Doc. 116

Case 9:05-cv-80393-DTKH

Document 116

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Aug 22 2006

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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80393 CIV HURLEY/HOPKINS

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

Plaintiff,

VS.

STEVEN A. SILVERS, a Florida resident,

Defendant.

AGREED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO **DEFENDANT'S OJBECTIONS TO MAGISTRATE JUDGE'S** REPORT AND RECOMMENDATION

Plaintiff Stelor Productions, LLC ("Stelor"), by and through undersigned counsel, hereby moves on the following grounds for an enlargement of time to respond to Defendant's Objections to Magistrate Judge's Report and Recommendation [D.E. 115]:

- 1. Plaintiff is in the process of preparing its response to the objections, but requires additional days to complete the process. The response is currently due on August 25, 2006. [D.E. 113.]
- 2. The objections pertain to a Report and Recommendation denying Defendant's motion seeking hundreds of thousands of dollars in fees, based on a dismissal for lack of jurisdiction. Given the importance of the issue, and the need to address the voluminous case citations, the additional time is required.

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3. In addition, several depositions are scheduled for this week in the ongoing dispute between these parties, which now continues before the Honorable Judge Ryskamp, Case No. 05-80387, styled *Silvers v. Google Inc.*, in which Stelor was joined as a counterclaim defendant and has filed its own counterclaims. Counsel has also been involved in producing extensive discovery in that action over the past weeks.

4. Counsel for Stelor has readily agreed to an enlargement of time for Defendant to file his objections to the Report and Recommendation, resulting in the Agreed Order re Defendant's Unopposed Motion for Enlargement of Time to Serve Objections to Report and Recommendation. [D.E. 113.]

5. Accordingly, Stelor respectfully requests a one-week enlargement of time, up to and including September 1, 2006, to file its response to Defendants' objections.

6. The enlargement is not requested for purposes of delay, and will not prejudice Defendant.

7. Counsel for Defendant has been advised of and agrees to the requested enlargement.

WHEREFORE, Plaintiff respectfully requests an enlargement of time up to and including September 1, 2006, to serve its response to the fees motion and bill of costs.

2

Respectfully submitted,

BURLINGTON, SCHWIEP, KAPLAN & BLONSKY, P.A. Attorneys for Plaintiff Office in the Grove, Penthouse A 2699 South Bayshore Drive Miami, Florida 33133 Tel: 305-858-2900

Fax: 305-858-5261

By: /s/ David J. Zack
Kevin C. Kaplan
Florida Bar No. 933848
Daniel F. Blonsky
Florida Bar No. 972169
David J. Zack
Florida Bar No. 641685

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was served this 22nd day of August, 2006, via U.S. Mail and e-mail on:

Adam T. Rabin, Esq.	Kenneth R. Hartmann, Esq.
Dimond Kaplan & Rothstein, P.A.	Gail M. McQuilkin, Esq.
Trump Plaza	KOZYAK TROPIN & THROCKMORTON,
525 S. Flagler Drive, Suite 200	P.A.
West Palm Beach, Florida 33401	2525 Ponce de Leon Blvd., 9 th Floor
arabin@dkrpa.com	Coral Gables, Florida 33134
	gam@kttlaw.com
David H. Pollack, Esq.	
The Law Office of David H. Pollack, LLC	
540 Brickell Key Drive, Suite C-1	
Miami, FL 33131	
davidhpollack@aol.com	

/s/ David J. Zack David J. Zack

3

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Page 4 of 5

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80393-Civ-Hurley/Hopkins

STELOR PRODUCTIONS, L.L.C., a Delaware limited liability company, f/k/a STELOR PRODUCTIONS, INC.,

Plaintiff,
vs.
STEVEN A. SILVERS, a Florida resident,
Defendant.

AGREED ORDER GRANTING PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO DEFENDANTS' OBJECTIONS TO MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter came before the Court on Plaintiff STELOR PRODUCTIONS, L.L.C., f/k/a STELOR PRODUCTIONS, INC.'s ("Stelor") Motion for Enlargement of Time to Respond to Defendants' Objections to Magistrate Judge's Report and Recommendation (the "Motion"). 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. Plaintiff shall have until September 1, 2006 to serve any response to Defendant's Objections to the Magistrate Judge's Report and Recommendation.

DONE and ORDERED in Chambers at West Palm Beach, Florida, this _____ day of August 2006.

UNITED STATES DISTRICT JUDGE

cc: United States Magistrate Judge James Hopkins Kenneth R. Hartmann, Esq. Kevin C. Kaplan, Esq.

Adam T. Rabin, Esq.

David H. Pollack, Esq.