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

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

12 Plaintiffs

13 vs.

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

16 Defendants

NO. CV-04-5125-FVS

**DECLARATION OF
 FLOYD E. IVEY RE:
 EXTENSION OF TIME
 TO FILE RESPONSE TO
 THIRD PARTY DEFENDANT
 MOTION TO DISMISS**

November 21, 2005
 W I T H O U T O R A L
 ARGUMENT

17 I am counsel for Defendant herein. Defendant and Third Party Plaintiff has
 18 filed its proposed Second Amended Third Party Complaint and Motion to Amend
 19 noted for hearing November 28, 2005. The Third Party Defendants have filed
 20 Motions to Dismiss the First Third Party Complaint with the first Motion to
 21 Dismiss, for Mr. Pritchett, on December 5, 2005. The remaining Third Party
 22 Defendant's Motions to Dismiss are scheduled into mid December, 2005. Third
 23 Party Plaintiff's Response to Defendant Pritchett's Motion to Dismiss is due
 24 November 18, 2005. Due to litigation and office demands the Defendant and
 25 Third Party Plaintiff seeks an extension of time to file Third Party Plaintiff's
 26 Response to Wednesday, November 23, 2005.

27 The foregoing is true and correct to my knowledge and belief. Signed at
 28 Kennewick Washington, November 18, 2005.

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LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE

By s/ Floyd E. Ivey
FLOYD E. IVEY, WSBA#6888
Attorneys for Defendant

I hereby certify that on November 18, 2005, I electronically filed Declaration of Floyd E. Ivey in support of Defendant's Motion For Extension of time To File Defendant's Response to Third Party Plaintiff's Motion to Dismiss with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Douglas E. 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.

S/ FLOYD E. IVEY
FLOYD E. IVEY