

Jan 5 2006

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMIUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Palm Beach DivisionSTEVEN A. SILVERS, an individual,
Plaintiff,

v.

CASE NO. 05-80387-CIV

GOOGLE INC., a Delaware corporation,
Defendant.

(Ryskamp/Vitunac)

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,
Counterdefendants.**SILVERS' MOTION FOR EXTENSION**

Plaintiff/Cross-Defendant, Steven A. Silvers ("Silvers"), requests a short extension to file a reply to Stelor's Opposition To Motion To Dismiss Amended Cross-Claim and states:

1. On December 23, 2005, Stelor filed its Opposition to Silvers' Motion To Dismiss Amended Cross-Claim. Stelor represents on the Certificate of Service that it served Silvers with that pleading electronically and by mail. Stelor, however, did not serve Silvers in any manner.¹

2. Yesterday, Silvers discovered that Stelor filed its Opposition while reviewing the Court docket through Pacer. Had Silvers been served with this pleading his reply would have been due on January 3, 2006. Silvers, however, did not see this pleading until yesterday (in fact we have still not received this through the mail or electronically). Therefore, we need additional

¹ This is far from the first time Stelor has not served Silvers with pleadings. We addressed this with Stelor's counsel months ago and he agreed to serve all pleadings electronically. We will address this repeated failure to properly

time to prepare a reply.

3. Undersigned counsel has contacted counsel for Stelor and believes there will be no objection to this extension.

4. The requested extension is reasonable and is not interposed for purposes of delay.

WHEREFORE, Silvers requests an extension up to and including January 12, 2006 in which to file his reply to Stelor's Opposition to Silvers' Motion To Dismiss The Amended Cross-Claim.

Respectfully submitted this 5th day of January 2006.

s/ Gail A. McQuilkin

Kenneth R. Hartmann (Fla. Bar #664286)
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serve us in another motion.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished
by E-mail and U.S. mail on this 5th day of January, 2006 upon:

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s/ Gail A. McQuilkin

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ORDER

ORDER GRANTING PLAINTIFF'S MOTION FOR EXTENSION

THIS CAUSE came before the Court on Plaintiff, Steven A. Silvers', Motion For Extension filed on January 5, 2006. The Court has carefully considered the motion and is otherwise duly advised in the premises.

It is hereby **ORDERED** and **ADJUDGED** that Plaintiff/Counter-Defendant's Motion for Extension is **GRANTED**. Plaintiff shall have up to and including **January 12, 2006** within which to file its reply to the Response To Motion To Dismiss Amended Cross-Claim.

DONE and ORDERED in chambers at West Palm Beach, Florida, this ____ day of January, 2006.

UNITED STATES DISTRICT COURT JUDGE

c: All counsel