

1 Liebler, Ivey, Conner, Berry & St. Hilaire
2 By: Floyd E. Ivey
3 1141 N. Edison, Suite C
4 P.O. Box 6125
5 Kennewick, Washington 99336
6 Local Counsel for Defendant
7 Impulse Marketing Group, Inc.

8 Klein, Zelman, Rothermel, & Dichter, L.L.P.
9 By: Sean Moynihan, Esq.
10 485 Madison Avenue
11 New York, New York 10022
12 Telephone Number (212) 935-6020
13 Facsimile Number (212) 753-8101
14 Attorneys for Defendant
15 Impulse Marketing Group, Inc.

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE EASTERN DISTRICT OF WASHINGTON**
18 **AT RICHLAND**

19 JAMES S. GORDON, JR.,)

No. CV 04-5125-FVS

20 Plaintiff(s),)

DECLARATION OF FLOYD E. IVEY
IN SUPPORT OF DEFENDANT'S
MOTION FOR DISMISSAL OF
THIRD-PARTY DEFENDANT LEW
REED

21 v.)

22 IMPULSE MARKETING GROUP, INC.,)

23 Defendant(s).)

JURY TRIAL REQUESTED

24 IMPULSE MARKETING GROUP, INC.,)

25 Third-Party Plaintiff,)

26 v.)

27 BONNIE GORDON, JAMES S. GORDON,)
28 III, JONATHAN GORDON, JAMILA)
29 GORDON, ROBERT PRITCHETT, EMILY)
30 ABBEY and LEW REED,)

31 Third-Party Defendants.)

1 I am counsel for Defendant and Third-Party Plaintiff Impulse Marketing
2 Group Inc. Mr. Lew Reed has been named as a Third-Party Defendant in
3 Defendant Impulse's Third-Party Complaint. There has been no appearance on
4 behalf of Mr. Lew Reed and Mr. Reed has not been served. However, Plaintiff,
5 whose counsel has not entered appearances on behalf of any Third-Party
6 Defendant, has brought a Motion to Dismiss or alternatively a Motion for
7 Summary Judgment for Dismissal of all Third-Party Defendants. Counsel for
8 Plaintiff is not inclined to stipulate to the dismissal of Mr. Reed except on terms.

9 Date: September 1, 2005.

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11
12
13 s/ FLOYD E. IVEY
14 WSBA #6888
15 Liebler, Ivey, Connor, Berry & St. Hilaire
16 By: Floyd E. Ivey
17 1141 N. Edison, Suite C
18 P.O. Box 6125
19 Kennewick, WA 99336
20 Local Counsel for Defendant
21 Impulse Marketing Group, Inc.

22 s/ SEAN A. MOYNIHAN
23 Sean A. Moynihan, Esq. (admitted pro hac vice)
24 Klein, Zelman, Rothermel & Dichter, LLP
25 485 Madison Avenue, 15th Floor
26 New York, NY 10022
(212) 935-6020
(212) 753-8101 Fax
Attorneys for Defendant
Impulse Marketing Group, Inc.

1 I hereby certify that on September 1, 2005, I electronically filed the
2 **Declaration of Floyd E. Ivey in Support of Defendant's Motion for Dismissal**
3 **of Third-Party Defendant Lew Reed** with the Clerk of the Court using the
4 CM/ECF System which will send notification of such filing to the following:
5 Douglas E. McKinley, Jr., and I hereby certify that I have sent via internet email
6 the document to the following non-CM/ECF participants: David O. Klein, Peter J.
7 Glantz, Sean A. Moynihan.

8 S/ FLOYD E. IVEY
9 FLOYD E. IVEY