

**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.

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**ORDER**

\_\_\_\_\_ This matter comes before the Court on the Defendant's Emergency Motion for Protective Order and to Quash Summons (Doc. #81) filed on February 23, 2007. The Defendants move to quash, or modify a subpoena issued upon the non-party Christopher J. Whitelock, Esq. Demanding the production of the Ed Magedson's video taped deposition. In the Alternative, the Defendants request the Court to issue a protective order preventing the public disclosure of the video tape deposition or to extend the deadline on the subpoena until March 1, 2007, to allow them sufficient time to respond. Whitelock informed the Defendants today that he was turning the video deposition over to the Plaintiffs today as required by the subpoena. Magedson was represented by Atty. Whitelock in a state court case involving the same parties.

After reviewing the circumstances surrounding the subpoena the Court will allow the Defendants up to and including Wednesday, February 28, 2007, to file a further response in opposition to the subpoena. The Plaintiff will be allowed to file a reply to the response.

Accordingly, it is now

**ORDERED:**

The Defendant's Emergency Motion for Protective Order and to Quash Summons (Doc. #81) is **GRANTED** to the limited extent that the due date on the subpoena is extended until **Tuesday, March 6, 2007**.

(1) The Defendant has up to and including **Wednesday, February 28, 2007**, to file a more complete objection to the subpoena.

(2) The Plaintiff has up to and including **Friday, March 2, 2007**, to file a reply.

**DONE AND ORDERED** at Fort Myers, Florida, this 23rd day of February, 2007.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES MAGISTRATE JUDGE**

Copies: All Parties of Record