

Hon. Fred Van Sickle

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FLOYD E. IVEY
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ROBERT SIEGEL
Attorney At Law
Attorney for Plaintiff

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

JAMES S. GORDON, JR.,
Plaintiff,
vs.
IMPULSE MARKETING GROUP,
INC.,
Defendant

IMPULSE MARKETING GROUP,
INC.,
Third-Party Plaintiff,
vs.
BONNIE GORDON, et al.,
Third-Party Defendants.

No. CV-04-5125-FVS

DECLARATION OF FLOYD E. IVEY
RE: EXTENSION OF TIME FOR
DEFENDANTS TO FILE REPLY TO
PLAINTIFF'S RESPONSE RE:
DEFENDANTS' MOTION TO
DISMISS

WITHOUT ORAL ARGUMENT

ATTORNEY FLOYD E. IVEY'S DECLARATION RE: EXTENSION OF TIME
FOR DEFENDANTS TO FILE REPLY RE: DEFENDANTS' MOTION TO

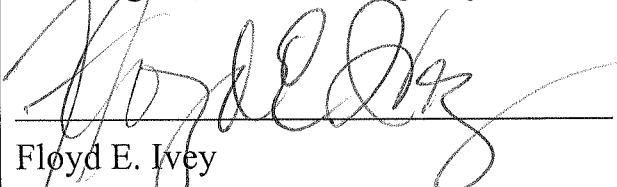
DISMISS

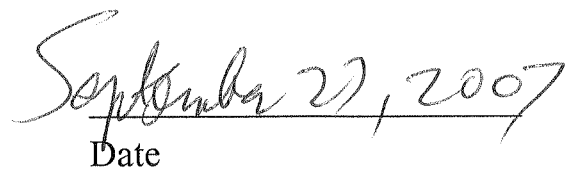
I am local Counsel for Impulse Marketing Group, Inc. et al (hereafter Defendants) in the above entitled matter. On September 25, 2007 I filed Defendants' Motion for withdrawal of counsel Stacy K. Wolery from representation in this matter. Ms. Wolery is no longer with the firm of Klein Zelman Rothermel LLP.

Ms. Wolery was significantly involved in preparing Defendants' Motion to Dismiss. Plaintiff has Responded. Defendants' Reply is due Friday, September 28, 2007. With scheduling conflicts and with the need for file review, it will be a burden for Defendant counsel to provide Defendants' Reply by September 28, 2007. The Defendants request an extension of time within which to provide the Defendants' Reply to Plaintiff's Response to October 12, 2007. The hearing of this Motion to Dismiss is set for October 22, 2007.

I have attempted but have been unsuccessful in reaching Plaintiff counsel Mr. Siegel regarding his agreement to this requested extension.

I certify and declare, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.


Floyd E. Ivey


Date

Signed at Kennewick, Washington

DATED this 27th day of September, 2007.

LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE

s/ FLOYD E. IVEY
Floyd E. Ivey, WSBA #6888
Attorneys for the Defendant Impulse

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I hereby certify that on September 27, 2007, I electronically filed **Declaration of Floyd E. Ivey regarding Defendants' Motion for an Extension of Time to File Reply** 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