

FILED

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

2006 MAR 16 AM 11:38

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

CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS, FLORIDA

WHITNEY INFORMATION
NETWORK, INC., a Colorado corporation,

Plaintiff,

v.

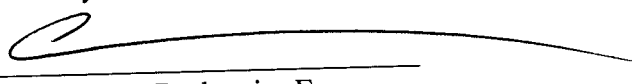
XCENTRIC VENTURES, LLC., an
Arizona limited liability company;
BADBUSINESSBUREAU.ORG, an
Arizona limited liability company; and
ED MAGEDSON, an individual,

Defendants.

PLAINTIFF'S NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Plaintiff, WHITNEY INFORMATION NETWORK, INC., ("WHITNEY"), by and through its undersigned counsel, hereby appeals to the United States Court of Appeals for the Eleventh Circuit from the attached Order granting Defendants' Motion to Dismiss for Lack of Personal Jurisdiction, entered February 15, 2006, upon which Final Judgment was entered February 16, 2006.

Respectfully submitted,

By: 

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Dated: March 15, 2006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished, by mail, this 15th day of March, 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: 

Scott W. Rothstein, Esq.
Christopher C. Sharp, Esq.