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The Honorable John C. Coughenour

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

JAMES S. GORDON, Jr., a married individual, d/b/a GORDONWORKS.COM'; OMNI INNOVATIONS, LLC, a Washington limited liability company,

Plaintiffs,

v.

VIRTUMUNDO, INC., a Delaware corporation d/b/a ADKNOWLEDGEMAIL.COM; ADKNOWLEDGE, INC., a Delaware corporation, d/b/a ADKNOWLEDGEMAIL.COM; SCOTT LYNN, an individual; and JOHN DOES, I-X,

Defendants.

No. CV06-0204JCC

STIPULATION AND ORDER TO STRIKE MEDIATION DEADLINE

STIPULATION

Plaintiffs JAMES S. GORDON, Jr. and OMNI INNOVATIONS, LLC (together, "Plaintiffs"), on the one hand, and Defendants VIRTUMUNDO, INC., ADKNOWLEDGE, INC., and SCOTT LYNN (collectively, "Defendants"), on the other hand, hereby stipulate and respectfully request the Court strike the current deadline for Rule 39.1 mediation set in the above-captioned action, pending the outcome of the parties' respective motions for summary judgment, namely Plaintiffs' Motion for Partial


1 Summary Judgment (Dkt. No. 53) and Defendants' Motion for Summary Judgment (Dkt.
2 No. 98).

3 The parties believe mediation in the above-captioned matter is more likely to be
4 successful after the Court rules on the pending cross-motions for summary judgment.
5 Consequently, the parties jointly request the current mediation deadline be stricken. The
6 parties request the Court reset the Rule 39.1 mediation deadline for a date which is thirty
7 (30) calendar days after this Court issues its order on Plaintiffs' Motion for Partial
8 Summary Judgment or Defendants' Motion for Summary Judgment, whichever is later.

9
10 DATED this _____ day of February, 2007.

11
12 **NEWMAN & NEWMAN,
13 ATTORNEYS AT LAW, LLP**

iJUSTICE LAW, PC

14 
15 By: _____
16 Derek A. Newman, WSBA No. 26967
17 Roger M. Townsend, WSBA No. 25525

18 By: /s/ Robert J. Siegel
19 _____
20 Robert J. Siegel, WSBA No. 17312

21 Attorneys for Defendants

22 Attorneys for Plaintiffs

23 **ORDER**

24 IT IS HEREBY ORDERED that the Rule 39.1 mediation deadline set in the
25 above-captioned action is stricken. The new Rule 39.1 mediation deadline is the date
26 which is thirty (30) calendar days after this Court issues its order on Plaintiffs' Motion
27 for Partial Summary Judgment or Defendants' Motion for Summary Judgment, whichever
28 is later.

DATED this ____ day of _____, 2007.

JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE