UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

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§	CIVIL ACTION
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§	No. 3-07-CV-0976-K
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PLAINTIFF'S OPPOSITION TO DEFENDANTS' SUPPLEMENTAL BRIEF AND EVIDENCE IN OPPOSITION TO PLAINTIFF'S APPLICATION FOR PRELIMINARY INJUNCTION

Plaintiff GW Equity, LLC ("GW Equity") files this opposition brief to the supplemental brief and evidence filed by Defendants Xcentric Ventures, LLC, www.ripoffreport.com, www.badbusinessbureau.com, and Edward Magedson (collectively, "Defendants") in opposition to GW Equity's application for preliminary injunction. In support of its response, GW Equity states the following:

I. INTRODUCTION

Fact: GW Equity has never been a party to a \$45 million settlement of a consumer class action anywhere in the United States.

Defendants do not and cannot dispute this fact in their supplemental submission. Nevertheless, Defendants continue to publish via the internet information they know is false, deceptive and irreparably damaging to GW Equity. Defendants' conduct is not fair, right or legal. GW Equity's request for a preliminary injunction should be granted to prevent Defendant's defamatory and misleading conduct and publication.

II. **ARGUMENT & AUTHORITIES**

A. GW Equity Has No Relationship to the Geneva Companies.

None of the supplemental evidence shows a corporate governance or parent/subsidiary relationship between GW Equity and the Geneva Companies. Even though 10 of GW Equity's 330-plus employees are former employees of Geneva, this fact does not establish a legal or formal business relationship between the two entities. See Exhibit A, United States Securities and Exchange Commission Filing by Citigroup (not listing GW Equity as a legal and formal business entity related to Citigroup). Just because Deloitte employs some of Arthur Anderson's former employees today does not mean that Deloitte itself was convicted of Enron related crimes. The existence of former Geneva employees at GW Equity is thus entirely unpersuasive. Importantly, nothing in Defendants' evidence refutes, rebuts or draws into question the undisputed fact that GW Equity has never settled a \$45 million consumer class action. See Exhibit B, Ereba Corporation v. The Geneva Companies, Inc., Case No. 815272 (Sup. Ct. Cal.) (First Amended Complaint filed Jan. 22, 2002). That allegation published by Defendants is false, misleading and Defendants know that. It should be taken down.

Similarly, the mere fact that GW Equity has an office in California means nothing. GW Equity is an international service provider with 330 employees located in offices in 5 different states—Texas, California, Florida, Illinois and New York. It is undisputed that (1) there is no legal or formal relationship between GW Equity and Geneva and (2) GW Equity has never been involved with a \$45 million consumer class action settlement.

B. Defendants' Arguments Regarding Great Western Business Are Immaterial.

Great Western Business Services, Inc. was not at issue at the injunction hearing. Indeed,

the damaging statements referred to on the posts on the Websites specifically mention the

Geneva Companies, not Great Western Business Services. At no time was GW Equity ever

owned, operated or affiliated with Great Western Business Services. Great Western Business

Services is a company that John Binkley was affiliated with as an officer from 2001 to 2006.

Great Western Business Services was sold on June 21, 2006. Great Western Business Services is

in a separate market segment offering different services than GW Equity. There is no

parent/subsidiary or joint ownership of or between GW Equity and Great Western Business

Services.

III. **CONCLUSION**

Defendants' have done nothing to refute, question or dispute that the postings on

Ripoffreport.com—particularly that GW Equity settled a \$45 million consumer class action—are

false and misleading. As a result, GW Equity's request for injunctive relief should be granted.

Dated: June 22, 2007

Respectfully submitted,

/s/ John T. Cox III

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CERTIFICATE OF SERVICE

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