

1 The Court is moved, pursuant to Fed. R. Civ. P. 12(b)(6) to Dismiss the  
2 Third Party Defendants' Counterclaims. This Motion is supported by Defendant  
3 and Third Party Plaintiff's MEMORANDUM OF LAW IN SUPPORT OF  
4 MOTION TO DISMISS THIRD PARTY DEFENDANTS' COUNTERCLAIMS

5  
6 DATED this 31st day of March, 2006.

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8 S/FLOYD E. IVEY

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Liebler, Ivey, Conner, Berry &  
St. Hilaire

10 By: Floyd E. Ivey  
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14 Local Counsel for Defendant  
15 Impulse Marketing Group, Inc.

16 S/FLOYD E. IVEY for SEAN  
17 MOYNIHAN and PETER GLANTZ

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Sean A. Moynihan  
19 Peter J. Glantz  
20 Klein, Zelman, Rothermel & Dichter,  
21 LLP  
22 485 Madison Avenue, 15<sup>th</sup> Floor  
23 New York, New York 10022  
24 (212) 935-6020  
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26 I hereby certify that on March 31, 2006, I electronically filed **Motion to**  
27 **Dismiss Third Party Defendant's Counterclaims** with the Clerk of the Court  
28 using the CM/ECF System which will send notification of such filing to Robert J.  
Siegel, 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

1 and Jamila Gordon.

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S/ FLOYD E. IVEY

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FLOYD E. IVEY

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