

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF WASHINGTON

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5 JAMES S. GORDON,

6 Plaintiff,

7 v.

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9 IMPULSE MARKETING GROUP, INC. ET  
AL.,

10 Defendant.

No. CV-04-5125-FVS

ORDER GRANTING RELIEF FROM  
DEADLINE

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12 **THIS MATTER** comes before the Court on the Plaintiff's Motion for  
13 Relief From Deadline, Ct. Rec. 460. The Plaintiff is represented by  
14 Robert J. Siegal. The Defendants are represented by Floyd E. Ivey,  
15 Peter J. Glantz, and Sean A. Moynihan.

16 A number of motions concerning the Plaintiff's complaint are  
17 currently pending before this Court. With permission of the Court,  
18 the Plaintiff filed his First Amended Complaint on June 16, 2006.  
19 (Ct. Rec. 384.) The Defendants subsequently moved to dismiss the  
20 First Amended Complaint. (Ct. Rec. 403.) In response, the Plaintiff  
21 filed a Second Amended Complaint, Ct. Rec. 410, to which the  
22 Defendants objected. (Ct. Rec. 414.) The Plaintiff then moved to  
23 amend or correct his First Amended Complaint. (Ct. Rec. 417.)

24 On January 2, 2007, Defendant Phillip Huston filed a Motion to  
25 Dismiss the First Amended Complaint. (Ct. Rec. 451.) The Plaintiff  
26 now requests an order relieving him of the obligation to respond to

ORDER GRANTING RELIEF FROM DEADLINE- 1

1 this motion until such time as the Court has ruled upon the other  
2 pending motions discussed above. This course of action is  
3 appropriate, the Plaintiff argues, because "it is unclear which  
4 complaint is operative" at this point. Given the state of the  
5 pleadings, the Court agrees. Accordingly,

6 **IT IS HEREBY ORDERED :**

7 1. The Plaintiff's Motion for Relief From Deadline, **Ct. Rec. 460**,  
8 is **GRANTED**.

9 2. The Plaintiff's Motion to Expedite, **Ct. Rec. 463**, is **GRANTED**.

10 **IT IS SO ORDERED.** The District Court Executive is hereby  
11 directed to enter this order and furnish copies to counsel.

12 **DATED** this 9th day of January, 2007.

13  
14 s/ Fred Van Sickle  
Fred Van Sickle  
15 United States District Judge  
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