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**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

**EMERGENCY MOTION
REQUESTING ORAL ARGUMENT
ON MOTION FOR SUMMARY
JUDGMENT**

Xcentric Ventures, LLC, (“Xcentric”), and Ed Magedson (“Magedson”) (collectively, the “Defendants”) respectfully request oral argument on the Motion for Summary Judgment if the Court is able to hear oral argument on Tuesday February 19, 2008. The Court previously denied the request for oral argument without prejudice, in the order granting leave for Defendants to file reply in support of the motion. With the Reply filed, Defendants renew the request for oral argument.

Defense Counsel Maria Speth has already made the airfare and hotel arrangements in order to travel to Florida from Arizona for the pre-trial conference that was scheduled for this Tuesday, February 19, 2008. Understanding that granting this request may be impossible because the court may have unavoidable schedule conflicts, if the time set

aside for the pre-trial conference is available, Defendants request that the time be used to hear oral argument on the motion for summary judgment.

DATED February 15, 2008.

By: /s/ Maria Crimi Speth
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th 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.

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