

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION

WHITNEY INFORMATION
NETWORK, INC., a Colorado
Corporation, and RUSS WHITNEY,
an individual,

Plaintiffs,

Case No.: 2:04-cv-00047-FtM-99SPC

v.

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

Defendants.

**UNOPPOSED MOTION TO ALLOW SHUTTS & BOWEN LLP
TO WITHDRAW AS LOCAL COUNSEL FOR DEFENDANTS**

Defendants, XCENTRIC VENTURES, LLP, an Arizona limited liability company, BADBUSINESSBUREAU.ORG, an Arizona limited liability company, and ED MAGEDSON, an individual, by and through their undersigned counsel and pursuant to Local Rule 2.03(b) of the Local Rules of the Middle District of Florida, respectfully moves the Court to enter an Order permitting SHUTTS & BOWEN LLP and attorney Michael L. Gore to withdraw as local counsel for Defendants, and providing that SHUTTS & BOWEN LLP and attorney Michael L. Gore shall have no further obligations or responsibilities in connection with this action.

Defendants' lead counsel in this matter is Maria Crimi Speth of the firm of JABURG & WILK, PC, in Phoenix, Arizona. Ms. Speth, and her colleague, Jonathan Ibsen, Esquire, were admitted *pro hac vice* as counsel for Defendants by Order dated March 21, 2005 (Doc. 44), and will continue as lead counsel for the Defendants. Brian J. Stack, Esquire and STACK, FERNANDEZ & ANDERSON have appeared as local counsel on behalf of Defendants with the filing of Defendants' Motion to Dismiss for Lack of Jurisdiction (Doc. 58) on October 21, 2005. If this motion is granted, Defendants will continue to be represented by both Ms. Speth and Mr. Stack.

CERTIFICATION PURSUANT TO LOCAL RULE 3.01(g)

Undersigned counsel has conferred with counsel for the Plaintiffs and counsel for the Defendants in this action, and represents that neither counsel for the Plaintiffs nor counsel for the Defendants have any objection to the withdrawal of counsel as requested herein.

Dated this 7th day of March, 2007.

SHUTTS & BOWEN, LLP

By: /s/ Michael L. Gore

Michael L. Gore, Esquire

Florida Bar No.: 441252

P.O. Box 4956

Orlando, Florida 32802-4956

(407) 423-3200

(407) 425-8316 (fax)

mgore@shutts-law.com

Attorneys for Defendants

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th of March, 2007, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

Scott W. Rothstein, Esquire
Christina Marie Kitterman, Esquire
Matthew Scott Sackel, Esquire
Steven N. Lippman, Esquire
Shawn L. Birken, Esquire
Rothstein, Rosenfeldt, Dolin & Pancier, P.A.
300 Las Olas Place, Suite 860
300 S.E. 2nd Street
Ft. Lauderdale, Florida 33301

Brian J. Stack, Esquire
Stack, Fernandez & Anderson
1200 Brickell Ave.
Suite 950
Miami, Florida 33131-3255

Maria Crimi Speth, Esq.
Jaburg & Wilk PC
3200 North Central Avenue
Suite 2000
Phoenix, Arizona 85012

/s/ Michael L. Gore
Of counsel