ivey, Connor, Berry & St. Hilaire  
 3 P. O. Box 6125  
 4 Kennewick, WA 99336-0125  
 5 509-735-3581  
 6 Attorneys for Defendant  
 7 Impulse Marketing Group, Inc.  
 8 and Third Party Plaintiff

9 Klein, Zelman, Rothermel, & Dichter, L.L.P.  
 10 By: Sean Moynihan, Esq.; Peter Glantz  
 11 485 Madison Avenue  
 12 New York, New York 10022  
 13 Telephone Number (212) 935-6020  
 14 Facsimile Number (212) 753-8101  
 15 Attorneys for Defendant  
 16 Impulse Marketing Group, Inc.  
 17 and Third Party Plaintiff

18 DOUGLAS E. MCKINLEY, JR.  
 19 Attorney At Law  
 20 P.O. Box 202 Richland, Washington 99352  
 21 509-628-0809  
 22 Fax (509) 628-2307  
 23 Attorney for Plaintiff

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

26 JAMES S. GORDON, JR.,

27 Plaintiff,

28 vs.

IMPULSE MARKETING GROUP,  
 INC.,

Defendant

No. CV-04-5125-FVS

MOTION TO EXPEDITE  
 MOTION TO CLARIFY  
 SCHEDULING ORDER AND IN THE  
 ALTERNATIVE TO EXTEND TIME  
 (WITHOUT ORAL ARGUMENT)

---

IMPULSE MARKETING GROUP,  
 INC.,

Third-Party Plaintiff,

vs.

BONNIE GORDON, et al.,

Third-Party Defendants.

1 The Court is moved to Expedite the hearing for Plaintiff's and Defendant's  
2 Motion to Clarify the Scheduling Order for hearing without Oral Argument on  
3 Monday, November 14, 2005 and in the alternative for an Extension of Time to  
4 Respond to Third Party Defendant's Motion to Dismiss.

5 DATED this 9<sup>th</sup> day of November, 2005.

6  
7 **DOUGLAS E. MCKINLEY, JR.**

**LIEBLER, IVEY, & CONNOR, P.S.**

8  
9 s/ Floyd E. Ivey for Douglas E. McKinley  
10 **Douglas E. McKinley, Jr. WSBA #20806**  
**Attorney for Plaintiff James S. Gordon**

s/ Floyd E. Ivey  
**Floyd E. Ivey, WSBA #6888**  
**Attorneys for the Defendant Impulse**

11  
12 I hereby certify that on November 9, 2005, I electronically filed **Motion to**  
13 **Expedite Motion to Clarify Scheduling Order** with the Clerk of the Court using  
14 the CM/ECF System which will send notification of such filing to Douglas E.  
15 McKinley, Jr., Peter J. Glantz and Sean A. Moynihan. I hereby certify that I have  
served the foregoing to the following non-CM/ECF participants by other means:  
Bonnie Gordon, Jonathan Gordon, James S. Gordon, III, Robert Pritchett, Emily  
Abbey and Jamila Gordon.

16  
17 S/ FLOYD E. IVEY  
**FLOYD E. IVEY**