



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

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

CASE NO. 05-80393-CIV-HURLEY  
Magistrate Hopkins

Plaintiff,

v.

STEVEN A. SILVERS, a Florida resident,

Defendant.

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**URGENT REQUEST FOR CLARIFICATION OF ORDER  
GRANTING TEMPORARY RESTRAINING ORDER**

Defendant, Steven A. Silvers ("Silvers") respectfully files this request for urgent clarification of the Order Granting Temporary Restraining Order.

Silvers cannot comply with the relief ordered. The Court needs to understand that Stelor, not Silvers, has control over the googles.com "web site," and Verio, not Silvers, owns the server which hosts the "Googles" web site. A server is a large piece of equipment that Verio uses to host hundreds of web sites, not just Stelor's. All that Silvers has is a domain name that he registered through GoDaddy.com, a domain name registrar. Silvers has only the ability to *point* that domain name to a numeric address of a server, in this case the server Verio has given Stelor for the "Googles" web site. Silvers has no ability to direct Verio, Inc. to do anything regarding Stelor's "access to a server" (Stelor is Verio's customer, not Silvers) nor does Silvers comprehend what is meant by directing Verio to "return the dedicated server to its condition prior the changes made." Silvers has nothing to do with the server which is owned and controlled by Verio, and he didn't, and could not possibly, make changes to a server owned by Verio.

Moreover, Silvers has no control over the content of the "Googles" web site and hence cannot return such control. Stelor has - and still has - control over the content. In fact, Stelor has a password that is known only to Stelor. To the extent that the Court is ordering Silvers to *point* the googles.com domain name to the numeric address Verio has for Stelor's dedicated server (also known as a DNS record), Silvers will take steps to do that immediately. But that is the extent of what Silvers is capable of doing.

We respectfully ask that the Court issue a clarification of its Order, or schedule a short conference call with both parties counsel to help the Court understand what Silvers has the ability to do.

Respectfully submitted,

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s/ Gail A. McQuilkin  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via U.S. Mail this 9<sup>th</sup> day of June, 2005, to: Kevin C. Kaplan, Daniel F. Blonsky and David Zack of Burlington Weil Schwiep Kaplan & Blonsky, P.A., 2699 S. Bayshore Drive, Penthouse A, Miami, FL 33133.

s/ Gail A. McQuilkin

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