

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAMES S. GORDON, JR., an individual  
residing in Benton County, Washington,

Plaintiff,

v.

IMPULSE MARKETING GROUP, INC., a Nevada  
Corporation,

Defendant.

No. CV-04-5125-FVS

ORDER DENYING THIRD-  
PARTY DEFENDANTS'  
MOTIONS FOR TEMPORARY  
INJUNCTION

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.

**BEFORE THE COURT** are Motions for Temporary Injunction brought by Third-Party Defendants Jamila Gordon (Ct. Rec. 302), Bonnie Gordon (Ct. Rec. 305), Jonathan Gordon (Ct. Rec. 307), James Gordon, III (Ct. Rec. 309), and Emily Abbey (Ct. Rec. 311). Third-Party Defendants are proceeding *pro se*. Third-Party Plaintiff Impulse Marketing Group is represented by Floyd Ivey, Sean Moynihan, and Peter Glantz.

1 Third-Party Defendants request the Court issue a temporary  
2 injunction enjoining Impulse Marketing and "all its marketing  
3 partners, past, present and future" from (1) doing business in the  
4 State of Georgia; (2) sending emails to Third-Party Defendants; and  
5 (3) sending emails to all Washington State residents until this case  
6 has been adjudicated. Impulse Marketing opposes the issuance of a  
7 temporary injunction on the basis that Third-Party Defendants noted  
8 their motions for hearing on the same day they filed their motions.

9 An injunction is an equitable remedy that should be used  
10 sparingly. *Kucera v. Dept. of Transp.*, 140 Wash.2d 200, 209, 995  
11 P.2d 63, 68 (2000). Therefore, injunctive relief will not be granted  
12 where there is a plain, complete, speedy and adequate remedy at law.  
13 *Id.* "One who seeks relief by temporary or permanent injunction must  
14 show (1) that he has a clear legal or equitable right, (2) that he  
15 has a well-grounded fear of immediate invasion of that right, and (3)  
16 that the acts complained of are either resulting in or will result in  
17 actual and substantial injury to him." *Id.* "If a party seeking a  
18 preliminary injunction fails to establish any one of these  
19 requirements, the requested relief must be denied." *Id.* at 210, 995  
20 P.2d at 69.

21 Here, Third-Party Defendants have failed to allege or  
22 demonstrate the absence of a complete and adequate remedy at law.  
23 Thus, the Court denies Third-Party Defendants' motions for temporary  
24 injunction on this basis. Accordingly,

25 **IT IS HEREBY ORDERED** that the Motions for Temporary Injunction  
26 brought by Third-Party Defendants Jamila Gordon (**Ct. Rec. 302**),

1 Bonnie Gordon (Ct. Rec. 305), Jonathan Gordon (Ct. Rec. 307), James  
2 Gordon, III (Ct. Rec. 309), and Emily Abbey (Ct. Rec. 311) are  
3 **DENIED.**

4 **IT IS SO ORDERED.** The District Court Executive is hereby  
5 directed to enter this Order, furnish copies to counsel and Third-  
6 Party Defendants who are proceeding *pro se*.

7 **DATED** this 22nd day of May, 2006.

8  
9 s/ Fred Van Sickle  
Fred Van Sickle  
10 United States District Judge