

EXHIBIT 1

From: "floyd ivey" <feivey@3-cities.com>
To: "Jim Gordon" <res08nqc@verizon.net>
Subject: Re: Help With District Courts Complaints
Date: Mon, 22 Sep 2003 10:29:23 -0700
X-Mailer: Microsoft Outlook Express 6.00.2800.1158

Jim,

Thanks for the interesting note. I certainly have an interest but will first point you to direct contact with the Attorney General's office. They may be able to indicate the extent of their efforts and may have an interest in your work.

Moving a positive result in District Court to a meaningful prospect of gaining dollars will likely be difficult. The Attorney General may have a clear perspective of the possibility of having success via litigation.

Please let me know the nature of any contact you might have with the AG.

Floyd E. Ivey

----- Original Message -----

From: "Jim Gordon" <res08nqc@verizon.net>
To: <feivey@3-cities.com>
Sent: Monday, September 22, 2003 8:15 AM
Subject: Help With District Courts Complaints

- > Floyd:
- >
- > I would like you to consider the following information as I will need help
- > completing the work that I have outlined, below...
- >
- > I have taken the following affirmative steps to reduce the 600+ emails
- > that
- > I have been receiving every day since 1998:
- >
- > 1. I purchased forensic software to allow me to trace the origin of
- > emails.
- > 2. Mailed demand letters to individuals and entities that have spammed me.
- > Each letter contained the following info:
- > a. A two page copy of RCW 19.190 - WA anti-spam statute
- > b. Copies of the unlawful headers from the email that the
- > spammers
- > sent to me.
- > c. Demand for damages of \$500 per violation - the threshold for
- > sending a letter was 10 violations or more
- > 3. Mailed a total of 30 demand letters to the most egregious violators of
- > this law.
- >
- > Currently, I have drafted a complaint - the draft was based on a template
- > from a successful defense of RCW 19.190 in Western WA. I am seeking an
- > attorney to "perfect" my complaint so that I may file it in District
- > Court.
- > In the alternative, I may want to hire an attorney to represent me in
- > court.
- >
- > An interesting side note is since the demand letters were delivered to
- > these spammers, a few have continued to send their spam "flaunting" our
- > law. I believe that there is a second cause of action (perhaps harassment)

- > for those that have been notified that they are violating the law and that
- > continue to do so. Yet, they persist...I, even, have records of spammers
- > resuming their spam after I have unsubscribed from their newsletters.
- >
- > In each of the 30 cases that I have worked on, I have the unlawful email
- > and the name and address of the person or entity, which is "responsible"
- > for sending the email. There are 30 distinct cases with violations ranging
- > from \$5,000 to \$39,000 each.
- >
- > Regards,
- > Jim Gordon
- > 308-0085
- > 943-4715
- >
- > NOTES
- >
- > A Washington State judge ruled that a company is liable and responsible
- for
- > the illegal unsolicited electronic mail of its independent
- representatives.
- > See Ben de Lisle v. Top Secrets, King County District Court, Bellevue
- > Division, Cause Number 9801417.
- >
- > The Washington State Attorney General has initiated lawsuits for
- violations
- > of the unsolicited commercial e-mail law. See:
- > * State Of Washington v. Jason Heckel [of Oregon], doing business as
- > Natural Instincts, Superior Court of The State Of Washington, King County,
- > Cause number 98-2-25480-7SEA;
- > * State of Washington v. Sam Khuri [of Georgia], doing business as
- > Benchmark Print Supply, Superior Court of The State Of Washington, King
- > County, Cause number 99-2-03549-6SEA.
- > The Washington State Supreme Court upheld RCW 19.190 (STATE v. HECKEL,
- > Cause No. 69416-8) and further substantiated that Washington courts have
- > jurisdiction over out-of-state defendants doing business in Washington
- State.
- >
- >
- > Cases Where Washington State Small Claims Courts
- > Have Accepted Jurisdiction Over Out-Of-State Defendants
- > (I will file in District Court for most of my complaints)
- >
- > -----
- > Kitsap County District Court
- > T. Hooper v Galee Industries Y2-1765 (WA) Judgement of \$2029 to the
- Plaintiff
- > T. Hooper v Zing Wireless Y2-943 (CA)
- > T. Hooper v Laptop Training Solutions Y2-944 (UT)
- > In regards to the above two cases, Judge Holman raised 3.66.100(2) stating
- > service out of state is disallowed in District Court. Hooper countered
- with
- > argument that 19.86.160 does allow it. The Judge said he would consider it
- > based on which law is more specific. Apparently the judge concluded
- > 19.86.160 is relevant and that 3.66.100 does not pre-empt 19.86.160.
- >
- > T. Hooper v Laptop Training Solutions Y2-554 (won on default) (UT)
- > T. Hooper v National Accounts Inc Y2-492 (continuance til May 9th) (NJ)
- > T. Hooper v CD Micro Inc Y2-553 (Plaintiff awarded \$1,000 judgement) (OR)
- >
- > King County District Court, Bellevue Divison
- > Y15833 Peacefire & Bennett Haselton v. Red Moss Media Inc. (dba

- > Funnymoney.com) (CA)
- > Y15935 against Power Email Systems Inc.
- > Y15937 against On-Site Trading
- > Y15939 against Bulk ISP Corporation
- > Y15940 against Alan Batts
- > Y16068 Peacefire & Bennett Haselton v. Richard Schueler (FL)
- > Y17135 Peacefire & Bennett Haselton v. Paulann Allison (ME)
- > Y20109 Peacefire & Bennett Haselton v. Keith Gilbert (CA)
- >
- > King County District Court, Seattle Divison
- > Y1-000834 Innovative Access v. National Business & Tax Reduction Services (MD)
- > Y1-5056 Innovative Access v. Stock Communications Group (TX)
- > Y1-5058 Innovative Access v. E-Financial Inc.com (NV)
- > Y1-6528 Ben Livingston v. Satellite Systems Network (CA)
- > Y1-6529 Innovative Access v. Print Doctor (FL)
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