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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOV 21 2005

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN  
DISTRICT OF WASHINGTON AT RICHLAND

James S. Gordon, Jr., Plaintiff,

vs.

Impulse Marketing Group, Inc.,

Defendant

Impulse Marketing Group, Inc.,

Third-Party Plaintiff,

v.

Bonnie Gordon, Third-Party

Defendant

) Case No.: CV-04-5125-FVS

) AFFIDAVIT OF THIRD-PARTY  
) DEFENDANT, BONNIE F.  
) GORDON

TO: Clerk of the Court

AND TO: Floyd E. Ivey, Attorney for Third-Party Plaintiff

AND TO: Peter J. Glantz and Sean A. Moynihan

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Bonnie F. Gordon declare as follows:

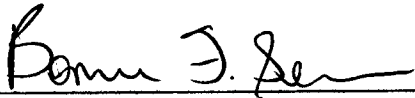
- 1) I, Bonnie F. Gordon , am the named third party defendant in the above captioned lawsuit. I am over the age of 18 and am otherwise competent to testify.
- 2) Upon receipt of third-party plaintiff's service of process, the undersigned filed a notice of appearance (pro se) with this Court.
- 3) I also sent an email to Mr. Floyd E. Ivey asking him to stipulate to an extension of time to file an answer to the instant counterclaims. (Exhibit 1)
- 4) As of the date below, Mr. Ivey has failed to respond to this emailed request.
- 5) Mr. Ivey has filed a motion for default without acknowledging or responding to my request for stipulation.
- 6) I have prepared an answer with affirmative defenses and counterclaims to Impulse's third party complaint in the event that my motion to dismiss is denied.

Mr. Ivey has an advantage in that he is an attorney and I am not. I trust that this Court will not grant him the additional advantage of an unfair surprise made in bad faith.

1 I declare under penalty of perjury under the laws of the United  
2 States that the foregoing is true and correct.

3  
4 Bonnie F. Gordon  
5 9804 Buckingham Drive  
6 Pasco, WA 99301  
7 509-210-1069

8  
9 EXECUTED this 21st day of November, 2005.

10   
11 \_\_\_\_\_

12  
13 I, hereby, certify that on November 21, 2005, I filed this affidavit with  
14 this Court. The Clerk of the Court will provide electronic notification  
15 system using the CM/ECF, which will send an electronic copy of this  
16 Notice to Douglas E. McKinley, Jr., Peter J. Glantz, Sean A. Moynihan,  
17 and Floyd E. Ivey. I have served all non-CM/ECF participants, Jamila  
18 Gordon, James Gordon III, Jonathan Gordon, Emily Abbey, and Robert  
19 Pritchett by other means.  
20  
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**No Recipient, Fwd: Postpone Answer**

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To:  
From: Bonnie Gordon <bonniefaye@charter.net>  
Subject: Fwd: Postpone Answer  
Cc:  
Bcc:  
Attached:

Date: Mon, 03 Oct 2005 09:31:16 -0700  
To: feivey@3-cities.com  
From: Bonnie Gordon <bonniefaye@charter.net>  
Subject: Postpone Answer

Mr. Ivey,

As you know, there is a hearing scheduled for October 12, 2005 regarding Doug Mckinley's motion to dismiss. Please stipulate that an answer, if necessary, can be submitted up to ten days after that motion hearing.

Thank You,

Bonnie Gordon