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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

DEFENDANT'S MOTION
FOR TELEPHONIC ORAL
ARGUMENT OF PLAINTIFF'S
MOTION TO DISMISS SET
FOR OCTOBER 12, 2005
AND IN THE ALTERNATIVE
FOR TERMS

Defendant moves for Telephonic Oral Argument of Plaintiff's Motion to Dismiss set for October 12, 2005 and in the alternative for terms. This Motion is based on the Declaration of Sean Moynihan in Support of Defendant's Motion for Telephonic Oral Argument of Plaintiff's Motion to Dismiss Set for October 12, 2005, Declaration of Floyd E. Ivey and on Defendant's Memorandum.

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DATED this 13th day of September, 2005.

LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE

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

I hereby certify that on September 13, 2005, I electronically filed **Defendant's Motion for Telephonic Oral Argument of Plaintiff's Motion to Dismiss Set for October 12, 2005** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Douglas E. McKinley, Jr., Peter J. Glantz and Sean A. Moynihan.

S/ FLOYD E. IVEY
FLOYD E. IVEY