

Maria Crimi Speth, #012574 (Admitted *Pro Hac Vice*)  
**JABURG & WILK, P.C.**  
3200 North Central Avenue, Suite 2000  
Phoenix, Arizona 85012  
(602) 248-1000

Attorneys for Defendants

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA**

WHITNEY INFORMATION NETWORK,  
INC.; a Colorado corporation,

Plaintiffs,

v.

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

Defendants.

Case No: 2:04-CV-47-ftm-34-SPC

**DEFENDANTS' REPSONSE TO  
PLAINTIFF'S MOTION FOR LEAVE  
TO FILE DEPOSITION  
TRANSCRIPTS**

Defendants Xcentric Ventures, LLC, ("Xcentric"), and Ed Magedson ("Magedson") (collectively, the "Defendants") respond as follows.

Defendants do not oppose allowing Plaintiff to file the portions of deposition transcript cited to support Plaintiff's Response to Defendant's summary judgment motion.

Defendants do oppose Plaintiff filing the entire deposition transcript. That is merely a way to publish the entire transcript to the world rather than allowing the deposition transcript to remain under the protection of the Court's order.

Therefore, Defendant requests that the Court grant Plaintiff's motion to allow Plaintiff to file with the Court the portions of the August 1<sup>st</sup>, 2007 Deposition of Ed Magedson that are cited in Plaintiff's Response to the summary judgment motion. Defendant requests the Court to deny Defendant's motion to the extent it applies to other portions of the transcript.

DATED this 26<sup>th</sup> day of September, 2007.

**JABURG & WILK, P.C.**

s/Maria Crimi Speth  
Maria Crimi Speth, Esq.  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of Sept, 2007, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF Registrants:

Steven Neil Lippman  
Shawn L. Birken  
Scott W. Rothstein  
Rothstein Rosenfeld Adler  
Suite 1650  
401 E Las Olas Blvd  
Ft Lauderdale, FL 33301  
Attorneys for Plaintiff

Brian J. Stack  
Stack, Fernandez, Anderson,  
Harris & Wallace, P.A.  
1200 Brickell Ave., Suite 950  
Miami, FL 33131-3255  
Attorneys for Defendant

s/Debra Gower