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

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

Plaintiff,

v.

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

Defendants.

NO. CV-06-0204-JCC

PLAINTIFF'S FRCP 26(A)(1) INITIAL DISCLOSURES

[AMENDED]

TO: VIRTUMUNDO, INC, ADKNOWLEDGEMAIL.COM; ADKNOWLEDGE, INC., SCOTT LYNN, and JOHN DOES, I-X

AND TO: Derek Newman and Roger Townsend, Newman & Newman, LLP

Pursuant to FRCP 26(a)(1), Plaintiff James S. Gordon, Jr. provides the following initial disclosures. Plaintiff reserves the right to supplement these disclosures pursuant to FRCP

PLAINTIFFS' INITIAL DISCLOSURES - 1

**MERKLE SIEGEL & FRIEDRICHSEN
1325 Fourth Ave., Suite 940
Seattle, WA 98101
Phone: 206-624-9392
Fax: 206-624-0717**

1 26(e)(1). Plaintiff's disclosures do not provide contact information that is unavailable to them at
2 this time, that is currently in Plaintiff's possession, or that is more readily available to Plaintiff.

3 **I. FED. R. CIV. P. 26(a)(1)(A): INDIVIDUALS LIKELY TO HAVE**
4 **DISCOVERABLE INFORMATION:**

5 Plaintiff, James S. Gordon, Jr.: 9804 Buckingham Drive Pasco, WA 99301
6 (509) 210-1069

7 Defendants
8 Scott Lynn: 4600 Madison Ave, 10th Floor, Kansas City, MO 64112

9 and other entities who may have assisted, or conspired with Defendants to send
10 unlawful email in violation of Washington statutes, as discovery may reveal.

11 **II. FED. R. CIV. P. 26(a)(1)(B): DOCUMENTS, DATA COMPILATIONS, &**
12 **TANGIBLE THINGS**

13 Copies of offending emails (have been provided in pdf format to Defendant for
14 the sake of efficiency).

15 Other data compilations are in the possession of Defendant, and/or its agents, and
16 are expected to be produced in discovery.

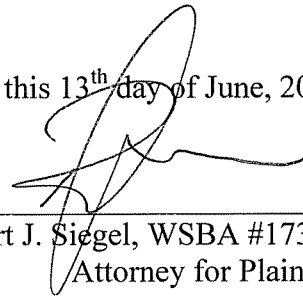
17 **III. FED. R. CIV. P. 26(a)(1)(C): COMPUTATION OF DAMAGES**

18 Defendants are alleged to have sent at least 11,000 unlawful emails in violation of
19 the subject statutes for statutory damages as calculated thereunder, including
20 treble damages and costs and attorney fees as provided in the subject statutes.

21 **IV. FED. R. CIV. P. 26(a)(1)(D): INSURANCE AGREEMENTS**

22 None known.

23 Dated this 13th day of June, 2006

24 

25 Robert J. Siegel, WSBA #17312
Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2006, I electronically filed Plaintiff's *Amended Initial Disclosures* with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to Derek A. Newman.


Adana N. Lloyd