

Hon. Fred Van Sickle

Liebler, Ivey, Conner, Berry & St. Hilaire

By: Floyd E. Ivey

1141 N. Edison, Suite C

P.O. Box 6125

Kennewick, WA 99336

*Local Counsel for Defendants Impulse Marketing Group, Inc.,*

*Jeffrey Goldstein, Phillip Huston and Kenneth Adamson*

Klein Zelman Rothermel LLP

By: Sean A. Moynihan & Stacy K. Wolery

485 Madison Avenue, 15<sup>th</sup> Floor

New York, NY 10022

(212) 935-6020

*Attorneys for Defendants Impulse Marketing Group, Inc.,*

*Jeffrey Goldstein, Phillip Huston and Kenneth Adamson*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON  
AT RICHLAND

James S. Gordon, Jr.,

Plaintiff,

v.

Impulse Marketing Group, Inc.,

Jeffrey Goldstein, Phillip Huston,

and Kenneth Adamson,

Defendants.

Case No.: CV-04-5125-FVS

DEFENDANTS' MOTION TO  
DISMISS THE AMENDED FIRST  
AMENDED COMPLAINT AND TO  
STRIKE PLAINTIFF'S MORE  
DEFINITE STATEMENT

Impulse Marketing Group, Inc.,

Third-Party Plaintiff,

v.

Bonnie F. Gordon, Jamila Gordon,

James Gordon, III, and Jonathan

Gordon,

Third-Party Defendants.

Defendants Impulse Marketing Group, Inc. ("Impulse"), Jeffrey Goldstein  
("Goldstein"), Phillip Huston ("Huston") and Kenneth Adamson (collectively,


DEFENDANTS' MOTION TO DISMISS THE AMENDED FIRST  
AMENDED COMPLAINT AND TO STRIKE THE MORE  
DEFINITE STATEMENT - 1  
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KLEIN ZELMAN ROTHERMEL LLP  
485 MADISON AVENUE, 15<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10022  
(212) 935-6020

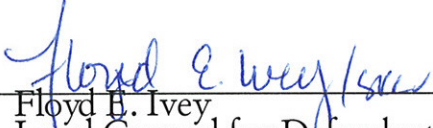
1 “Defendants”) now move for dismissal of the Amended First Amended Complaint  
2 with prejudice pursuant to Fed. R. Civ. P. 12(b)(1), (2), (6) and 12(e) and 41(b) and to  
3 strike the More Definite Statement pursuant to Fed. R. Civ. P. 12(f). This motion is  
4 based upon the Declarations of Sean A. Moynihan, Esq. in Support of Defendants’  
5 Motion to Dismiss Plaintiff’s Amended First Amended Complaint and to Strike the  
6 More Definite Statement and the Memorandum of Law in Support of Defendants’  
7 Motion to Dismiss Plaintiff’s Amended First Amended Complaint and to Strike the  
8 More Definite Statement.

9 DATED this 28<sup>th</sup> day of June, 2007.

10  
11 KLEIN ZELMAN ROTHERMEL LLP

12  
13 By:   
14 Sean A. Moynihan, admitted *pro hac vice*  
15 Stacy K. Wolery, admitted *pro hac vice*  
16 Attorneys for Defendants Impulse Marketing  
17 Group, Inc., Jeffrey Goldstein, Kenneth  
18 Adamson and Phillip Huston

19  
20 LIEBLER, CONNOR, IVEY, BERRY  
21 & ST. HILAIRE

22  
23 By:   
24 Floyd E. Ivey  
25 Local Counsel for Defendants Impulse  
26 Marketing Group, Inc., Jeffrey Goldstein,  
27 Kenneth Adamson and Phillip Huston

Certificate of Service

I, hereby, certify that on June 27, 2007, I electronically filed this pleading with this Court. The Clerk of the Court will provide electronic notification using the CM/ECF system, which will send an electronic copy of the Motion to Dismiss the Amended First Amended Complaint and to Strike the More Definite Statement to: Robert J. Siegel, Floyd E. Ivey and Sean A. Moynihan. I hereby certify that I have served the forgoing to the following non-CM/ECF participants by other means:

Bonnie Gordon  
9804 Buckingham Drive  
Pasco, WA 99301

Jonathan Gordon  
9804 Buckingham Drive  
Pasco, WA 99301

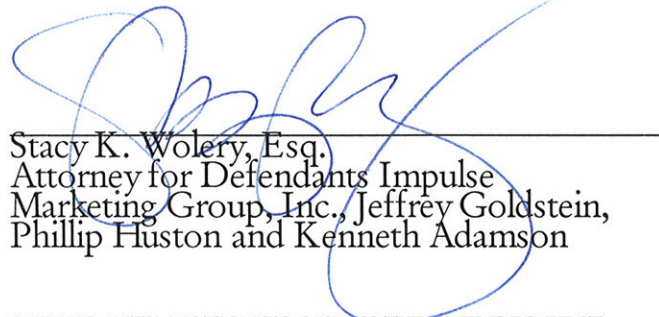
James S. Gordon, III  
9804 Buckingham Drive  
Pasco, WA 99301

Robert Pritchett  
1952 Thayer Drive  
Richland, WA 99354

Jamila Gordon  
9804 Buckingham Drive  
Pasco, WA 99301

Emily Abbey  
1407 2<sup>nd</sup> Avenue West, # 608  
Seattle, WA 98119

Hon. Harold D. Clarke, Jr.  
Special Discovery Master  
Algeo Clarke & Erickson  
E 102 Baldwin  
Spokane, WA 99207

  
Stacy K. Wolery, Esq.  
Attorney for Defendants Impulse  
Marketing Group, Inc., Jeffrey Goldstein,  
Phillip Huston and Kenneth Adamson