

FILED by <u>DJ</u> D.C. ELECTRONIC
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Palm Beach Division

STEVEN 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 OF TIME
IN WHICH TO FILE A MOTION TO COMPEL DISCOVERY**

Plaintiff, Steven A. Silvers, requests an extension of time until July 7, 2006, in which to move to compel better responses to his discovery served upon Defendant, Google Inc. As grounds therefore, Silvers states as follows:

1. On February 14, 2006, Silvers served his second request for production on Google Inc. Google Inc. responded on March 17, 2000, but offered to produce no documents, claiming that any documents supporting its attack on Silvers' ownership of his marks (the basis for bifurcating this case and limiting discovery in the initial stage) consisted of attorney/client privilege and work product protected documents.

2. The parties have been conferring to resolve a variety of discovery disputes, including Google's inadequate response to Silvers' discovery. As a result of scheduling and

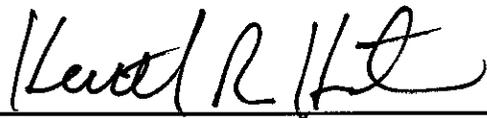
other issues, these discussions has gone beyond the 30-day period in which a party may move to compel discovery.

3. As a result, Google Inc. has requested, and Silvers has agreed, to extend the time in which to file motions to compel until discussions to resolve discovery disputes can be completed and the parties' positions drawn. However, while Google believes an extension is warranted for it to file such motions, it has refused to agree to Silvers having a similar extension.

WHEREFORE, Silvers requests that he have the same extension as Google Inc., until July 7, 2006, in which to file any motion to compel Google Inc. to provide better discovery responses.

Respectfully submitted,

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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 17 day of June, 2006 upon:

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3339/102/266197.1

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**ORDER GRANTING MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE A MOTION TO COMPEL DISCOVERY**

THIS CAUSE having come on before the Court on Silvers' motion for extension of time in which to file a motion to compel discovery, and the Court having considered same, it is

ORDERED that said motion for extension of time in which to file a motion to compel discovery is **GRANTED**. Silvers shall file his motion to compel discovery on or before July 7, 2006.

DONE and ORDERED in Chambers in Palm Beach County, Florida, this ____ day of _____, 2006.

UNITED STATES DISTRICT COURT JUDGE

Copies furnished to:

All Counsel of Record
3339/102/266198.1