

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH**

Case No. 05-80387-CIV-RYSKAMP/VITUNAC

STEVEN A. SILVERS, an individual,

Plaintiff,

v.

GOOGLE INC., a Delaware corporation,

Defendant.

**ORDER DENYING AS MOOT (1) SILVERS AND STELOR'S MOTION FOR
PROTECTIVE ORDER AND MOTION FOR RECONSIDERATION AND (2) GOOGLE'S
MOTION TO COMPEL AND MOTION FOR COSTS**

THIS CAUSE comes before the Court upon Silvers and Stelor's motion for protective order and motion for reconsideration [**DE 120, 178**], filed on October 2, 2006 and November 3, 2006. Google responded [**DE 130**] on October 2, 2006. Stelor replied [**DE 134**] on October 12, 2006. Silvers did not reply.

This cause also comes before the Court upon Google's motion to compel and motion for costs [**DE 130**], filed on October 2, 2006. Stelor responded [**DE 134**] on October 12, 2006 and Silvers responded [**DE 178**] on November 3, 2006. On October 19, 2006, Google replied [**DE 150**].

On October 2, 2006, the parties filed their stipulated motion regarding the scope of phase one trial [**DE 129**]. This Court granted the motion [**DE 175**] on November 3, 2006. There, the parties agreed to limit phase one of the trial to the contract dispute between Silvers and Stelor. Accordingly, Google effectively became a non-interested party for the first phase of this litigation and the above motions became moot. If this dispute remains between the parties, it can

be addressed during the second phase of this trial.

The court having reviewed the motions and otherwise being advised in the premises it is hereby,

ORDERED and ADJUDGED that the motions [DE 120, 130, 178] are hereby DENIED AS MOOT.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 8 day of January, 2007.

_____ /s/ Kenneth L. Ryskamp

HON. KENNETH L. RYSKAMP
UNITED STATES DISTRICT JUDGE

Copies provided to:
Counsel of record