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

DEC 02 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 F. Gordon, Third-Party  
Defendant

Case No.: CV-04-5125-FVS

RESPONSE TO MOTION TO  
OPPOSE THIRD PARTY  
MOTION TO DISMISS - SECOND  
AFFIDAVIT OF THIRD-PARTY  
DEFENDANT, BONNIE F.  
GORDON

TO: Clerk of the Court

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

1 Bonnie F. Gordon declare as follows:

- 2
- 3 1) I, Bonnie F. Gordon, am the named third party defendant in
- 4 the above captioned lawsuit. I am over the age of 18 and am
- 5 otherwise competent to testify.
- 6 2) Impulse and/or its unnamed third party marketers sent me the
- 7 two emails, Exhibit 1 and Exhibit 2.
- 8 3) Each of the attached exhibits is addressed to the email address,
- 9 faye@gordonworks.com, and this address is an issue in the
- 10 above captioned lawsuit.
- 11 4) The contact information in terms of the street address
- 12 referenced in each email was my true address at the time(s) of
- 13 the alleged opt-in(s).
- 14 5) There are scores of additional emails with accurate contact or
- 15 subscriber information (profile) all of which have true and
- 16 correct contact information for faye@gordonworks.com.

17 I declare under penalty of perjury under the laws of the United

18 States that the foregoing is true and correct.

19

20

21 Bonnie F. Gordon

22 9804 Buckingham Drive

23 Pasco, WA 99301

24 509-210-1069

25

1 EXECUTED this 2nd day of December, 2005.

2 Ben J. Su

3  
4 I, hereby, certify that on December 2, 2005, I filed this affidavit with  
5 this Court. I have served Douglas E. McKinley, Jr., Peter J. Glantz,  
6 Sean A. Moynihan, Floyd E. Ivey, Jamila Gordon, James Gordon III,  
7 Jonathan Gordon, Emily Abbey, and Robert Pritchett by mail and/or  
8 other means., Emily Abbey, and Robert Pritchett by other means.

9 Ben J. Su

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Exhibit 1

Delivered-To: virtual-gordonworks\_com-jim@gordonworks.com  
Delivered-To: virtual-gordonworks\_com-faye@gordonworks.com  
Subject: 1419 Jadwin Avenue Richland WA  
From: Lending Group<LendingGroup31347402@the-lendinggroup.com>  
To: faye@gordonworks.com  
X-SP-Track-ID: <odTXzNapRBt7E>  
Date: Fri, 11 Mar 2005 18:38:26 -0500

The Lending Group

Loan Setup Approval #: 5033042101  
Borrower: faye@gordonworks.com  
Subject Property: 1419 Jadwin Avenue Richland WA  
Loan Program: MAT 30yr Mortg.  
Interest Rate: 1.25%  
Loan Amount: 158,650

Your internet loan request has been approved for Application set-up. For your reference the inquiry application number is 5033042101. Your initial inquiry will expire: 03/31/05. For your own protection in order to continue with the processing of this Mortgage Loan, it is mandatory to continue the application by phone. If you wish to cancel or proceed with this Mortgage Transaction you may do so by calling 800-599-0206 ext 4020 and ask for Paul Mathews.

Thank You  
Internet Loan Department

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If you believe you have got this email in error, go to : [here](#) or inform us at :  
The Lending Group,  
17971 Biscayne Blvd.  
Suite 213,  
Aventura, FL 33160

Exhibit 2

Delivered-To: virtual-gordonworks\_com-jim@gordonworks.com  
Delivered-To: virtual-gordonworks\_com-faye@gordonworks.com  
Date: Mon, 02 Aug 2004 20:38:54 PDT  
From: Mary Harvey <maryharvey@rightmindedvirtue.com>  
To: faye@gordonworks.com  
Subject: WA RICHLAND Reifnace Faye Gordon  
Reply-To: Mary Harvey <maryharvey@rightmindedvirtue.com>  
Subject: WA RICHLAND Reifnace Faye Gordon

Faye Gordon

I heard you may have interest in either purchasing a new RICHLAND WA home, or Refi at 1419 Jadwin Avenue. I can be a direct free help to you.

<http://zz6661796540676f72646f6e776f726b732e636f6d.rightmindedvirtue.com>

Sincerely  
Mary Harvey  
Customer Service Specialist

If you don't want mails, write to my address or use our online removal:  
<http://zz6661796540676f72646f6e776f726b732e636f6d.rightmindedvirtue.com>