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15 **UNITED STATES DISTRICT COURT FOR THE**  
16 **EASTERN DISTRICT OF WASHINGTON**

17 JAMES S. GORDON, JR.,

18 Plaintiff,

19 vs.

20 IMPULSE MARKETING GROUP,  
INC.,

21 Defendant

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23 IMPULSE MARKETING GROUP,  
INC.,

24 Third-Party Plaintiff,

25 vs.

26 BONNIE GORDON, et al.,

27 Third-Party Defendants.  
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No. CV-04-5125-FVS

DEFENDANT'S MOTION TO  
COMPEL AND FOR SANCTIONS

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Defendant moves for Sanctions and to Compel Plaintiff's Responses to Defendant's First Interrogatories to Plaintiff and First Request for Production of Documents to the Plaintiff which were served by U.S. Mail on December 23, 2005. This Motion is based on the separate Declaration of Floyd E. Ivey and Defendant's Memorandum in Support.

DATED this 21<sup>st</sup> day of February, 2006.

**LIEBLER, IVEY, CONNOR, BERRY & ST. HILAIRE**

**s/ Floyd E. Ivey**  
**Floyd E. Ivey, WSBA #6888**  
**Attorneys for the Defendant Ascentive**

I hereby certify that on February 21, 2006, I electronically filed **Motion to Compel Plaintiff's Response to Defendant's Motion to Compel** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to Douglas E. McKinley, Jr. , Peter J. Glantz and Sean A. Moynihan. I hereby certify that I have served the foregoing to the following non-CM/ECF participants by other means: Bonnie Gordon, Jonathan Gordon, James S. Gordon, III, Robert Pritchett, Jamila Gordon and Emily Abbey.

**S/ FLOYD E. IVEY**  
**FLOYD E. IVEY**