

Jan 24 2006

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

STELOR PRODUCTIONS, L.L.C.,
a Delaware corporation,
f/k/a STELOR PRODUCTIONS, INC.,
Plaintiff,
v.

Case No. 05-80393-CIV-HURLEY

STEVEN A. SILVERS, a Florida resident,
Defendant.

**DEFENDANT'S RESPONSE IN OPPOSITION TO
STELOR'S SUPPLEMENTAL MOTION FOR PROTECTIVE ORDER**

Stelor is misleading the Court, intentionally. Silvers is no longer pursuing discovery relating to the request for consideration of sanctions based on the Court's Protective Order dated yesterday. In fact, prior to entry of the Protective Order, we advised Stelor's counsel, Kevin Kaplan, that we would agree to postpone the deposition of Mr. Epstein, the subject of its motion for protective order. Mr. Kaplan did not notify the Court of this agreement or withdraw the Motion For Protective Order as we assumed he would. Late *yesterday* we received a letter from Mr. Kaplan attaching the Court's Protective Order (which we had not seen) requesting that we withdraw any subpoenas that were served. We have not even had time to review the Court's Protective Order, much less contact the process server to notify it not to serve Goo Investments with a subpoena, or to contact Goo Investments if it has been served, or even respond to Mr. Kaplan's letter for that matter.

Obviously, there is no need for Goo Investments to respond to our discovery request in light of the Court's Protective Order. And, considering that this is a subpoena requesting documents, it hardly merits a run to the courthouse by Stelor for another protective order less than 20 hours after the Court's Protective Order was issued.

There is absolutely no reason for Stelor to file the supplemental motion, and it should be denied.

Respectfully submitted this 24th day of January, 2006.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served this 24th day of January, 2006, via first class mail and e-mail on the following:

Kevin C. Kaplan, Esq.
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s/Gail A S. McQuilkin

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