

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GW EQUITY, LLC,

PLAINTIFF,

v.

XCENTRIC VENTURES, LLC,
WWW.RIPOFFREPORT.COM,
WWW.BADBUSINESSBUREAU.COM,
and EDWARD MAGEDSON,

DEFENDANTS.

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CIVIL ACTION

No. 3-07-CV-0976-K

PLAINTIFF’S DESIGNATION OF MEDIATOR

Plaintiff GW Equity (“GW Equity”) files this designation of mediator in the above referenced case. In support of their designation, GW Equity states the following:

1. Pursuant to the Court’s Scheduling Order dated October 22, 2007, GW Equity contacted counsel for Defendants Xcentric Ventures, LLC, www.ripoffreport.com, www.badbusinessbureau.com, and Edward Magedson (collective, “Defendants”) regarding potential mediators for this case. GW Equity proposed that the parties use Earl Hale or Christopher Nolland as mediators. Counsel for Defendants responded to GW Equity’s proposal, but did not offer any other proposed mediators. Instead, counsel for Defendants stated that the mediators will either need to be from Phoenix or willing to come to Phoenix for the mediation because her client felt it would be an unreasonable burden for him to participate in a face-to-face mediation in Dallas.

2. Because the parties cannot agree to a mediator, GW Equity respectfully requests this Court to designate either Earl Hale or Christopher Nolland as a mediator for the parties.

Further, because GW Equity feels that it is equally unreasonable for their counsel, their client representatives, and the mediator to have to travel to Phoenix to accommodate Defendants, GW Equity respectfully requests that this court require Defendants to travel to Dallas to participate in the mediation.

Dated: November 2, 2007

Respectfully submitted,

/s/ John T. Cox III

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**ATTORNEY FOR PLAINTIFF
GW EQUITY, LLC**

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing was served upon the following counsel *via ECF* on November 2, 2007.

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