

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

Case No. 2:04-cv-47-FtM-33SPC (LAG)

2005 JUL -8 AM 11:24  
CLERK U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FT MYERS DIVISION

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.

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**NOTICE OF UNAVAILABILITY**

**NOTICE IS HEREBY GIVEN** that the undersigned will be absent from the jurisdiction from July 15, 2005 through August 1, 2005, and 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 7<sup>th</sup> day of July, 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.

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Respectfully submitted,

By: 

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