

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',

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, 1-X,

Defendants.

No. CV06-0204JCC

**ORDER GRANTING  
DEFENDANTS' MOTION TO  
DISMISS FOR LACK OF  
PERSONAL JURISDICTION  
PURSUANT TO FED. R. CIV.  
P. 12(b)(2)**

THIS MATTER comes before the Court on the Motion to Dismiss for Lack of Personal Jurisdiction of Defendants Virtumundo, Inc., Adknowledge, Inc., and Scott Lynn (collectively "Defendants"). Having reviewed the Complaint, Defendants' Motion to Dismiss for Lack of Personal Jurisdiction and the Declarations of Michael Geroe and Allen Brandt in support thereof, Plaintiff's Response to Defendants' Motion to Dismiss for Lack of Personal Jurisdiction, and Defendants' Reply in Support of the Motion to Dismiss for Lack of Personal Jurisdiction, the Court finds and rules as follows:

DEFS.' MOT. TO DISMISS FOR  
LACK OF JURISDICTION - 1  
(CV06-0204JCC)

NEWMAN & NEWMAN,  
ATTORNEYS AT LAW, LLP

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1 1. Plaintiff fails to allege any basis for the assertion of personal  
2 jurisdiction over Defendant Virtumundo, Inc. Defendant Virtumundo, Inc.  
3 did not purposefully avail itself of this forum and lacked sufficient contacts  
4 with the State of Washington to be subject to jurisdiction in this State;

5 2. Plaintiff fails to allege any basis for the assertion of personal  
6 jurisdiction over Defendant Adknowledge, Inc. Defendant Adknowledge, Inc.  
7 did not purposefully avail itself of this forum and lacked sufficient contacts  
8 with the State of Washington to be subject to jurisdiction in this State;

9 3. Plaintiff fails to allege any basis for the assertion of personal  
10 jurisdiction over Defendant Scott Lynn. Defendant Scott Lynn did not  
11 purposefully avail himself of this forum and lacked sufficient contacts with  
12 the State of Washington to be subject to jurisdiction in this State;

13 4. Accordingly, the Court hereby ORDERS that Plaintiff's  
14 Complaint is dismissed with prejudice; and

15 5. The Court further ORDERS Defendants are entitled to their  
16 reasonable attorneys' fees and costs in defending this lawsuit pursuant to  
17 RCW 4.28.185(5). Defendants are directed to file an attorney's fees  
18 declaration with respect thereto and Plaintiff may respond within 7 calendar  
19 days of said filing.

20 It is HEREBY ORDERED.

21 The Clerk of the Court is directed to enter judgment in favor of  
22 Defendants.

23 DATED this \_\_\_\_\_.

24  
25  
26 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE