

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

WHITNEY INFORMATION NETWORK, INC., a
Colorado corporation,

Plaintiff,

-vs-

Case No. 2:04-cv-47-FtM-34SPC

XCENTRIC VENTURES, LLC., an Arizona
limited liability company;
BADBUSINESSBUREAU.ORG, an Arizona
limited liability company and ED MAGEDSON,
an individual,

Defendants.

ORDER

This matter is before the Court on Plaintiff Whitney Information Network, Incorporated's Motion for Additional Discovery Time Pursuant to Rule 56(f), Federal Rules of Civil Procedure to Respond to Defendant's Motion For Summary Judgment and Incorporated Memorandum of Law (Doc. No. 119; Motion) filed on June 26, 2007. In the Motion, Plaintiff asks the Court for an extension of time to respond to Defendants' Motion For Summary Judgment and Alternatively, Motion For Reconsideration Re: Motion to Dismiss Plaintiffs' First Amended Complaint For Lack of Personal Jurisdiction and Motion For Sanctions (Doc. No. 115). See Motion at 4. Specifically, Plaintiff requests that the Court allow it sufficient time to conduct discovery necessary to prepare an appropriate response. Id. As grounds for its Motion, Plaintiff asserts that it has satisfied the requirements for obtaining additional time pursuant to Rule 56(f), Federal Rules of Civil Procedure. Id. at 5-7. However, the Court notes that Plaintiff has failed to provide

certification under Local Rule 3.10(g) confirming that Plaintiff has conferred with counsel for the Defendants in a good faith effort to resolve the issue raised by the motion and advising the Court whether counsel for the Defendant agrees to the relief requested.

Accordingly, it is **ORDERED**:

1. To expedite ruling on the Motion, Plaintiff shall provide the Court with a certificate of compliance which advises the Court of Defendant's position with regard to the relief requested pursuant to Local Rule 3.01(g) no later than July 13, 2007.

2. In the event Defendants oppose the Motion, they shall file an appropriate response no later than July 18, 2007.

DONE AND ORDERED at Fort Myers, Florida, this 10th day of July, 2007.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record