

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

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

RUSS WHITNEY and 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.

NOTICE OF UNAVAILABILITY AND ABSENCE FROM JURISDICTION

Please take notice that CHRISTOPHER C. SHARP, one of the attorneys assigned as counsel for Plaintiff will be unavailable and absent from the jurisdiction on the following dates on pre-planned, pre-paid vacations:

- a. March 6, 2006, through and including March 10, 2006;
- b. Monday, April 10, 2006; and
- c. April 28, 2006 through and including May 8, 2006.

Counsel requests that no meetings, hearings, depositions, trial or other matters be scheduled on those days.

Dated: February 13, 2006

Respectfully submitted,

ROTHSTEIN ROSENFELDT ADLER

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By: /s/ Christopher C. Sharp

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished, by mail, this 13th day of February, 2006 to: Maria Crimi Speth, Esq., Jaburg & Wilk, P.C., Counsel for DEFENDANTS, 3200 North Central Avenue, Suite 2000, Phoenix, AZ 85012.

ROTHSTEIN ROSENFELDT ADLER

By: /s/ Christopher C. Sharp

Scott W. Rothstein, Esq.

Christopher C. Sharp, Esq.

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