

EXHIBIT S

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**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 and individual and his marital community; and JOHN DOES I-X,

Defendants.

NO. CV06-0204JCC

PLAINTIFF GORDON'S ANSWERS AND RESPONSES TO DEFENDANT VIRTUMUNDO'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO GORDON

Plaintiff Gordon answers Defendant Virtumundo's First Interrogatories and Requests For Production of Documents as follows:

GENERAL OBJECTIONS

1. Plaintiff objects to each interrogatory to the extent that it seeks material or information that is privileged as an attorney-client communication. This objection hereinafter will be referred to as the "**Attorney-Client Privilege Objection.**"
2. Plaintiff objects to each interrogatory to the extent that it seeks material or information prepared by or developed at the direction of counsel insofar as it is

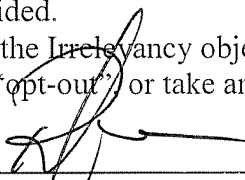
PLAINTIFF GORDON'S ANSWERS AND RESPONSES TO DEFENDANTS' FIRST DISCOVERY

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Theodore Hansson,
All as plaintiff (except a counter suit by IMG)

- 14. Emails containing communication that are false or misleading are included on cd previously provided.
- 15. Plaintiff asserts the Irrelevancy objection, as a recipient has no affirmative obligation to "unsubscribe", "opt-out" or take any other steps to avoid receiving unlawful spam.



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Without waiving the foregoing objection:

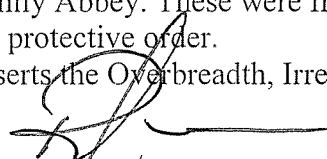
All documentation of unsubscribe efforts are contained on cd previously provided, and are indexed as spam reports

- 16. Steps included unsubscribing via emails, sending complaints to emails in Whois databases, sending complaints to network service providers, sending complaints to government agencies/offices, setting up an auto-responder to send reply to spammer to cease and desist (plus contract to receive email), send certified and certified return receipt letter to spammers.
- 17. Unwanted and offending emails use up bandwidth on my server; interfere with my interactive service business; clog my computer; require wasted time to deal with; are unlawful; and violate my right to privacy and the sanctity of my personal space, and right to be free from intrusive solicitation.
- 18. Plaintiff asserts the Irrelevancy and Ambiguity objections. Further, this question calls for a legal conclusion, which Plaintiff is not competent to make.



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- 19. July 22, 1999...gordonworks@gordonworks.com I do not know the IP address
- 20. This information is highlighted in the emails provided on the cd already provided. Plaintiff does not understand what is meant by "the purpose for which you use each of the emails you identify". If defendants intended to inquire as to the purpose for which my email addresses are used, then the answer is for communication.
- 21. May 1998...this allowed me to have portability and flexibility with the email accounts I could manage.
- 22. September and October of 2003...Bonnie Gordon; Jamila Gordon; Jay Gordon; Jonathan Gordon; Emily Abbey. These were free email accounts. Addresses will be provided subject to a protective order.
- 23. Plaintiff asserts the Overbreadth, Irrelevancy, and Attorney work product objections.



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Additionally, confidentiality and non-disclosure provisions in each of the settlement agreements precludes my divulging this information.