

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES S. GORDON, JR.,
Plaintiff,

v.

IMPULSE MARKETING GROUP, INC., a Nevada
Corporation,
Defendant.

No. CV-04-5125-FVS

ORDER APPOINTING
SPECIAL DISCOVERY
MASTER

IMPULSE MARKETING GROUP, INC.,
Third-Party Plaintiff,

v.

BONNIE GORDON, JAMES S. GORDON, III,
JONATHAN GORDON, JAMILA GORDON, ROBERT
PRITCHETT and EMILY ABBEY,
Third-Party Defendants.

The Court concludes the interests of justice require the appointment of a Special Discovery Master to resolve the parties' motions to compel and their ongoing discovery dispute. Accordingly,

IT IS HEREBY ORDERED:

1. Judge Harold D. Clarke is hereby appointed Special Discovery Master in this case pursuant to Local Rule 37.1(f) and Federal Rule of Civil Procedure 53.

2. The Special Discovery Master is directed to resolve the parties' motions to compel and any related discovery disputes. The Special Discovery Master is authorized to conduct hearings when he

1 deems appropriate, to resolve discovery disputes in a more informal
2 manner when he deems appropriate, and to do whatever is reasonably
3 required to assure that discovery proceeds in this case within the
4 spirit of the rules.

5 3. The Special Discovery Master shall file and serve a copy of
6 the written recommendation upon the parties and the Court.

7 4. All matters reported on by the Special Master in the written
8 report are recommendations subject to the district court's de novo
9 review. See Fed.R.Civ.P. 53(g) (3), (4).

10 5. The Special Master shall be compensated at his customary
11 hourly rate for services of this nature and may enlist and bill for
12 the reasonable assistance of associates and support staff at their
13 customary hourly rates and for reasonable disbursements. The parties
14 shall each pay fifty percent of the fees and costs of the Special
15 Discovery Master, unless he recommends otherwise, and the Special
16 Master shall invoice the parties' counsel directly at the end of each
17 month in which the Special Master incurs fees or costs.

18 **IT IS SO ORDERED.** The District Court Executive is hereby
19 directed to enter this Order and furnish copies to counsel **AND to the**
20 **Third-Party Defendants who are proceeding pro se AND to Judge Harold**
21 **D. Clarke**

22 Algeo, Clark & Erickson
23 102 E. Baldwin Ave.
24 Spokane, WA 99207
(509) 328-6123

25 **DATED** this 15th day of May, 2006.

26 s/ Fred Van Sickle
Fred Van Sickle
United States District Judge