

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

WHITNEY INFORMATION NETWORK, INC., a
Colorado corporation,

Plaintiff,

vs.

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

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

Defendants.

ORDER

_____This matter comes before the Court on a remand from the Eleventh Circuit Court of Appeals (Doc. #74), issued as mandate on August 30, 2006, vacating the Judgment and finding that the issue on whether the exercise of personal jurisdiction over defendants would violate due process was not addressed.

Accordingly, it is now

ORDERED:

1. Pursuant to the mandate, the Judgment (Doc. #70) is **vacated**. Additionally, the underlying Order (Doc. #69) dismissing the case is **vacated**.

2. The Clerk shall reopen the case and the following new deadlines shall apply to the case:

JOINT FINAL PRETRIAL STATEMENT

March 16, 2007

FINAL PRETRIAL CONFERENCE	March 26, 2007, at 9:00 A.M. before Judge Unassigned Judge
TRIAL TERM BEGINS	April 2, 2007
JURY/NON-JURY	JURY

3. The Clerk shall **reopen** defendants' Motion to Dismiss Plaintiffs' First Amended Complaint for Lack of Personal Jurisdiction (Doc. #58), which shall be addressed in due course.

DONE AND ORDERED at Fort Myers, Florida, this 13th day of November, 2006.



JOHN E. STEELE
 United States District Judge

Copies:
 Counsel of record