

Oct 12 2005

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMIUNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80387 CIV RYSKAMP/VITUNIC

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
Delaware limited liability company,Counterdefendants.
_____**COUNTERDEFENDANTS' MOTION FOR ENLARGEMENT OF TIME
TO RESPOND TO COUNTERCLAIM**

Counterdefendants, STELOR PRODUCTIONS, L.L.C., f/k/a STELOR PRODUCTIONS, INC. ("Stelor") and STEVEN ESRIG ("Esrig") (collectively, "Stelor Defendants"), by and through its undersigned attorneys, hereby files this Motion for enlargement of time to respond to the Counterclaim filed by GOOGLE INC. and alleges as follows:

1. Pursuant to a stipulation between GOOGLE and Stelor, Stelor's counsel accepted service of process of the Counterclaim in this action and agreed to a deadline for responding of October 13, 2005.

BURLINGTON • WEIL • SCHWIEP • KAPLAN & BLONSKY, P.A.

OFFICE IN THE GROVE PENTHOUSE 2699 SOUTH BAYSHORE DRIVE MIAMI, FLORIDA 33133

T: 305.858.2900 F: 305.858.5261

EMAIL: INFO@BWSKB.COM WWW.BWSKB.COM

2. Stelor is in the process of preparing its response, but requires some additional time. The Counterclaim is voluminous, containing multiple counts and more than 90 separately numbered paragraphs worth of allegations. It also includes more than a 100 pages worth of exhibits.

3. The review of this material and assembly of additional information required appropriately to respond has taken longer than anticipated when service was initially accepted. In fact, that parties' stipulation reflected an effort to shorten the time that would otherwise be provided pursuant to Rule 4(d)(3), Fed. R. Civ. P., which allows 60 days for service of a response.

4. This enlargement is not requested for purposes of delay, and will not unduly prejudice Google. Stelor has advised counsel for GOOGLE of the requested relief, but has not yet been advised of its position.

WHEREFORE, Stelor respectfully requests entry of an order enlarging by 20 days the time for Stelor to respond to the Counterclaim.

RESPECTFULLY SUBMITTED,

BURLINGTON, WEIL, SCHWIEP,
KAPLAN & BLONSKY, P.A.
Attorneys for Stelor Productions, LLC
2699 South Bayshore Drive, Penthouse
Miami, Florida 33133
Tel: 305-858-2900
Fax: 305-858-5261
Email: kkaplan@bwskb.com

By: /s/ Kevin C. Kaplan
Kevin C. Kaplan
Florida Bar No. 933848
David J. Zack
Florida Bar No. 641685

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BURLINGTON • WEIL • SCHWIEP • KAPLAN & BLONSKY, P.A.

OFFICE IN THE GROVE PENTHOUSE 2699 SOUTH BAYSHORE DRIVE MIAMI, FLORIDA 33133

T: 305.858.2900 F: 305.858.5261

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was served via U.S. mail on this
12th day of October, 2005 upon the following:

Adam T. Rabin, Esq.
DIMOND, KAPLAN &
ROTHSTEIN, P.A.
Trump Plaza
525 S. Flagler Drive, Suite 200
West Palm Beach, Florida 33401
Jan Douglas Atlas
ADORNO & YOSS LLP
350 East Las Olas Boulevard
Suite 1700
Fort Lauderdale, Florida 33301

Kenneth R. Hartmann, Esq.
Gail M. McQuilkin, Esq.
KOZYAK TROPIN &
THROCKMORTON, P.A.
2525 Ponce de Leon Blvd., 9th Floor
Coral Gables, Florida 33134
Andrew P. Bridges
WINSTON & STRAWN LLP
101 California Street, Suite 3900
San Francisco, California 94111

/s/ Kevin C. Kaplan
Kevin C. Kaplan

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STELOR PRODUCTIONS, INC., a Delaware
Corporation; STELOR PRODUCTIONS, LLC, a
Delaware limited liability company,

Counterdefendants.

_____ /

**PROPOSED ORDER GRANTING MOTION FOR
ENLARGEMENT OF TIME TO RESPOND TO COUNTERCLAIM**

This matter came before the Court on Counterdefendants, STELOR PRODUCTIONS, L.L.C., f/k/a STELOR PRODUCTIONS, INC. (“Stelor”) and STEVEN ESRIG (“Esrig”) (collectively, “Stelor Defendants”), Motion for Enlargement of Time to Respond to Counterclaim. Having reviewed the Motion, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Motion is hereby GRANTED.

2. The Stelor Defendants shall have up to and including November 2, 2005 to serve their response to the Counterclaim.

DONE and ORDERED in Chambers at West Palm Beach, Florida, this ____ day of October, 2005.

UNITED STATES DISTRICT JUDGE

cc: Jan Douglas Atlas, Esq.
Andrew P. Bridges, Esq.
Kenneth R. Hartmann, Esq.
Kevin C. Kaplan, Esq.
Adam T. Rabin, Esq.