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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.

IMPULSE MARKETING GROUP,
 INC.,

Defendant

No. CV-04-5125-FVS

MEMORANDUM IN SUPPORT OF
 DEFENDANT'S MOTION TO
 STRIKE THIRD PARTY
 PLAINTIFFS' MOTIONS FOR
 SUMMARY JUDGMENT

WITHOUT ORAL ARGUMENT

IMPULSE MARKETING GROUP,
 INC.,

Third-Party Plaintiff,

vs.

BONNIE GORDON, et al.,

Third-Party Defendants.

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2 Defendant and Third Party Plaintiff now Moves to Strike the Motions for
3
4 Summary Judgment filed by Third Party Defendants Bonnie Gordon, Jonathan
5 Gordon, James S. Gordon, III, Robert Pritchett, Emily Abbey and Jamila Gordon.
6
7 Mr. Pritchett's motion was personally served on Defendant on November 14, 2006
8 and was thus scheduled for hearing 14 days following service on the Defendant.
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10 The Motions of Bonnie Gordon, Jonathan Gordon, James S. Gordon, III, Emily
11 Abbey and Jamila Gordon were served by mail post marked November 14, 2006
12 and thus were served 10 days before the hearing scheduled for November 27, 2006.
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14 The scheduling of said Motions for Summary Judgment is not in compliance with
15 Local Rule 7.1(h). Further, the Motions do not comply with Local Rule 56.1(a)
16 and (c). While Fed. R. Civ. P. 11 Sanctions are not requested, Third Party
17 Defendants' Motions for Summary Judgment are not in compliance with said rule.
18
19 That is, the following violations of Rule 11 are noted: 1.) Re: Rule 11(a), the
20 Motion of Third Party Defendant Jamila Gordon is signed by non-attorney James
21 Gordon POA(Power of Attorney); 2.) Re: Rule 11(b)(1), the failure to comply with
22 the Rules of Civil Procedure impose burdens on the Defendant and Third Party
23 Plaintiff.
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26 Defendant requests the Court to Strike the Motions for Summary Judgment.

27 DATED this 15th day of November, 2006.
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STACY WOLERY

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I hereby certify that on November 15, 2006, I electronically filed
MEMORANDUM SUPPORTING DEFENDANT AND THIRD PARTY
PLAINTIFF'S MOTION TO STRIKE THIRD PARTY DEFENDANTS'
MOTIONS FOR SUMMARY JUDGMENT 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, Stacy Wolery 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