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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

No. CV-04-5125-FVS

MOTION TO DISMISS THIRD PARTY DEFENDANTS' AMENDED COUNTERCLAIMS

Noted for Hearing May 18, 2006 at 10:00 a.m.

WITH ORAL ARGUMENT

32 IMPULSE MARKETING GROUP,
 33 INC.,
 34 Third-Party Plaintiff,
 35 vs.
 36 BONNIE GORDON, et al.,
 37 Third-Party Defendants.

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PRELIMINARY STATEMENT

Defendant and Third Party Plaintiff now Moves to Dismiss Third Party Defendants' Amended Counterclaims. Defendant and Third Party Plaintiff has noted its Motion to Dismiss Third Party Defendants' Counterclaims with the motion set for oral argument May 18, 2006 at 10 a.m. Third Party Defendants have filed First Amended Counterclaims subsequent to the noting of the Third Party Plaintiff's Motion to Dismiss. The Third Party Defendant's have revised their original counterclaims and have added one or more counterclaim. The Third Party Plaintiff notes this Motion to Dismiss the Amended Counterclaims for May 18, 2006 at 10 a.m.

This Motion is supported by a contemporaneously filed Memorandum in Support of Third Party Plaintiff's Motion to Dismiss Amended Counterclaims.

DATED this 12th day of May, 2006.

S/FLOYD E. IVEY

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By: Floyd E. Ivey
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Local Counsel for Defendant
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S/FLOYD E. IVEY for SEAN MOYNIHAN
and PETER GLANTZ

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I hereby certify that on May 12, 2006, I electronically filed THIRD PARTY PLAINTIFF'S MOTION TO DISMISS THIRD PARTY DEFENDANTS' AMENDED COUNTERCLAIMS with the Clerk of the Court 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 and Jamila Gordon.

S/ FLOYD E. IVEY

FLOYD E. IVEY