

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.

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

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE EASTERN DISTRICT OF WASHINGTON**  
13 **AT RICHLAND**

13 JAMES S. GORDON, JR., )

No. CV 04-5125-FVS

14 Plaintiff(s), )

**DEFENDANT’S MOTION FOR  
DISMISSAL OF THIRD-PARTY  
DEFENDANT LEW REED**

15 v. )

16 IMPULSE MARKETING GROUP, INC., )

17 Defendant(s). )

**JURY TRIAL REQUESTED**

18 )  
19 )  
20 IMPULSE MARKETING GROUP, INC., )

21 Third-Party Plaintiff, )

22 v. )

23 BONNIE GORDON, JAMES S. GORDON, )

24 III, JONATHAN GORDON, JAMILA )

25 GORDON, ROBERT PRITCHETT, EMILY )

26 ABBEY and LEW REED, )

Third-Party Defendants. )

1 Defendant and Third-Party Plaintiff, Impulse Marketing Group Inc., moves  
2 to Dismiss Third-Party Defendant Lew Reed. This Motion is brought pursuant to  
3 Federal Rule of Civil Procedure 41(a)(2) and is further supported by the  
4 Declaration of Floyd E. Ivey in Support of Defendant's Motion to Dismiss Third-  
5 Party Defendant Lew Reed.  
6  
7

8 Date: September 1, 2005

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

18 s/ SEAN A. MOYNIHAN  
19 Sean A. Moynihan, Esq. (admitted pro hac vice)  
20 Klein, Zelman, Rothermel & Dichter, LLP  
21 485 Madison Avenue, 15<sup>th</sup> Floor  
22 New York, NY 10022  
23 (212) 935-6020  
24 (212) 753-8101 Fax  
25 Attorneys for Defendant  
26 Impulse Marketing Group, Inc.

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

8  
9 S/ FLOYD E. IVEY  
10 FLOYD E. IVEY  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26