

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA 2005 MAR 28 PM 12:20

Case No. 2:04-cv-47-FtM-33SPC (LAG)
CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS, FLORIDA

WHITNEY INFORMATION
NETWORK, INC., a Colorado corporation,
and RUSS WHITNEY, an individual,

Plaintiffs,

v.

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

Defendants.

NOTICE OF UNAVAILABILITY

NOTICE IS HEREBY GIVEN that the undersigned will be absent from the jurisdiction from May 23, 2005 through May 25, 2005; June 16, 2005 and June 17, 2005, respectfully requests that no hearings, depositions, trials or other matters be set during that time.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished, by mail, this 24th day of March, 2005, to: Michael L. Gore, Esq., Shutts & Bowen LLP, Defendant's Counsel, P.O. Box 4956, Orlando, FL 32802-4956, Maria Crimi Speth, Defendants' of counsel, Jaburg & Wilk PC, 3200 North Central Avenue, Suite 2000, Phoenix, Arizona 85012, Jonathan P. Ibsen, 7047 East Greenway Parkway, Suite 140, Scottsdale, Arizona 85254.

Respectfully submitted,
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