

**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-29

**DEFENDANTS' PROPOSED  
VOIR DIRE**

Xcentric Ventures, LLC, (“Xcentric”), and Ed Magedson (“Magedson”) (collectively, the “Defendants”) request that the Court ask the usual standard Voir Dire questions, and in addition, permit undersigned counsel to ask the following:

1. Have any of you ever felt that a business “ripped you off” or treated you unfairly?
2. Do you ever use the Internet to research a business before deciding whether to use the product or services of that business?
3. Have you ever filed a legal action or any kind of formal complaint against a business?
4. Have you ever believed that you were mistreated by a business but you decided *not* to take any legal or other action against the company because it was too expensive to do so?
5. Have any of you posted a complaint online, and if so what was the effect?

6. Have any of you ever used a free consumer protection website, or been helped by a free consumer protection website?
7. Have you ever sent a legal letter, a demand letter or a cease and desist letter to anyone as a result of statements they made about you or your company that you believed were not true and harmed your reputation?
8. Have any of you ever received such a letter or been accused of defamation?
9. Has anyone ever posted anything negative about you, your company, or someone close to you on the internet?
10. If yes, what, if anything did you do about it?
11. Do any of you NOT have access to the internet at home?
12. Do any of you spend more than two hours per day on the internet, including business, work, and personal?
13. Have any of you visited a website known as Rip-off Report (also known as Badbusinessbureau.com)?
14. If yes, what do you think of the website?
15. Have any of you ever posted anything on Rip-off Report (also known as Badbusinessburuea.com)?
16. Have any of you ever seen an infomercial for Russ Whitney, Whitney Information Systems, Teach Me to Trade, or a related seminar training company?
17. Have you or anyone you know ever attended a seminar put on by Whitney Information Network, or Russ Whiney, or a related company? If yes, describe your experience.
18. Do any of you know someone who was disappointed by a real estate seminar?
19. Have you or anyone you know ever attended a seminar or workshop about real estate investing or stock trading? If yes, describe your experience.
20. Have any of you studied in the field of civil rights or freedom of speech?

21. Have any of you ever held a position for a newspaper or television news show?
22. Have any of you worked for a news agency or a government agency that was assisted by victim information found on rippoffreport.com or badbusinessbureau.com?
23. Have you ever been the subject of a grand jury investigation, an S.E.C. investigation, or similar government inquiry, or worked for a company that has been under investigation?
24. Have you ever invested in a company and lost money due to mismanagement of the company?

DATED February 11, 2008

By: /s/ Maria Crimi Speth  
Maria Crimi Speth  
Arizona Bar No.: 012574  
Jaburg & Wilk, P.C.  
3200 N. Central Ave.  
Suite 2000  
Phoenix, AZ 85012  
602-248-1000  
Attorneys for Defendants

#### 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.

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/ Maria Crimi Speth  
Maria Crimi Speth