

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 05-80387-CIV (Ryskamp/Vitunac)

STEVEN A. SILVERS, an individual,

Plaintiff,

v.

GOOGLE INC., a Delaware corporation,

Defendant.

---

GOOGLE INC., a Delaware corporation,

Counterclaimant,

v.

STEVEN A. SILVERS, an individual; STELOR PRODUCTIONS, INC., a Delaware corporation; STELOR PRODUCTIONS, LLC, a business entity of unknown form; and STEVEN ESRIG, an individual,

Counter-Defendants.

---

**DEFENDANT/COUNTERCLAIMANT GOOGLE INC.'S  
MOTION FOR LEAVE TO FILE TWO (2)  
SEPARATE MOTIONS FOR SUMMARY JUDGMENT**

Defendant/Counterclaimant Google Inc. ("Google"), by its undersigned counsel, pursuant to Southern District of Florida Local Rule 7.1(C)(2), hereby requests that this Court enter an Order allowing Google to file two (2) separate motions for summary judgment, based upon the following grounds:

1. Pursuant to this Court's Order dated September 29, 2006, entitled "In Re: Computation of Time for Case Filings During the Conversion to CM/ECF," Google's motion(s) for summary judgment are due to be filed on or before October 16, 2006.

2. As this Court is aware, Southern District Local Rule 7.1(C)(2), provides that:

Absent prior permission of the Court, no party shall file any legal memorandum exceeding 20 pages in length with the exception of a reply which shall not exceed 10 pages in length. The practice of filing multiple motions for partial summary judgment shall be prohibited, absent prior permission of the Court.

3. Because the subject matters of the issues presented in Google's intended motions are unrelated—one motion seeks summary judgment as to monetary relief, and the other motion seeks summary judgment as to the invalidity of Stevens Silvers' GOOGLES trademark registration—the arguments are more logically presented in two separate memoranda.

4. Accordingly, Google respectfully requests leave to file two (2) separate motions for summary judgment which, in total, will exceed the twenty (20) page limitation (though the total pages are expected to be under thirty (30)).

5. Counsel for Google has conferred with all parties in an attempt to resolve the issues. Stelor Productions has not agreed to the relief sought herein, and *pro se* litigant Mr. Silvers, who apparently is in the process of retaining counsel, has not yet taken a position.

WHEREFORE, Defendant/Counterclaimant Google respectfully requests that this Court grant the instant Motion and allow Google to file two (2) separate Motions for Summary Judgment, together with such other and further relief as this Court may deem just and proper.

DATED: October 12, 2006.  
Fort Lauderdale, FL

Respectfully submitted,

By: /s/Stephen C. Hunt

Jan Douglas Atlas  
Florida Bar No.: 226246  
[jatlas@adorno.com](mailto:jatlas@adorno.com)  
Samantha Tesser Haimo  
Florida Bar No.: 0148016  
[stesser@adorno.com](mailto:stesser@adorno.com)  
Stephen C. Hunt  
Florida Bar No.: 191582  
[shunt@adorno.com](mailto:shunt@adorno.com)  
ADORNO & YOSS LLP  
350 East Las Olas Boulevard, Suite 1700  
Fort Lauderdale, Florida 33301  
Telephone: (954) 763-1200  
Facsimile: (954) 766-7800

Johanna Calabria  
California Bar No.: 226222  
[jcalabria@perkinscoie.com](mailto:jcalabria@perkinscoie.com)  
PERKINS COIE LLP  
Four Embarcadero Center, Suite 2400  
San Francisco, California 94111  
Telephone: (415) 344-7000  
Facsimile: (415) 344-7050

Ramsey M. Al-Salam, Esq.  
Washington Bar. No. 18822  
[ramsalam@perkinscoie.com](mailto:ramsalam@perkinscoie.com)  
William C. Rava, Esq.  
Washington Bar No. 29948  
[wrava@perkinscoie.com](mailto:wrava@perkinscoie.com)  
**PERKINS COIE LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Telephone: (206) 359-6338  
Facsimile: (206) 359-7338  
Attorneys for Defendant/Counterclaimant  
Google Inc.