

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF WASHINGTON

3  
4  
5 JAMES S. GORDON, JR.,  
6 Plaintiff,

No. CV-04-5125-FVS

7 v.

ORDER DENYING HUSTON'S  
MOTION TO DISMISS

8  
9 IMPULSE MARKETING, INC., JEFFREY  
10 GOLDSTEIN, PHILLIP HUSTON, and  
11 KENNETH ADAMSON,  
12 Defendants.

13 **THIS MATTER** comes before the Court on Defendant Huston's Motion  
14 to Dismiss, Ct. Rec. 451. Mr. Huston seeks dismissal of the  
15 Plaintiff's First Amended Complaint. The First Amended Complaint has  
16 been superceded by the Plaintiff's Amended Amended Complaint, Ct. Rec.  
17 513. Accordingly,

18 **IT IS HEREBY ORDERED** that Defendant Huston's Motion to Dismiss,  
19 **Ct. Rec. 451**, is **DENIED AS MOOT**.

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

22 **DATED** this 18th day of September, 2007.

23 s/ Fred Van Sickle  
24 Fred Van Sickle  
25 United States District Judge  
26