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

26 JAMES S. GORDON, JR.,

27 Plaintiff,

28 vs.

29 IMPULSE MARKETING GROUP,  
 30 INC.,

31 Defendant

32 \_\_\_\_\_  
 33 IMPULSE MARKETING GROUP,  
 34 INC.,

35 Third-Party Plaintiff,

36 vs.

37 BONNIE GORDON, et al.,

38 Third-Party Defendants.

No. CV-04-5125-FVS

DEFENDANT'S MOTION TO  
 COMPEL AND FOR SANCTIONS

1 Defendant moves for Sanctions and to Compel Plaintiff's Responses to  
2 Defendant's First Interrogatories to Plaintiff and First Request for Production of  
3 Documents to the Plaintiff which were served by U.S. Mail on December 23,  
4 2005. This Motion is based on the separate Declaration of Floyd E. Ivey and  
5 Defendant's Memorandum in Support.

6 DATED this 21<sup>st</sup> day of February, 2006.

7  
8 **LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE**

9  
10 **s/ Floyd E. Ivey**  
11 **Floyd E. Ivey, WSBA #6888**  
12 **Attorneys for the Defendant Ascentive**

13  
14 I hereby certify that on February 21, 2006, I electronically filed **Motion to**  
15 **Compel Plaintiff's Response to Defendant's Motion to Compel** with the Clerk  
16 of the Court using the CM/ECF System which will send notification of such filing  
17 to Douglas E. McKinley, Jr. , Peter J. Glantz and Sean A. Moynihan. I hereby  
18 certify that I have served the foregoing to the following non-CM/ECF participants  
19 by other means: Bonnie Gordon, Jonathan Gordon, James S. Gordon, III, Robert  
20 Pritchett, Jamila Gordon and Emily Abbey.

21  
22 **S/ FLOYD E. IVEY**  
23 **FLOYD E. IVEY**