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

APR 03 2006

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 IMPULSE'S
MOTION TO DISMISS THIRD
PARTY COUNTERCLAIMS

TO: Clerk of the Court

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

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

Prefacing Statement

1
2 Third party defendants, Bonnie, Jamila, James III, and Jonathan Gordon have
3 frequently been sent documents to addresses other than the address of record with
4 this Court. **Exhibit 1** The effect of this “mistake” is that documents arrive late or
5 very close to deadlines. Because this behavior happens so frequently, I wish to
6 register my objection/complaint with this Court. At no time during Impulse’s
7 lawsuit against me have I lived at the address to which **Exhibit 1** is addressed. I am
8 aware of frequent errors in the mailing of legal correspondence by Impulse to third
9 party defendants as their mail is sent to my home. Occasionally, a third party
10 defendant is not sent documents that other third party defendants received, this
11 mistake occurred three times during the week of 3/27/03.

INTRODUCTION

12
13 The undersigned third party defendant has included evidence in prior filings with
14 this Court that Impulse via its communication with Commonwealth Marketing
15 Group, Inc. of PA (CMG) knew that it was not to have commercial contact with
16 Plaintiff’s domain, “gordonworks.com” (wherein I had an email address bearing
17 my name). On or about October, 21, 2003, Impulse’s Kenneth Adamson wrote to
18 Jacques Joseph of CMG, “this recipient is in a file of blocked and/or suppressed
19 recipients”. My answer and the subsequent affidavit in support are replete with
20 other Impulse and CMG communications, which further corroborate this statement
21 by Mr. Adamson.

22 Impulse’s entire defense is based on the now apparent lie that third party
23 defendants somehow conspired against it – when it was Impulse that failed to
24 follow its own internal procedures, memoranda, and orders from the principal
25 which hired it regarding the cessation of sending of email to “gordonworks.com” –

1 this colossal failure of Impulse gave rise to third party claims and counterclaims
2 that have come before this Court.

3 Third party defendant has exerted as much or more effort, time, and expense
4 (proportionately) than Impulse in the defense of Impulse's SLAPP suit. Impulse's
5 causes of action are entirely baseless. Even if one assumes that each claim was
6 valid, all "bets were off" by 10/21/03 as admitted by Impulse's Ken Adamson in an
7 email to CMG. Each email after that date was sent in violation of RCW 10.14,
8 Washington State's Anti-Harassment statute. As recently as 3/22/03, Impulse sent
9 me spam - unwanted and illegal communications, communications which have no
10 commercial purpose, except to harass, annoy and intimidate me. **Exhibit 2** There
11 is no sound rationale for sending me spam two years and five months after Impulse
12 claimed no more spam would be sent to me. Impulse has also continued to usurp
13 my identity and spam me at my new domain. This new transgression by Impulse is
14 in violation of Can-Spam along with RCW 19.190, 19.86, etc. **Exhibit 3**

15 **Response to Argument - I**

16 The reference to a civil not a criminal matter was, in fact, a reference to the above
17 captioned case. This case has morphed into a criminal case in terms of third party
18 defendant's causes of action as per RCW 10.14, RCW 19.170, RCW 9.35. It is my
19 belief/understanding that each of these claims falls under the criminal code of
20 Washington State. It is further my belief that I can prove each assertion (actually
21 Impulse proves each assertion by its errors and omissions).

22
23 For example, the person who pressed the send button (along with the person or
24 persons which authorized the same) may both be guilty of violations of RCW
25 10.14, because that send button was pressed or ordered to be pressed by Impulse,

1 Impulse benefited financially from the pressing of the button, and Impulse knew
2 that no messages were to be sent to "gordonworks.com". Exhibits provided by
3 third party defendant in the answer, claims and affidavit/declaration attest to this
4 knowledge – Impulse's subsequent behaviors violated RCW 10.14, Impulse's Jeff
5 Goldstein, Phillip Huston and Kenneth Adamson are jointly and severally liable for
6 multiple and continual violations.

7 Impulse asserts in its "Second Amended Complaint" (document 185), Nos. 12 and
8 60, that "third party defendants received free products". This assertion is a lie. But
9 it is more interesting as the truth, because it belies Impulse's assertion that false
10 profiles were provided by third party defendants. How could a third party
11 defendant receive free products at false addresses and with false names?

12 Impulse admits in No.1 of its second amended complaint (document 185),
13 "Impulse...collects personally identifiable information from individuals...". That
14 personally identifiable information includes social security numbers and dates of
15 birth – fodder for identity theft. Impulse also admits in Nos. 3 and 4 it collects
16 these data for marketing purposes as substantial revenue ensues. This practice of
17 buying and selling personally identifying information for profit has and is being
18 done in violation of RCW 9.35 et seq. The foregoing violation of criminal statutes
19 of Washington State supports my belief that Impulse is engaged in criminal
20 conspiracies to violate numerous laws. Because these violations take place across
21 state lines and internationally, I believe that these violations are federal crimes.

22 **Response to Argument - II**

23 **Exhibit 2/3** and the hundreds of emails from Impulse since the inception of this
24 lawsuit in November 2004, support the basis of my argument regarding 18 USC
25

1 1037. Plaintiff and I are owners of the Omni Innovations, LLC, which in turn owns
2 and operates an Interactive Access Service, as such I have knowledge of Impulse's
3 continual violations of state and federal law as well as other details of this
4 litigation. That includes personal knowledge of Impulse's violations of laws as it
5 pertains to our server's clients – including other third party defendants except
6 Robert Pritchett (he did not have an opt-in address at "gordonworks.com"). And it
7 is this knowledge, which leads me to believe that my claim is valid.

8 Expert witnesses have begun to analyze Plaintiff and third party defendant's emails
9 – my assertion of violations of RCW 19.190 and Can-Spam has been corroborated
10 by these expert witnesses.

11 **Exhibit 2** was sent via illegal relaying through computers which are on block lists
12 – (highlighted in this exhibit). Block lists represent attempts by organizations to
13 prevent the receipt of email from known spammers such as Impulse. In **Exhibit 2**,
14 the spammer hijacked the computer or otherwise compromised it. The
15 "66.59.94.15" IP (Internet Protocol) in this email belongs to an entity, which has
16 falsely registered itself as either "Chewy Inc" or "Premium Products Inc" – both
17 companies are "fakes" (or unregistered to do business in NY) as each is absent
18 from New York State's registry of corporations. False domain registrations are
19 among the illegal activities of Impulse. This is but one of hundreds (thousands) of
20 email from Impulse that is sent in violation of the referenced statute(s). I trust this
21 one of many examples meets the heightened pleading requirements of the
22 referenced Rule 9 (b).

Response to Argument – III

1
2 Impulse was so anxious to crush the opposition in this lawsuit that it sued all the
3 prospective witnesses as provided by Plaintiff. This SLAPP suit included Richland
4 Police Officer, Lew Reed. Impulse later dropped the lawsuit against Officer Reed.

5 CMG mentions in correspondence to Impulse by CEO, Robert Kane that
6 Washington State courts have ordered him to not send "gordonworks.com". That
7 letter dated 2/9/04 was previously entered into evidence via sworn statements by
8 me. Impulse was well aware of Plaintiff's complaints to government agencies. This
9 is a prima facie violation of RCW 4.25 et seq.

Response to Argument - IV

10
11 Impulse has admitted to collecting personally identifiable information in its second
12 amended complaint, Nos. 3-4. Impulse admits to obtaining email addresses
13 ostensibly for marketing purposes, i.e buying and selling these email addresses and
14 profiles for profit. Impulse either perpetrates or abets fraud by promising prizes
15 and not delivering the prizes apparently in order to buy and sell personally
16 identifying in violation of this statute.

17
18 Impulse then lied to this Court by claiming that it delivered prizes to third party
19 defendants at their allegedly "fraudulent" profiles, i.e. addresses (Impulse's second
20 amended complaint, Nos. 12 and 60).

21 It is my limited understanding of the law that a federal judge has wide discretion in
22 terms of hearing state matters and deciding same. That is why I have submitted this
23 claim to this Court.
24
25

1 Impulse has failed to answer discovery, which could name the actual parties who
2 are liable under each of the criminal statutes cited in my answer and counterclaims.
3 I believe the withholding of this information is an activity that abets the same
4 criminal violations above and protects the "guilty" parties.

5 **Response to Argument – V**

6 Impulse has engaged in a course of conduct since 10/21/03, which includes a series
7 of acts over a period of time, however short, evidencing a continuity of purpose.
8 "Course of conduct" includes, in addition to any other form of communication,
9 contact, or conduct, the sending of an **electronic communication** [emphasis
10 added] – RCW 10.14.020(2). RCW 10.14.030, 1-6, outlines a six-prong test to
11 determine if the communication between Impulse and me serves any legitimate
12 purpose. The law states that in determining whether the course of conduct serves
13 any legitimate or lawful purpose, the court should consider whether:

14
15 (1) Any current contact between the parties was initiated by the respondent
16 only or was initiated by both parties; (2) The respondent has been given
17 clear notice that all further contact with the petitioner is unwanted; (3) The
18 respondent's course of conduct appears designed to alarm, annoy, or harass
19 the petitioner; (4) The respondent is acting pursuant to any statutory
20 authority, including but not limited to acts which are reasonably necessary
21 to: (a) Protect property or liberty interests; (b) Enforce the law; or (c) Meet
22 specific statutory duties or requirements; (5) The respondent's course of
23 conduct has the purpose or effect of unreasonably interfering with the
24 petitioner's privacy or the purpose or effect of creating an intimidating,
25 hostile, or offensive living environment for the petitioner; (6) Contact by the
respondent with the petitioner or the petitioner's family has been limited in
any manner by any previous court order.

24 Impulse's behavior in terms of the foregoing statute serves no purpose other than
25 to harass and annoy me as it was given clear notice to stop.

Response to Argument - VI

1
2 The undersigned has already provided Impulse with an actual email (Exhibit 4a of
3 my affidavit in support of the answer and counterclaims) which was sent by
4 Impulse or its unnamed marketing partner multiple times. This email subject line
5 stated that I had already won a prize. Such a statement is clearly an inducement to
6 read the email and visit a web site to claim the prize. The subsequent failure of the
7 web site owner and (admitted) marketing partner of Impulse is a prima facie
8 violation of RCW 19.170. Further, the required disclosures of this statute were not
9 supplied by the spammer, web site owner, and/or Impulse - another instance of a
10 violation of this statute. The free prize was not free as it required the recipient to
11 participate in or buy another related service without disclosing same. The variety
12 of illegal aliases used by Impulse is discussed again, below.

Response to Argument - VII

13
14 The claim for vicarious liability attaches to the actions of agents of Impulse who,
15 on the one hand, are purported to operate independently and, on the other hand,
16 serve as marketing partners bestowing or conveying standing to it in regards to its
17 specious claims against each third party defendant. Impulse's arguments regarding
18 me allegedly supplying it with false information at a web site belonging to
19 unnamed marketing partner(s) [a benefit] coupled with the distancing of itself from
20 the claims by me and Plaintiff [a liability] are evidence of its desire to reap the
21 benefits of agency without the liabilities. Impulse and/or agents acting at its behest
22 defrauded me, stole my identity, and continue to harass me via email. **Exhibit 2**

Response to Argument - VIII

23
24 Exhibit 5 from my affidavit referenced above is a list of scores of aliases (taken
25 from another list of over 500 aliases) used by Impulse or the unnamed marketing

1 partner for which vicarious liability attaches as a legal concept (apart from real
2 estate) in terms of principal-agent law. There is no valid commercial purpose for
3 obfuscating the identity of the sender of an email. Impulse has done this hundreds
4 of times, directly or through its agents. Obfuscation of the origin of an email is a
5 prima facie violation of RCW 19.190, RCW 19.86, and Can-Spam. This criminal
6 impersonation aided Impulse's scheme to illegally obtain personally identifying
7 information via fraudulent devices, i.e. ads for non-existent prizes.

8 **Response to Argument - IX**

9 In light of Impulse's clarification of this point of law, I stipulate that this "claim"
10 should, in fact, be an affirmative defense.

11 **Response to Argument - X**

12 This may be the easiest claim to prove to a jury as Impulse knew as early as
13 September and October 2003, that "gordonworks.com" was to get no more email
14 ads. From that point forward, it carelessly, callously, maliciously, and/or
15 fraudulently lambasted me in its false representations to this Court and to all who
16 read these proceedings, that I was/am a criminal co-conspirator with Plaintiff.

17
18 Impulse's foreknowledge of its obligation to avoid sending the undersigned email
19 and its subsequent lies to cover its misdeeds is in fact fraudulent and/or perjury.

20 Impulse's mischaracterizations of me as a criminal co-conspirators (perpetrating
21 fraud, deceit, malice and the like) is being posted on web sites and read by people,
22 internationally – and constitutes a violation of the libel statute. **Exhibit 4** is an
23 actual web site's URL – based in the United Kingdom, which discusses this case –
24 the site has a link to another site (in California) with documents from this case ---
25 http://www.spamhaus.org/rokso/evidence.lasso?rokso_id=ROK5431

Response to Argument - XI

1
2 The pattern of violating criminal statutes has been established. Impulse and/or its
3 agents email advertisements for counterfeit drugs, "unlabelled" pornography,
4 pirated software, securities schemes, and mortgage scams to obtain personally
5 identifiable information for profit. Impulse has contracted with Mr. Jeffrey Peters,
6 a felon on parole in Florida for grand larceny and drug offenses to send email on
7 its behalf. It has also contracted with Mr. Scott Richter of Colorado who was
8 successfully sued by New York State and Microsoft for illegal spamming. It is also
9 contracting with an alleged porn spammer from Canada, Azoogie.

Response to Argument - XII

10
11 **Exhibit 2** is one of dozens of emails that I have received which violate RCW
12 19.190 and RCW 19.86 and Can-spam. On our (LLC's) server, there are close to
13 9,000 more emails like **Exhibit 2** and **Exhibit 3** from Impulse. One of the elements
14 of Can-Spam that was violated by Impulse, repeatedly, is the provision to scrub an
15 email address when notified of the recipient's desire to stop receiving email from a
16 given source. Impulse has failed many requests to stop sending me email.

Response to Argument - XIII

17
18 **Exhibit 2** is my valid claim. Highlighted in this email are actual violations of the
19 relevant statutes. I am in possession of many illegal emails from Impulse. The
20 transmission path of this email and other email obfuscate the sender among other
21 violations.

Response to Argument - XIV

22
23 Violations of RCW 19.190 are per se violations of Washington State's Consumer
24 Protection Act – see RCW 19.190.030 and RCW 19.86.020. **Exhibit 2** is an
25 example of a statutory violation, which is delineated (highlighted) with specificity.

Response to Argument - XV

1
2 My claim for an injunction is due to the ongoing buying and selling of my identity
3 by Impulse and its harassment of me. These behaviors can have serious financial
4 and personal impact on me.

5 Under a separate motion for injunction, I have moved this Court to enjoin Impulse
6 from sending me additional email as in **Exhibit 2**. This email was sent to me six
7 months after Impulse filed suit against me. Impulse also sent me email in October,
8 November and December of 2005. Unless this Court intervenes, Impulse will
9 continue to harass me and benefit from the buying and selling of my identity.

Conclusion

10
11
12 At the basis of each of my claims is a good-faith belief and oftentimes
13 documentation as well to support that claim. Sanctions are not in order. Each party
14 has a right to its own defense. As Impulse has knowingly sued pro se defendants
15 without cause, it should not be rewarded solely on the basis that an attorney(s)
16 prepared its filing with this Court. I believe that I have properly pled and
17 introduced evidence that indicates that I have a good-faith belief that I have been
18 wronged by Impulse – civilly and criminally.

19 The undersigned third party defendant requests that this Court deny Impulse's
20 request for dismissal of my counterclaims.

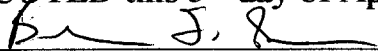
21 Upon further investigation, the undersigned may amend its counterclaims to
22 include Rule 11 violations by Impulse as the claims which it has set before this
23 Court have disintegrated in the face of documents between CMG and Impulse
24 demonstrating its knowledge of third party defendant's desire not to receive email
25

1 and its subsequent fraudulent cover story to deflect its culpability in a criminal
2 scheme against me and others.

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

5
6 Bonnie F. Gordon
7 9804 Buckingham Drive
8 Pasco, WA 99301
9 509-210-1069

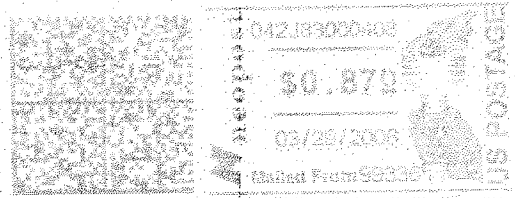
10
11 EXECUTED this 3rd day of April, 2006



12
13 **Certificate of Service**

14 I, hereby, certify that on April 3, 2006, I filed this affidavit with this Court. I have
15 served Bob Siegel, Peter J. Glantz, Sean A. Moynihan, Floyd E. Ivey, Jamila
16 Gordon, James Gordon III, Jonathan Gordon, Emily Abbey, and Robert Pritchett
by other means.

17
18
19
20
21
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23
24
25

LIEBLER, IVEY, CONNER, BERRY & ST. HILAIRE
ATTORNEYS AT LAW
1141 N. EDISON, SUITE C
P.O. BOX 6125
KENNEWICK, WA 98336

To

Bonnie Gordon
1419 Jadwin Avenue
Richland, WA 99352

GORDON* 99352014 1505 20 03/31/06
NOTIFY SENDER OF NEW ADDRESS
GORDON BONNIE
9804 BUCKINGHAM DR
PASCO WA 99301-6723

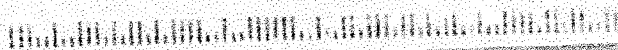


Exhibit 2

X-Persona: <gordonworks.com>
Return-Path: <FAYE@gordonworks.com>
Delivered-To: 7-jim@gordonworks.com
Received: (qmail 14370 invoked by uid 0); 22 Mar 2006 04:49:59 -0600
Received: (qmail 26114 invoked from network); 22 Mar 2006 04:35:56 -0600
Received: from mail3.banddly.com (66.59.94.15)
by omniinnovations.com with SMTP; 22 Mar 2006 04:35:48 -0600
Message-ID: <15710722.1143023697747.JavaMail.root@banddly.com>
Date: Wed, 22 Mar 2006 04:34:57 -0600 (CST)
From: Free Card Search <card@banddly.com>
Reply-To: Free Card Search <r-1511342-35879@banddly.com>
To: "faye gordon" <FAYE@GORDONWORKS.COM>
Subject: *****SPAM***** Your New Credit Line Has Been Approved Please Activate
Mime-Version: 1.0
Content-Type: multipart/alternative;
boundary="----=_Part_68781_22369225.1143023697745"
X-CC: lfdhgkzgzzyokoyffsztfzt ggyozoothkytzwfg gzkwgwgsf
X-Spam-Flag: YES
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on gordonworks.com
X-Spam-Level: *****
X-Spam-Status: Yes, hits=16.5 required=7.0 tests=ADDR_FREE,BAD_CREDIT,
BAYES_99,BEEN_TURNED_DOWN,COMPLETELY_FREE,FOR_FREE,
HTML_IMAGE_RATIO_04,HTML_MESSAGE,HTML_TITLE_UNTITLED,NO_OBLIGATION,
RCVD_IN_BL_SPAMCOP_NET,RCVD_IN_SBL autolearn=spam version=2.63
X-Spam-Report:
* 2.6 ADDR_FREE From Address contains FREE
* 1.4 BEEN_TURNED_DOWN BODY: Have you been turned down?
* 0.4 BAD_CREDIT BODY: Eliminate Bad Credit
* 0.5 COMPLETELY_FREE BODY: No such thing as a free lunch (2)
* 0.6 FOR_FREE BODY: No such thing as a free lunch (1)
* 1.5 NO_OBLIGATION BODY: There is no obligation
* 1.1 HTML_IMAGE_RATIO_04 BODY: HTML has a low ratio of text to image area
* 0.1 HTML_MESSAGE BODY: HTML included in message
* 5.4 BAYES_99 BODY: Bayesian spam probability is 99 to 100%
* [score: 1.0000]
* 0.4 HTML_TITLE_UNTITLED BODY: HTML title contains "Untitled"
* 1.5 RCVD_IN_BL_SPAMCOP_NET RBL: Received via a relay in bl.spamcop.net
* [Blocked - see <<http://www.spamcop.net/bl.shtml?66.59.94.15>>]
* 1.1 RCVD_IN_SBL RBL: Received via a relay in Spamhaus Block List
* [<<http://www.spamhaus.org/SBL/sbl.lasso?query=SBL30018>>]

FREE CARD SEARCH FEATURING UP TO A **\$7500 CREDIT LIMIT** **VISA MasterCard**

IT'S ABSOLUTELY FREE WITH NO CREDIT CHECKS OR INQUIRIES TO PRE-QUALIFY! [CLICK HERE TO REPORT SPAM!](#)

CREDIT IN THE TRASH?

GET A CREDIT CARD NOW!
Using our instant credit card matching search engine is as easy as... **1-2-3!**

- 1. PROVIDE YOUR INFO**

- CLICK SEARCH**
- SEE YOUR RESULTS!**

APPLY NOW!

FREE CARD SEARCH GIVES YOU THE POWER TO PURCHASE!

If you wish to opt out of this offer, [Click Here](#).
Free Card Search c/o Impulse Marketing Group
1100 Hammond Drive NE
Suite 410A - 202
Atlanta, Georgia 30328

To no longer receive these messages, please send a blank email here:
unsub-ixboxfgcmftbde@banddly.com
OR Send a postal mail to: Premium Products, 301 E 47th St. New York, NY 10017

X-Persona: <Bonnie>
 Return-Path: <sweepsrewards-return-417-jim=itdidnotendright.com@sweepsrewards.com>
 Delivered-To: 1-jim@itdidnotendright.com
 Received: (gmail 4320 invoked from network); 7 Oct 2005 12:40:05 -0600
 Received: from h26.biglist.com (209.123.46.126)
 by xj4x4.net with SMTP, 7 Oct 2005 12:40:05 -0600
 Received: (gmail 93152 invoked from network); 7 Oct 2005 14:52:14 -0000
 Received: from unknown (209.123.46.113)
 by 0 with QMQP, 7 Oct 2005 14:52:14 -0000
 From: "SweepsRewards" <sweepsrewards-service@sweepsrewards.com>
 Subject: \$12500 Unsecured Credit line
 Date: Fri, 7 Oct 2005 10:32:44 -0400
 Content-Type: text/plain
 Content-Disposition: inline
 Content-Transfer-Encoding: 7bit
 MIME-Version: 1.0
 Message-ID: <200510052120.j95LKmA3029838@report.win hundred.com>
 To: jim@itdidnotendright.com
 Mailing-List: contact sweepsrewards-help@sweepsrewards.com
 List-Unsubscribe: <mailto:sweepsrewards-unsub-1521490756@sweepsrewards.com>, <http://sweepsrewards.com/list/sweepsrewards/?p=unsub&pre=l&e=1521490756&pw=q747vm8hc5>
 List-Help: <mailto:sweepsrewards-help@sweepsrewards.com>
 List-Subscribe: <mailto:sweepsrewards-sub-1521490756@sweepsrewards.com>
 Precedence: bulk
 X-BI-Legal-Notice: <http://www.BIGLIST.com/legal/>
 X-Complaints-To: <mailto:abuse@BIGLIST.com>
 Reply-To: sweepsrewards-unsub-1521490756@sweepsrewards.com

To report spam to the sender please visit our site at
<http://sweepsrewards.com/abuse/sweepsrewards/1521490756/417>

Your email was registered to receive commercial messages about sweepstakes, free stuff and other great values at . If you wish to end these mailings please visit our site at <http://sweepsrewards.com/list/sweepsrewards/?p=unsub&pre=l&e=1521490756&pw=q747vm8hc5> to modify your mailing options.

Way to go! You have been chosen for a \$12500 increase in Credit from USA Optimum Gold. Your approval is *Guaranteed. Simply click on the link to complete the application.

This offer is valid even if you've had past credit problems or even no financial history. Now you can obtain \$12500 in increased Credit that can help you establish your financial history.
 And to help get your card to you sooner, there will be no employment or credit verification.

[http://c.coolstuffemails.com/WIN_4317J?](http://c.coolstuffemails.com/WIN_4317J?email=jim_at_itdidnotendright.com&a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07)
[email=jim_at_itdidnotendright.com&a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07](http://c.coolstuffemails.com/WIN_4317J?email=jim_at_itdidnotendright.com&a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07)

That's right, now you can enjoy great merchandise while building your credit because USA Optimum Gold reports your new credit to a major credit bureau. We can help you to establish a positive credit line while you purchase the items you want to have today.

Act now and claim your unsecured USA Optimum Gold Credit Line with a starting \$12500 credit limit today.

[http://c.coolstuffemails.com/WIN_4317J?](http://c.coolstuffemails.com/WIN_4317J?email=jim_at_itdidnotendright.com&a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07)
[email=jim_at_itdidnotendright.com&a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07](http://c.coolstuffemails.com/WIN_4317J?email=jim_at_itdidnotendright.com&a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07)

Sincerely,
 Your New Offers Department

*see website for Terms and Conditions

If you wish to opt out of this offer please visit:

[http://c.coolstuffemails.com/WIN_4316W?
email=jim_at_itdidnotendright.com&_a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07](http://c.coolstuffemails.com/WIN_4316W?email=jim_at_itdidnotendright.com&_a=c&k=n&q=y&campaign=impl&list_id=115&date=2005-10-07)

USA Optimum Gold c/o Impulse Marketing Group 1100 Hammond Drive NE Suite 410A - 202 Atlanta, Georgia 30328

--> *You can win thousands in cash and prizes! Just add us to your address book to make sure you receive every opportunity to enter sweepstakes and get free stuff.*

Notice: This is an advertisement. If you do not wish to get further information from SweepsRewards, please change your options below.

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Jeffrey P Goldstein / Gregory Greenstein - emailhello.com / impulse marketing

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Country: **United States** State: **Georgia**

LEGAL: Spammers sued, counter with an ugly SLAPP countersuit

ROK5431

When caught spamming in violation of the law, spammers seem to do any of several things: Pay up, run and hide, or try and fight back by using underhanded tactics. Since laws against perjury before the courts in the USA are seldom, if ever, enforced, most spammer suits, and in this case, countersuits, seem to be based on the idea popularized by Joseph Gobbels, the Nazi Germany Minister of Propaganda. Herr Gobbels came up with the "Big Lie:" Tell a big enough falsehood, and many times people will swallow it.

In their response to the plaintiff's complaint, the spamming defendants would have made the Propaganda Minister proud. To those who are familiar with what Impulse Marketing Group has done over the years, reading this response is actually quite funny.

The SLAPP (<http://www.thefirstamendment.org/antislappresourcecenter.html#What%20are%20slapps>) nature of the countersuit should prove interesting, as the state (Washington) where the plaintiff located had enacted some of the first (<http://www.casp.net/statewa.html>) anti-SLAPP laws (<http://www.casp.net/wa-stat.html>) in the USA.

Related URLs

[PDF files of legal documents in Gordon v. IMG action](#)

The address of this ROKSO record is: http://www.spamhaus.org/rokso/evidence.lasso?rokso_id=ROK5431

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