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TIME: _____ M
HON. WILLIAM J. MARTINI, U.S.D.J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DR. MAX DENIS ANTOINE, ET AL
Plaintiffs

v.

XCENTRICS VENTURE LLC, ET AL
Defendants

FEDERAL CASE DOCKET NO. 10-CV-01392 WJM

ENTRY OF DEFAULT

PLAINTIFFS request that the **Clerk of Court** enter Default against Defendants Ed Magedson, Xcentrics Venture LLC, Jane Does, and John Does pursuant to Federal Rule of Civil Procedure 55(a). It appearing from the Record that Defendants have procedurally failed to Appear, Plead, Intervene, or otherwise Defend; the **Default** of the defendants is hereby entered pursuant to **Federal Rule of Civil Procedure 55(a)**.

Dated This _____, Day of _____, 2010

X-----
William T. Walsh, Chief Clerk of Court
United States District Court-New Jersey

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

DR. MAX DENIS ANTOINE, ET AL
Plaintiffs

v.

XCENTRICS VENTURE LLC, ET AL
Defendants

FEDERAL CASE DOCKET NO. 10-CV-01392 WJM

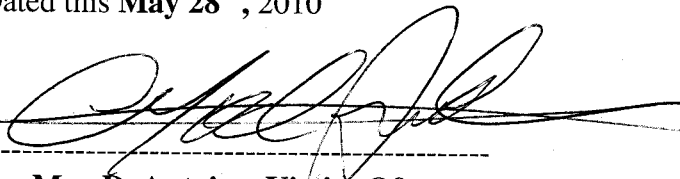
SWORN AFFIDAVIT IN SUPPORT OF
MOTION FOR ENTRY OF DEFAULT

I, Dr. Max Denis Antoine, Oppressed and Persecuted, being duly sworn, state under oath and as follows:

1. I am the **Lead Plaintiff** in the above-entitled action and I am fully familiar with the file, records and pleadings in this matter.
2. The **summons** and **complaints** were constitutionally filed on March 12, 2010.
3. **Defendants** were procedurally and successfully served with a copy of the summons complaint on date, as reflected on the docket sheet by the proof of service filed on March 30, 2010
4. An **Answer** to the **Complaint** was expectedly due **MAY 12, 2010**.
5. As to date, **Defendants** have purposely failed to appear, plead, or otherwise defend within the time allowed and, therefore, are now in Default.

6. Plaintiffs therefore request that the **Clerk of this Court** enter Default against the Said above Defendants.

Dated this **May 28rd**, 2010

A handwritten signature in black ink, appearing to read 'Max D. Antoine', written over a horizontal dashed line.

**Dr. Max D. Antoine, Victim Of
Ongoing Oppressions & Persecutions
Plaintiffs-Litigants (On The Request)**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

DR. MAX DENIS ANTOINE, ET AL
Plaintiffs

v.

XCENTRICS VENTURE LLC , ET AL
Defendants

FEDERAL CASE DOCKET NO. 10-CV-01392 WJM

CERTIFICATE OF SERVICE

I, Dr. Max Denis Antoine, hereby swear and certify that I am of such age and discretion as to be competent to personally serve papers.

I further certify that on this date I caused copies of the Motion for Entry of Default, Affidavit In Support of Motion for Entry of Default and proposed Entry of Default to be placed in postage paid envelopes personally addressed to the **Defendants**, at the addresses stated below, which are the last known addresses of said Defendants, and deposited said envelopes in the United States mail for service.

Addressee:

XCENTRIC VENTURES LLC, P.O. BOX 470, TEMPE, ARIZONA 85280

EDWARD MAGEDSON, OWNER, P.O. BOX 470, TEMPE, ARIZONA 85280

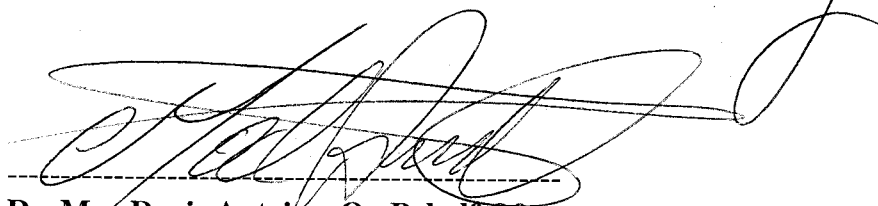
JOHN & JANE DOES, P.O. BOX 470, TEMPE, ARIZONA, 85280

MARIA SPERTH, ESQ, ATTORNEYS FOR DEFENDANTS, 2533 N. CARSON STREET, CASRSON CITY, NEVADA 89706

CORPORATION COMMISSION OF ARIZONA, (ACCEPTANCE AGENT FOR DEFENDANTS), 1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007, TEL (602) 542-4140

ATTORNEY GENERAL OFFICE OF ARIZONA (CRIMINAL INVESTIGATORS OF DEFENDANTS) 1275 WEST WASHINGTON ST, PHOENIX, ARIZONA 85007, TEL (602) 542-4266

Dated this 28th Day of MAY, 2010



**Dr. Max Denis Antoine, On Behalf Of
Himself & the Plaintiffs**

“ It’s Not The Most Powerful But The Oppressed That Survive”

**IN THE UNITED STATES-DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DR. MAX DENIS ANTOINE, ET AL
Plaintiffs

v.

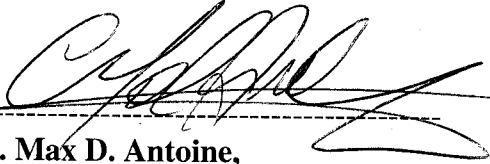
XCENTRICS VENTURE LLC, ET AL
Defendants

FEDERAL CASE DOCKET NO. 10-CV-01392

MOTION FOR ENTRY OF DEFAULT BY THE CLERK

Plaintiffs, Dr. Max D. Antoine, American Corporate Society, request that the Clerk of Court enter **DEFAULT** against the Defendants Xcentrics Venture LLC, Edward Magedson, John Does (1to 10), and Jane Does (1 to10) Pursuant to Federal Rule of Civil Procedure **55(a)**. In support of this Procedural Request, Plaintiffs rely upon the **Record** in this **Case** and the **Affidavit** submitted herein.

Dated this **May 28**, 2010



Dr. Max D. Antoine,
Plaintiffs-Litigants (On The Request)

Cc: Keith O.D. Moses, Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ASIA ECONOMIC INSTITUTE, LLC, et al.

Plaintiff(s)

v.

XCENTRIC VENTURES, LLC, et al.

Defendant(s).

CASE NUMBER

2:10-cv-01360-SVW-PJW

ORDER ON
APPLICATION OF NON-RESIDENT ATTORNEY
TO APPEAR IN A SPECIFIC CASE

The Court, having reviewed the accompanying Application of Maria Crimi Speth,
Applicant's Name
of Jaburg & Wilk, P.C., 3200 North Central Avenue, Suite 2000, Phoenix, AZ 85012
Firm Name / Address

608-248-1000
Telephone Number

mcs@jaburgwilk.com
E-mail Address

for permission to appear and participate in the above-entitled action on behalf of Plaintiff Defendant

XCentric Ventures, LLC and Edward Magedson

and the designation of Paul S. Berra, California Bar No. 186675
Local Counsel Designee / State Bar Number

of Law Offices of Paul S. Berra, 1404 3rd Street Promenade, Suite 205, Santa Monica, CA 90401
Local Counsel Firm / Address

310-394-9700
Telephone Number

paul@berra.org
E-mail Address

as local counsel, hereby **ORDERS** the Application be:

GRANTED

DENIED. Fee, if paid, shall be returned by the Clerk.

Dated May 20, 2010



STEPHEN V. WILSON, U. S. District Judge

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 10-1360-SVW (PJWx)

Date June 24, 2010

Title *Asia Economic Institute, et al. v. Xcentric Ventures, LLC, et al.*

Present: The Honorable Patrick J. Walsh, Magistrate Judge

Celia Anglon-Reed

None

CS 06/24/2010

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Lisa Borodkin
Daniel Blackert

David Gingras
Maria Speth

Proceedings: Plaintiffs' Motion to Bifurcate Discovery, etc.

Before the Court is Plaintiffs' motion to bifurcate discovery, compel the deposition of Defendant Edward Magedson, allow the deposition of Defendant Magedson to go forward without a protective order, and to have the Court enter an order regarding the conduct of counsel at the depositions. (Docket No. 52.) For the following reasons, Plaintiffs' requests are granted in part and denied in part.

This case centers on a dispute over comments posted on the website www.ripoffreport.com, operated by Defendant Xcentric Ventures, LLC (Xcentric) and founded by Defendant Magedson. Plaintiffs Asia Economic Institute, LLC and its principals, Raymond Mobrez and Iliana Llaneras assert several claims against Xcentric arising out of these posts (and Defendants' conduct related thereto), including defamation, unfair business practices, intentional and negligent interference with prospective economic advantage, and RICO. In an April 19, 2010 hearing, the district judge bifurcated the case, ruling that the case will go to trial (or be decided on motion) on the extortion portion of the RICO claim only. (Docket No. 26.)

Plaintiffs want discovery to be bifurcated as well. They do not want to have to respond to any of Defendants' discovery requests regarding the truth or falsity of their claims or to the damages they are claiming because these issues are not part of the initial phase of the case. Defendants argue that these subjects are relevant to the initial trial because the truth and falsity of the claims go to Plaintiffs' credibility and whether Plaintiffs were damaged is a necessary element to their RICO claim. The Court sides with Plaintiffs. The only issue which will be tried during the first phase of this case is the substance of the extortion claim, i.e., did Defendants attempt to extort money from Plaintiffs. (April 19, 2010

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Transcript of Proceedings, pp. 21-22.) The Court made clear at that hearing that no testimony regarding the truth or falsity of any statement will be admitted nor will the issue of damages be tried during the first phase. For this reason, there is no need for discovery on any other issue. Accordingly, the Court orders that discovery is bifurcated consistent with the district judge's previous order.

Plaintiffs ask for a court order permitting them to depose Defendant Magedson without a protective order. This request is denied. Defendants have presented sufficient cause to support the issuance of a protective order and the Court hereby enters one:

The discovery produced to date in this case and which will be produced in the future is subject to a protective order. The parties and their counsel are prohibited from disseminating this information absent court order. This order does not restrict the use of the information for court proceedings, subject to federal, state, and local laws and rules governing the disclosure of private information in public records.

Plaintiffs ask the Court to compel the deposition of Defendant Magedson. Plaintiffs may continue the deposition of Defendant Magedson, as discussed at the hearing.

Plaintiffs ask the Court to enter an order governing the conduct of the parties and their attorneys at Defendant Magedson's deposition. The Court declines this request, but makes the following observations. Counsels' conduct in this case, on both sides, has been deplorable. Counsel have acted unprofessionally, uncivilly, and, in fact, downright rude to each other. Somehow counsel seem to think that this behavior is something to be proud of, i.e., a demonstration of how tough and aggressive they are. Counsel have threatened to have opposing counsel removed from a deposition by building security, have refused to grant opposing counsel's request to take a break during a deposition on the ground that the witness is in charge of when the breaks occur, and have tag-teamed in the deposition, i.e., having more than one lawyer raise objections during the deposition. Were the Court to sanction counsel in this case, equity would demand that it sanction both sides. The Court is not inclined to do that at this stage, however. Instead, the Court will, if requested, review the videos of the depositions that have and will be taken in this case at an appropriate time and mete out sanctions accordingly. The Court would prefer not to be tasked with supervising what has turned out to

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

be a barnyard brawl. Counsel are admonished to raise the bar in this case and work with each other to accomplish their respective goals. If counsel are unable to do so in a civil manner the Court will intervene and sanction the attorneys for their conduct.

Initials of Preparer ca : 40