

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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  
CONTINUING TRIAL AND  
RELATED DEADLINES FOR  
TWO MONTHS**

**STIPULATION**

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, stipulate and respectfully request the Court continue the trial and related deadlines for two (2) months.

Currently pending before the Court are cross motions for summary judgment (Dkt.

Nos. 53, 98). If the Court grants either or both motion(s) in whole or in part then the trial of this action will likely be narrowed. The parties currently have pre-trial documents (e.g., pretrial statements, trial briefs, proposed voir dire instructions) due within the next few weeks. In the event the Court limits the claims at trial through its ruling on the summary judgment motions, then the scope of the pre-trial documents will change and documents may have to be prepared again.

Trial is currently scheduled for April 16, 2007. The parties respectfully request the Court continue the trial until June 18, 2007 or as soon thereafter the Court may hear the matter. In the meantime, the parties request that the Court allow them to conserve resources by not preparing documents that may become moot. The parties request the following deadlines:

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Plaintiffs' Pretrial Statement	March 7, 2007	May 7, 2007
Defendants' Pretrial Statement	March 16, 2007	May 18, 2007
CR 16(k) Conference of Attorneys	March 27, 2007	May 29, 2007
Pretrial Order	April 6, 2007	June 6, 2007
Trial Briefs	April 12, 2007	June 12, 2007.
Proposed voir dire/jury instructions	April 12, 2007	June 12, 2007
Trial	April 16, 2007	June 18, 2007

DATED this 12th day of March, 2007.

**NEWMAN & NEWMAN,  
ATTORNEYS AT LAW, LLP**

/s/ Derek A. Newman

By: \_\_\_\_\_  
Derek A. Newman, WSBA No. 26967  
Roger M. Townsend, WSBA No. 25525

Attorneys for Defendants

**i.JUSTICE LAW, PC**

/s/ Robert Siegel

By: \_\_\_\_\_  
Robert J. Siegel, WSBA No. 17312

Attorneys for Plaintiffs

1 **ORDER**

2 Based upon the foregoing stipulation of the parties, the Court hereby continues the  
3 trial and related deadlines. Trial shall be set for June 18, 2007. The case schedule shall  
4 be modified as follows:

5

EVENT	CURRENT DEADLINE	NEW DEADLINE
6 Plaintiffs' Pretrial Statement	March 7, 2007	May 7, 2007
7 Defendants' Pretrial Statement	March 16, 2007	May 18, 2007
8 CR 16(k) Conference of Attorneys	March 27, 2007	May 29, 2007
9 <b>Pretrial Order</b>	<b>April 6, 2007</b>	<b>June 7, 2007</b>
10 <b>Trial Briefs</b>	<b>April 12, 2007</b>	<b>June 14, 2007</b>
11 <b>Proposed voir dire/jury instructions</b>	<b>April 12, 2007</b>	<b>June 14, 2007</b>
12 <b>Trial</b>	<b>April 16, 2007</b>	<b>June 18, 2007</b>

13  
14

15 DATED this 15<sup>th</sup> day of March, 2007.

16  
17   
18  
19 UNITED STATES DISTRICT JUDGE  
20 JOHN C. COUGHENOUR  
21  
22  
23  
24  
25  
26  
27  
28