

# EXHIBIT B

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**IMPULSE MEDIA GROUP, INC.,**

a Washington corporation,

Defendant.

**No. CV05-1285L**

**UNITED STATES'  
UNOPPOSED MOTION  
REGARDING ATTENDANCE  
AT SETTLEMENT  
CONFERENCE**

A Court-ordered Settlement Conference (“Conference”) is scheduled in this case for October 25, 2007, before United States Magistrate Judge James P. Donohue. The government is prepared to engage in meaningful settlement talks at the Conference on October 25th.

The government is aware that LR 39.1(c)(4)(E) requires that, “[i]n addition to counsel, parties . . . having authority to settle . . . must attend the mediation in person.” As the Court may be aware, the Department of Justice brought this action on behalf of the Federal Trade Commission (“FTC” or “Commission”). The decisions of the FTC are made collectively by five Commissioners. Only the Commissioners have “binding authority” to settle any case brought on the Commission’s behalf, and meetings of the Commissioners are governed by the Government in

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Department of Justice  
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(202) 307-0047

the Sunshine Act, 5 U.S.C. § 552b. Thus, no individual exists who has binding settlement authority for the government. In other cases in which court orders require personal attendance by someone with full settlement authority, the FTC sends an official from the Commission who is familiar with Commission policies and can speak authoritatively about Commission practice and policy regarding settlement of the case in question.

The government can confirm that the United States will participate in person through the lead attorney from the Department of Justice (the undersigned) and through the FTC's Regional Director for the Northwest Region, Charles Harwood. The government respectfully asks the Court, given the nature of the Commission, to enter the attached Order noting the government's compliance with the Settlement Conference Order in this matter.

Dated: October 9, 2007

FOR PLAINTIFF UNITED STATES OF AMERICA

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s/ Jeffrey I. Steger  
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### CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such to the following CM/ECF registrant:

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