

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, 1-X,

Defendants.

No. CV06-0204JCC

**DEFENDANTS' MOTION FOR RECONSIDERATION OF DATE BY WHICH PLAINTIFFS MUST FILE THEIR SUMMARY JUDGMENT MOTION**

NOTE ON MOTION CALENDAR:  
November 9, 2006

The Court issued an order (Dkt. No. 46) today, November 9, 2006, granting Plaintiffs' motion for relief from deadline (Dkt. No. 42). The Court directed Plaintiffs "to file their summary judgment motion by Monday December 18, 2006, as requested." However, Plaintiffs' request was that the Court order "the Plaintiff to file a motion for summary judgment within 30 days". See Plaintiffs' Mot. for Relief, Dkt. No. 42, at 3:18-19. Thirty (30) days from the date of Plaintiffs' motion is not December 18, but rather December 4, 2006. FED. R. CIV. P. 6(a).

Consequently, Defendants respectfully request the Court reconsider its order that

DEFS.' MOT. FOR RECONSIDERATION - 1 (CV06-0204JCC)

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1 the Plaintiffs file their summary judgment motion by December 18, 2006. Plaintiffs  
2 should be required to honor their commitment to file within 30 days, namely by  
3 December 4, 2006 (or by December 11, 2006, if the 30 days began the day the Court  
4 issued its order).

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6 DATED this 9th day of November, 2006.

7 Respectfully Submitted,

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

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11 By:

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