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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 SEAN
MOYNIHAN IN SUPPORT OF
DEFENDANT'S MOTION
FOR TELEPHONIC ORAL
ARGUMENT OF PLAINTIFF'S
MOTION TO DISMISS SET
FOR OCTOBER 12, 2005

I am one of the attorneys appearing for Defendant in this matter. This firm has represented other Defendant's relative to claims by Plaintiff James S. Gordon, Jr. I have been a principal attorney in directing the Defense of this case and will present argument in support of the Defendant.

In March 2005 we resisted Plaintiff's request that the Defendant's Motion to

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 - 1.
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LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE
Attorneys at Law
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1 Dismiss be argued by the personal appearance of counsel before the Court.
2 Telephonic Oral Argument did occur. The economic impact of travel expense is
3 estimated at \$1,000 including air fare on Delta from New York to Pasco of
4 \$624.28 and hotel and meals. The additional expense to the client will be
5 approximately \$3,200 per diem for litigation, for a total of \$13,800 for four days
6 of October 10 through October 13. Some of these legal expenses will be incurred
7 with Telephonic Oral Argument thus reducing the total additional expense.

8 DATED this 13th day of September, 2005.

9
10 By /s/ SEAN MOYNIHAN

11 Counsel for Defendant
12

13 I hereby certify that on September 13, 2005, I electronically filed
14 **Declaration of Sean Moynihan on in Support of Defendant's Motion for**
15 **Telephonic Oral Argument of Plaintiff's Motion to Dismiss Set for October**
16 **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.

17 S/ FLOYD E. IVEY
18 FLOYD E. IVEY

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28 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 - 2.

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S u m m a r y
Judgment\DefendantMotionTelephonicOralArgument\DeclarationOfSean.Moynih
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