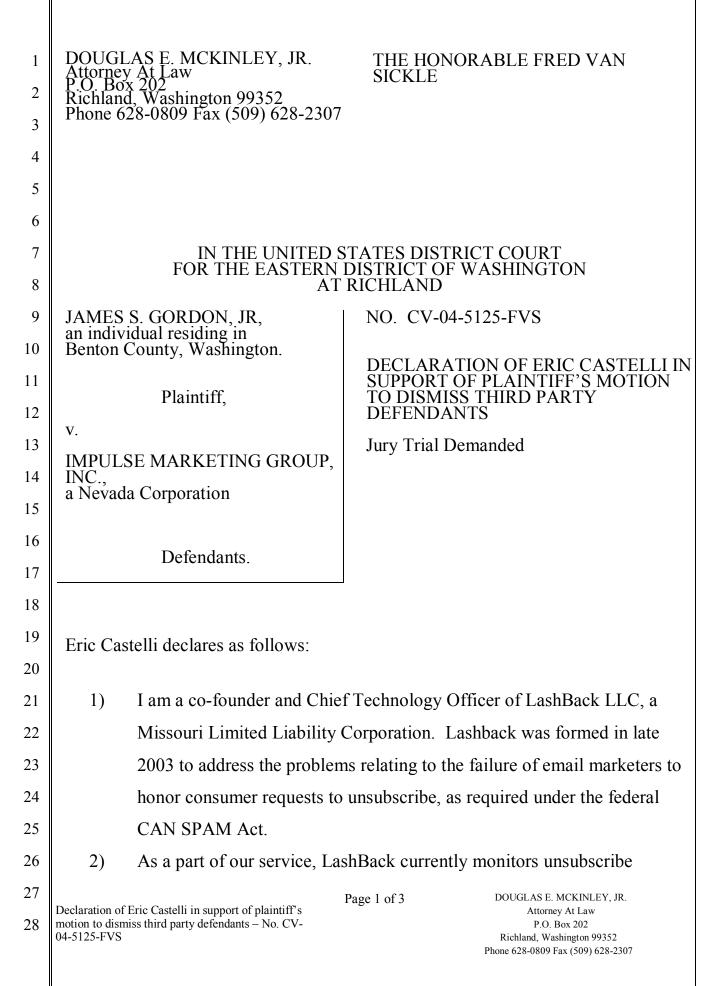
Filed 08/17/2005



compliance on over 600,000 email senders and is the leading authority in unsubscribe reputation. The Federal Trade Commission (FTC) has sought out LashBack's expertise to assist the FTC in complying with the FTC's reporting obligations under the federal CAN SPAM Act. Responsive to the FTC's inquiries, LashBack provided expert testimony in July 2005 on the effectiveness of and compliance with the CAN SPAM Act.

- 3) Impulse Marketing Group is included among the 600,000 email senders LashBack currently monitors unsubscribe compliance.
- 4) LashBack has been documenting Impulse Marketing Group's failure to comply with unsubscribe requests beginning in February 2004 through the date of this declaration.
- During that time, LashBack has electronically documented over 100 cases where a consumer has attempted to unsubscribe from future Impulse Marketing Group advertisements, but has continued to receive advertisements from Impulse Marketing Group more than 10 business days after the date of the request, as required by the CAN SPAM Act. The most recent of these cases occurred August 8, 2005.
- Also during this period, LashBack has electronically documented more than 1,000 cases of unsubscribe abuse by Impulse Marketing Group.

  Unsubscribe abuse occurs when a consumer submits their email address to an email advertiser or sender to unsubscribe, and rather than being removed from that parties send list, the consumer's email address is added to additional lists and begins to receive even more spam. These cases have continued up to the date of this declaration, with the most recent occurring on July 21, 2005.

Notice of Appearance – No. CV05-0749P

Page 3 of 3

DOUGLAS E. MCKINLEY, JR.
Attorney At Law
P.O. Box 202
Richland, Washington 99352
Phone 628-0809 Fax (509) 628-2307