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 7 Impulse Marketing Group, Inc.  
 8 and Third Party Plaintiff

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 16 Impulse Marketing Group, Inc.  
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 23 Attorney for Plaintiff

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

DECLARATION OF FLOYD E. IVEY  
 IN SUPPORT OF DEFENDANT'S  
 MOTION TO STRIKE THIRD  
 PARTY PLAINTIFFS' MOTIONS  
 FOR SUMMARY JUDGMENT

WITHOUT ORAL ARGUMENT

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IMPULSE MARKETING GROUP,  
 INC.,

Third-Party Plaintiff,

vs.

BONNIE GORDON, et al.,

Third-Party Defendants.

1  
2 I am local counsel for Defendant and Third Party Plaintiff. On November  
3  
4 14, 2006, Third Party Defendant Mr. Pritchett delivered his Motion, Notice and  
5 proposed Order for Summary Judgment to this law office. On November 15, 2006  
6  
7 the Motions, Notices and proposed Orders for Summary Judgment for Ms. Abbey,  
8  
9 Ms. Jamila Gordon, Mrs. Bonnie Gordon, Mr. Jonathan Gordon and Mr. James  
10  
11 Gordon III were received by U.S. Mail post marked November 14, 2006. All  
12  
13 motions were noted for hearing on November 27, 2006. The pleadings submitted  
14  
15 by Ms. Jamila Gordon are signed by Mr. James Gordon through Power of  
16  
17 Attorney. Mr. James Gordon is not an attorney.

18  
19 The Motions are not noted for hearing in compliance with the Local Rules  
20  
21 and do not comply with LR 56.1.

22  
23 I certify and declare, under penalty of perjury under the laws of the State of  
24  
25 Washington, that the foregoing is true and correct. Signed this Day in Kennewick,  
26  
27 Washington.

28  
DATED this 15th day of November, 2006.

S/FLOYD E. IVEY

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Liebler, Ivey, Conner, Berry &  
St. Hilaire

By: Floyd E. Ivey

1141 N. Edison, Suite C

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Kennewick, Washington 99336  
Local Counsel for Defendant  
Impulse Marketing Group, Inc.

S/FLOYD E. IVEY for SEAN  
MOYNIHAN, PETER GLANTZ and  
STACY WOLERY

---

Sean A. Moynihan  
Peter J. Glantz  
Stacy Wolery  
Klein, Zelman, Rothermel & Dichter,  
LLP  
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(212) 753-8101 (fax)

I hereby certify that on November 15, 2006, I electronically filed  
DECLARATION OF FLOYD E. IVEY 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