

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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

No. CV-04-5125-FVS

Plaintiff,

**ORDER AND NOTICE OF
HEARING**

v.

IMPULSE MARKETING GROUP, INC., a Nevada
Corporation,

Defendant.

IMPULSE MARKETING GROUP, INC.,

Third-Party Plaintiff,

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

Third-Party Defendants.

The Court, being fully advised, now, therefore,

IT IS HEREBY ORDERED:

1. The September 28, 2005, hearing on Plaintiff's Motion to Dismiss Counterclaims and Third Party Defendants Under FRCP 12(b)(6) or in the Alternative For Summary Judgment Under FRCP 56 or in the Alternative To Dismiss Under FRCP 9(b), **Ct. Rec. 40**, is **STRICKEN and RESET for October 12, 2005, in Richland, Washington, at 2:00 p.m.,**

1 unless the parties confirm with the Court through a joint, WRITTEN
2 stipulation, that they wish the hearing to be telephonic.

3 2. Defendant's Motion for Dismissal of Third-Party Defendant
4 Lew Reed, Ct. Rec. 50, is SET FOR HEARING on October 12, 2005, in
5 Richland, Washington, at 2:00 p.m. unless the parties confirm with
6 the Court through a joint, WRITTEN stipulation, that they wish the
7 hearing to be telephonic.

8 3. Defendant's Second Motion for Extension of Time to File
9 Response to Plaintiff's Motion to Dismiss or For Summary Judgment or
10 in the Alternative to Strike Plaintiff's Motion, Ct. Rec. 54, is
11 GRANTED IN PART AND DENIED IN PART: Defendant shall file its
12 response to Plaintiff's Motion to Dismiss or For Summary Judgment,
13 Ct. Rec. 40, by 5:00 p.m. on September 23, 2005. Plaintiff's reply,
14 if any, shall be filed by 5:00 p.m. on September 30, 2005.

15 IT IS SO ORDERED. The District Court Executive is hereby
16 directed to enter this Order and furnish copies to counsel.

17 DATED this 7th day of September, 2005.

18
19 s/ Fred Van Sickle
Fred Van Sickle
20 Chief United States District Judge