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 25 **UNITED STATES DISTRICT COURT FOR THE**
 26 **EASTERN DISTRICT OF WASHINGTON**

27 JAMES S. GORDON, JR.,

28 Plaintiff,

29 vs.

30 IMPULSE MARKETING GROUP,
 31 INC.,

32 Defendant

No. CV-04-5125-FVS

DEFENDANT HUSTON'S
 CERTIFICATE OF FILING ON
 JANUARY 2, 2007 RE: MOTION TO
 DISMISS

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IMPULSE MARKETING GROUP,
 INC.,

Third-Party Plaintiff,

vs.

BONNIE GORDON, et al.,

Third-Party Defendants.

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**DEFENDANT’S CERTIFICATE OF FILING RE: DEFENDANT
HUSTON’S MOTION TO DISMISS**

I hereby certify that on January 2, 2007, I electronically filed the following:

1. Defendant Huston’s Motion to Dismiss the First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(1),and (6) or, in the Alterative, for a More Definite Statement Pursuant to Fed. R. Civ. P. 12(e);

2. Memorandum of Law in Support of Defendant Huston’s Motion to Dismiss the First Amended Complaint Pursuant to Fed. R. Civ. P. 12(b)(1),and (6) or, in the Alterative, for a More Definite Statement Pursuant to Fed. R. Civ. P. 12(e);

3. Notice of Hearing Date: February 5, 2007 WITHOUT ORAL ARGUMENT;

4. Declaration of Phillip Huston in Support of His Motion to Dismiss or, in the Alternative, for a More Definite Statement;

5. Declaration of Sean Moynihan, Esq., in Support of Defendant Huston’s Motion to Dismiss or, in the Alterative, for a More Definite Statement;

6. [Proposed] Order Dismissing First Amended Complaint Under Fed. R. Civ. P. 12(b)(1),and (6) or, in the Alterative, for a More Definite Statement Under Fed. R. Civ. P. 12(e);

with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Robert Siegel 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
WSBA #6888
Attorneys for Defendant