

**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 Plaintiff Whitney Information Network, Inc.'s Motion for leave to File Deposition Transcripts (Doc. #142) filed on September 10, 2007. The Plaintiff moves the Court to file the transcript of the Defendant Ed Magedson's deposition in support of its opposition to the Defendant's Motion for Summary Judgment. The Defendant filed his Response (Doc. # 146) on September 26, 2007. The Motion is therefore, ripe for the Court's review.

On August 20, 2007, this Court entered a Protective Order preventing Magedson's deposition from being distributed on the web, or through print. The Defendant requests that only the portions cited in the Plaintiff's Response to the Defendant's Motion for Summary Judgment should be filed. The Protective Order (Doc. # 138) was issued to prevent the information from being distributed to the general public and not to prevent the information from being used in the litigation of this action. Filing only certain phrases and or sections of the deposition would prevent the Court from making

its summary judgment ruling based on all the available evidence. Therefore, the Motion to file the transcript of Ed Magedson is due to be granted.

Accordingly, it is now

ORDERED:

The Plaintiff Whitney Information Network, Inc.'s Motion for leave to File Deposition Transcripts (Doc. #142) is **GRANTED**.

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


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record