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

JAMES S. GORDON, JR., an individual  
residing in Benton County, Washington,

Plaintiffs

vs.

IMPULSE MARKETING GROUP, INC.,  
a Nevada Corporation,

Defendants

IMPULSE MARKETING GROUP, INC.,

Third-Party Plaintiff,

vs.

BONNIE GORDON, JAMES S. GORDON,  
III, JONATHAN GORDON, JAMILA  
GORDON, ROBERT PRITCHETT and  
EMILY ABBEY,

Third-Party Defendants.

NO. CV-04-5125-FVS  
DECLARATION OF FLOYD  
E. IVEY SUPPORTING  
DEFENDANT'S SECOND  
MOTION FOR EXTENSION  
OF TIME TO FILE RESPONSE  
TO PLAINTIFF'S MOTION  
TO DISMISS OR FOR  
SUMMARY JUDGMENT OR  
IN THE ALTERNATIVE TO  
STRIKE PLAINTIFF'S  
MOTION

I am counsel for Defendant. Defendant has filed its Answer with Counter  
Claims and a Third-Party Complaint. Plaintiff has not filed a responsive pleading.  
Plaintiff has filed a Motion to Dismiss Defendant's Counterclaims and Third Party  
Complaint. Defendant's Response to Plaintiff's Motion to Dismiss was extended  
by order of the court to September 7, 2005.

Declaration of Floyd E. Ivey in Support of Second Motion For  
Extension of Time to File Response to Plaintiff's Motion to Dismiss  
and for Summary Judgment - 1.  
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Summary Judgment\DefendantsSecondMotionExtension.050906\Declaration.Ivey.Supportin  
g.Defendant.Second.Motion.Extension.Time.File.Response.050906.wpd

LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE  
Attorneys at Law  
P.O. Box 6125  
Kennewick, Washington 99336-0125  
(509) 735-3581

1 Defendant has filed its First Amended Defendant's Answer, Counterclaims  
2 and Third-Party Complaint on September 6, 2005. Defendant requests a further  
3 extension of time to file its Response to Plaintiff's Motion to September 21, 2005  
4 or in the alternative the Defendant requests that Plaintiff's Motin to Dismiss be  
5 stricken in light of Defendant's filing of its First Amended Defendant's Answer.

6 DATED this 6th day of September, 2005.

7 LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE

8  
9 By /s/ FLOYD E. IVEY  
FLOYD E. IVEY, WSBA #6888  
Local Counsel for Defendant

10  
11 KLEIN, ZELMAN, ROTHERMEL & DICHTER, LLP

12  
13 By PETER J. GLANTZ by telephone authority by  
/S/FLOYD E. IVEY  
14 PETER J. GLANTZ  
Attorneys for Defendant

15  
16 I hereby certify that on September 6, 2005, I electronically filed  
17 **Declaration of Floyd E. Ivey in Support of Defendant's Second Motion for**  
18 **Extension of Time to File Response to Plaintiff's Motion to Dismiss or for**  
19 **Summary Judgment** with the Clerk of the Court using the CM/ECF System  
which will send notification of such filing to Douglas E. McKinley, Jr. and  
transmitted via internet to Peter Glantz.

20 S/ FLOYD E. IVEY  
FLOYD E. IVEY