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9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE EASTERN DISTRICT OF WASHINGTON**

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9 JAMES S. GORDON, JR., an individual
10 residing in Benton County, Washington,

NO. CV-04-5125-FVS

11 Plaintiffs

**DECLARATION OF FLOYD
E. IVEY IN SUPPORT OF
MOTION FOR ORDER OF
DEFAULT**

12 vs.

13 IMPULSE MARKETING GROUP, INC.,
14 a Nevada Corporation,

15 Defendants

16 IMPULSE MARKETING GROUP, INC.,

17 Third-Party Plaintiff,

18 vs.

19 BONNIE GORDON, JAMES S. GORDON,
20 III, JONATHAN GORDON, JAMILA
21 GORDON, ROBERT PRITCHETT and
22 EMILY ABBEY,

23 Third-Party Defendants.

24 I am counsel for Third-Party Plaintiff Impulse Marketing Group, Inc.
25 (“Impulse”). The Third-Party Summons and Complaint in this action were duly,
26 legally and personally served on the following named Third-Party Defendants on
27 the dates so indicated as appears in the affidavits of service which were filed with
28 the Court herein. More than twenty days have elapsed since the time of said

Declaration of Floyd E. Ivey Re: Motion for Default - 1

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Gordon\Pleadings\Defaults\Declaration of FEI re Motion for Order of
Default 051118.wpd

1 service upon each of the indicated Third-Party Defendants. The Third-Party
2 Defendants have appeared in this matter pro se. The Third-Party Defendants have
3 failed to file answers in this Court or served upon the Third-Party Plaintiff any
4 pleadings of any nature whatsoever other than their Notices of Appearance.
5 Therefore, the Third-Party Defendants which are identified herein are wholly in
6 default.

- 7 1. Emily Abbey, served October 10, 2005;
- 8 2. Jamila Gordon, served October 16, 2005;

9 The Soldiers and Sailors Relief Act does not apply.

10 This declaration is made as a basis for an Order of Default against the
11 indicated Third-Party Defendants.

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

14 s/ Floyd E. Ivey

November 18, 2005

15 FLOYD E. IVEY, WSBA 6888

Date

16 Signed at Kennewick, Washington

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

26
27
28 S/ FLOYD E. IVEY

FLOYD E. IVEY