

**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 comes before the Court on the Notice of Withdrawal of Motions to Compel and Supplement to Motion for Additional Discovery Time Pursuant to Rule 56(f), Federal Rules of Civil Procedure to Respond to Defendants' Motion for Summary Judgment (Doc. #130) filed on July 24, 2007. The Plaintiff notifies the Court of the intention to withdraw the pending Motions to Compel (Doc. #124, 125) because the parties have produced or made satisfactory arrangements to produce the discovery sought by the Plaintiff. As the Plaintiff no longer seeks intervention from the Court, the Court will deny the Motions to Compel (Doc. #124, 125) as moot. The Court recognizes the Plaintiffs supplement to the Motion for Extension of Time (Doc. #119) and will take it under advisement when ruling on the Motion.

Accordingly, it is now

ORDERED:

(1) The Notice of Withdrawal of Motions to Compel and Supplement to Motion for

Additional Discovery Time Pursuant to Rule 56(f), Federal Rules of Civil Procedure to Respond to Defendants' Motion for Summary Judgment (Doc. #130) is **GRANTED**.

- (2) The Plaintiff's Motion to Compel Sworn Answers to Second and Third Sets of Interrogatories, Better Answers to Second Set of Interrogatories and Second Request for Production, Supplement to Motion for Extension of Time to Respond to Motion for Summary Judgment (Doc. #124) and the Plaintiff's Reviewed Amended Motion to Compel Documents Responsive to First Request for Production, Additional Supplement to Motion for Extension of Time to Respond to Motion for Summary Judgment (Doc. #125) are **DENIED as moot**.

DONE AND ORDERED at Fort Myers, Florida, this 26th day of July, 2007.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record