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Hon. Fred Van Sickle

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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

DEFENDANTS' MEMORANDUM OF
AUTHORITIES RE: MOTION FOR
EXTENSION OF TIME FOR
DEFENDANTS TO FILE REPLY TO
PLAINTIFF'S RESPONSE RE:
DEFENDANTS' MOTION TO
DISMISS

WITHOUT ORAL ARGUMENT

MEMORANDUM OF AUTHORITIES RE: EXTENSION OF TIME FOR
DEFENDANTS TO FILE REPLY RE: DEFENDANTS' MOTION TO DISMISS

1 On September 28, 2007 I discovered that Defendants' Motion for an Extension
2 was filed with two Notices of Hearing with one named "MEMORANDUM". I now
3 file the Memorandum.

4 Also, on September 28, 2007 I have received email from attorney Mr. Siegel
5 advising that Plaintiff does not resist Defendants' request for an Extension of time.
6 Prior to filing the Motion for Extension I attempted, several times by email and
7 telephone to reach Mr. Siegel without success. Mr. Siegel advises that he has been out
8 of communication and did not receive the notes until September 28, 2007.

9 The Defendants' Motion for withdrawal of counsel Stacy K. Wolery was filed
10 September 25, 2007. Ms. Wolery is no longer with the firm of Klein Zelman
11 Rothermel LLP.

12 Ms. Wolery was significantly involved in preparing Defendants' Motion to
13 Dismiss. Plaintiff has Responded. Defendants' Reply is due Friday, September 28,
14 2007. With scheduling conflicts and with the need for file review, it will be a burden
15 for Defendant counsel to provide Defendants' Reply by September 28, 2007. The
16 Defendants request an extension of time within which to provide the Defendants'
17 Reply to Plaintiff's Response to October 12, 2007. The hearing of this Motion to
18 Dismiss is set for October 22, 2007.

19 This Motion is brought in accordance with LR 7.1(h)(6).

20
21 Dated: September 28, 2007

22
23
24 **LIEBLER, IVEY, CONNOR, BERRY & ST.
HILAIRE**

25
26 **s/ FLOYD E. IVEY**
27 **Floyd E. Ivey, WSBA #6888**
28 **Attorneys for the Defendant Impulse**

1 I hereby certify that on September 28, 2007, I electronically filed **Defendants'**
2 **Memorandum of Authorities regarding Defendants' Motion for an Extension of**
3 **Time to File Reply** with the Clerk of the Court using the CM/ECF System which will
4 send notification of such filing to Robert Siegel and Sean A. Moynihan. I hereby
5 certify that I have served the foregoing to the following non-CM/ECF participants by
6 other means: Bonnie Gordon, Jonathan Gordon, James S. Gordon, III, Robert
7 Pritchett, Emily Abbey and Jamila Gordon.

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S/ FLOYD E. IVEY
FLOYD E. IVEY