

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

Case No. 2:04-cv-47-FtM-29 SPC

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.

\_\_\_\_\_ /

**PLAINTIFF'S PROPOSED VERDICT FORM**

Plaintiff hereby submits the following proposed verdict form in the above referenced case.

Dated: February 11, 2008

Respectfully submitted,

By: /s/ Shawn L. Birken

Scott W. Rothstein  
Florida Bar No.: 765880  
Steven N. Lippman  
Florida Bar No.: 709638  
Shawn L. Birken  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of February, 2008, I electronically filed the forgoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing is being served this day upon all counsel of record identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Shawn L. Birken \_\_\_\_\_  
Shawn L. Birken

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\_\_\_\_\_ /

**PROPOSED VERDICT FORM**

**I. Defamation Claim**

1. Do you find by a preponderance of the evidence that the Defendant, XCENTRIC VENTURES, LLC defamed Plaintiff, WHITNEY INFORMATION NETWORK, INC.?

Answer Yes \_\_\_\_\_ or No \_\_\_\_\_

If your answer is “Yes”, please answer question No. 2. If your answer is “No”, then please answer question No. 1a.

1a. Do you find by a preponderance of the evidence that the Defendant, ED MAGEDSON defamed Plaintiff, WHITNEY INFORMATION NETWORK, INC.?

If your answer is “Yes”, please answer question No. 2. If your answer is “No”, then your verdict is for Defendants.

2. Please state the complete amount of damages owed to Plaintiff WHITNEY INFORMATION NETWORK, INC. \$\_\_\_\_\_.

SO SAY WE ALL THIS \_\_\_\_\_ DAY OF MARCH, 2008

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FOREPERSON