

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CIVIL DIVISION

CASE NO. 05-80387-CIV-RYSKAMP/VITUNAC

Stephen A. Silvers, an individual  
Plaintiff

v.

Google Inc., a Delaware corporation  
Defendant

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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

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Google Inc., a Delaware corporation,  
Counterclaimant

v.

Steven Silvers, Stelor Productions, Inc.,  
and Stelor Productions, LLC

Counterdefendants

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STEVEN SILVERS' MOTION FOR CONTINUANCE OF TRIAL SETTING

Steven Silvers, pro-se Plaintiff moves this Court, pursuant to local rule 7.6, for a short continuance of the presently scheduled trial date for the trial period commencing December 11, 2006 and as ground states:

1. Plaintiff was previously represented by counsel in this cause. Plaintiff's counsel's motion to withdraw from representing plaintiff was granted by this Court and plaintiff has temporarily been representing himself pro se.

2. Plaintiff desires to have counsel and has been diligently attempting to retain counsel to represent him in this complicated matter.
3. Plaintiff has retained Robert H. Cooper P.A. to be his counsel in this case. However, that retainer agreement is subject to this Court continuing the trial from the present trial setting of December 11th as Mr. Cooper is not available to try the case during that trial period due to his son and daughters' Bar and Bat Mitzvah which falls in the middle of the trial period. The supporting affidavit of Robert H. Cooper is attached hereto.
4. In the event that the continuance is not granted, plaintiff will have no alternative but to represent himself pro se in a jury trial. Plaintiff is not an attorney and it will be very difficult for him to effectively represent himself pro se at trial.
5. Furthermore, it will be in the interest of judicial economy for this Court to grant a continuance as a result of plaintiff being represented by counsel in this proceeding rather than representing himself pro se in such a complicated action.
6. There also is a much greater likelihood of a settlement being facilitated if plaintiff has counsel representing

him in this action.

For the foregoing reasons, plaintiff respectfully request this Court continue the trial in this matter to the next available trial period after January 15<sup>th</sup>, 2007 as Plaintiff's proposed counsel will also be on vacation and unavailable the last week of December and first week of January for the Winter holiday.

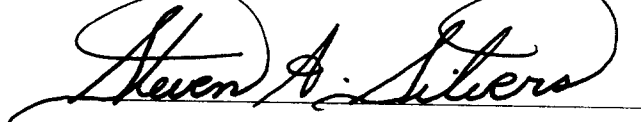
Certificate of Service

I certify that a true and correct copy of the foregoing was mailed first class mail this October 13, 2006 to the attached list:

Kevin Kaplan  
Burlington Weil et al  
2699 South Bayshore Drive Penthouse A  
Miami, FL 33133

Ramsey Al-Salam  
Perkins Coie LLP  
1201 Third Ave. Ste. 4800  
Seattle, WA 98110

Steven A. Silvers  
8983 Okeechobee Blvd Suite 202  
West Palm Beach, FL 33411

A handwritten signature in black ink that reads "Steven A. Silvers". The signature is written in a cursive style and is positioned below the typed name and address.

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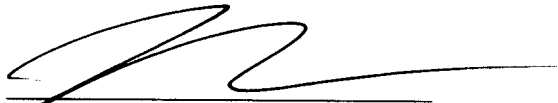
Affidavit of Robert H. Cooper PA

This affidavit is given by Robert H. Cooper, the president of Robert H. Cooper PA upon personal knowledge and under oath:

1. Robert H. Cooper PA has been engaged by Stephen A. Silvers to represent him in this matter and a retainer agreement has been executed which is subject to the Court's continuing the present trial date for the trial period commencing December 11, 2006.
2. Robert H. Cooper PA is a small firm with one senior attorney (Robert Cooper) and one entry-level associate.

3. Robert Cooper has the following conflicts which would preclude him from representing the plaintiff in this action unless the trial is continued:

- a. Robert Cooper's son and daughter are scheduled to have their bar/bat mitzvah on the weekend of December 15th, 16th and 17th. Robert Cooper will be having family flying in from all over the world and will be precluded from participating in the trial during the trial period as a result of family obligations.
- b. Robert Cooper will be on vacation last week of December and the first week of January.

  
 \_\_\_\_\_  
 Signature

The foregoing instrument was acknowledged before me this 12 day of Oct 2006 by Robert Cooper who  is personally known to me or  produced the following identification \_\_\_\_\_ and who  did or  did not take an oath.

  
 \_\_\_\_\_  
 NOTARY PUBLIC, State of Florida

Name of Notary typed, printed or stamped

My Commission Expires:

