

UNITED STATES DISTRICT COURT
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.

**NIGHT BOX
FILED**

AUG 16 2005

**CLARENCE MADDOX
CLERK, USDC/SDFL/FTL**

NOTICE OF FILING RECORD CROSS-DESIGNATION

Please take notice that Defendant/Appellee STEVEN A. SILVERS, hereby files the District Court Docket Sheet containing his record cross-designations for the appeal pending in this matter.

Respectfully submitted,

DIMOND, KAPLAN & ROTHSTEIN, P.A. Counsel for Defendant
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Adam T. Rabin, Esq.

KOZYAK TROPIN & THROCKMORTON, P.A. Co-Counsel for Defendant
2525 Ponce de Leon, 9th Floor
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Telephone: (305) 372-1800

By:

Kenneth R. Hartmann
Florida Bar No: 664286
Gail A. McQuilkin
Florida Bar No. 969338

Docket as of August 14, 2005 0:14 am

Web PACER (v2.4)

U.S. District Court
Southern District of Florida (W.Palm Beach)
CIVIL DOCKET FOR CASE #: 05-CV-80393

Stelor Productions, v. Silvers

Filed: 05/05/05
Assigned to: Judge Daniel T. K. Hurley
Demand: \$0,000
Nature of Suit: 190
Lead Docket: None
Jurisdiction: Diversity
Dkt# in other court: None
Cause: 28:2201 Declaratory Judgment

STELOR PRODUCTIONS, L.L.C., a
Delaware corporation
fka
Stelor Productions, Inc.
plaintiff

Kevin Crow Kaplan
FTS 858-5261
305-858-2900
[COR LD NTC]
Daniel Frederick Blonsky
FTS 858-5261
[COR LD NTC]
David John Zack
FTS 858-5261
[COR LD NTC]
Burlington Weil Schwiep Kaplan
& Blonsky
2699 S Bayshore Drive
Penthouse A
Miami, FL 33133
305-858-2900

v.

STEVEN A. SILVERS, a Florida
resident
defendant

Kenneth R. Hartmann
FTS 372-3508
305-372-1800
[COR LD NTC]
Gail Ann McQuilkin
FTS 372-3508
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2525 Ponce de Leon Boulevard
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305-372-1800

Steven A. Silvers
8993 Okeechobee Boulevard #202
PMB 203

West Plam Beach, FL 33411

Adam Rabin
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[COR LD NTC]
Dimond Kaplan & Rothstein
525 S Flagler Drive
Suite 200
West Palm Beach, FL 33401
561-671-2110

DOCKET PROCEEDINGS

DATE	#	DOCKET ENTRY
5/5/05	1	VERIFIED COMPLAINT filed; FILING FEE \$250.00 RECEIPT # 920308 ; Magistrate Judge James M. Hopkins (wc)
5/5/05	2	EMERGENCY MOTION with memorandum in support by Stelor Productions, for temporary restraining order, and/or for preliminary injunction (wc)
5/5/05	3	SUMMONS(ES) issued for Steven A. Silvers (wc)
5/5/05	4	SEALED DOCUMENT placed in vault (wc)
5/9/05	5	ORDER compelling plaintiff to serve defendant and file certificate of service (Signed by Magistrate Judge James M. Hopkins on 5/9/05) [EOD Date: 5/9/05] (cj)
5/9/05	6	Notice of compliance: by Stelor Productions, with [5-1] order (dg) [Entry date 05/10/05]
5/10/05	7	ORDER REFERRING MOTION FOR TEMPORARY RESTRAINING ORDER TO MAGISTRATE JUDGE FOR REPORT AND RECOMMENDATION: ORDER OF REFERENCE Referring Motion(s) [2-1] motion for temporary restraining order referred to Magistrate Judge James M. Hopkins, [2-2] motion for preliminary injunction referred to Magistrate Judge James M. Hopkins (signed by Judge Daniel T. K. Hurley on 5/10/05) [EOD Date: 5/11/05] (pa) [Entry date 05/11/05]

- 5/12/05 8 ORDER SETTING EVIDENTIARY HEARING HEARING ON PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION (DE2)ORDER Motion hearing before Magistrate Judge James M. Hopkins set for 11:00 5/23/05 for [2-1] motion for restraining order, set for 11:00 5/23/05 for [2-2] motion for preliminary injunction (Signed by Magistrate Judge James M. Hopkins on 5/12/05) [EOD Date: 5/13/05] (pa) [Entry date 05/13/05]
- 5/13/05 9 NOTICE of attorney appearance for Steven A. Silvers by Kenneth R. Hartmann, Gail Ann McQuilkin (pa) [Entry date 05/16/05]
- 5/16/05 10 NOTICE of attorney appearance for Steven A. Silvers by Adam Rabin (ct)
- 5/20/05 11 NOTICE of Filing Declaration of Steven A. Silvers by Steven A. Silvers (rb) [Entry date 05/23/05]
- 5/20/05 12 NOTICE of Filing Declaration of Keva Labossiere by Steven A. Silvers (rb) [Entry date 05/23/05]
- 5/20/05 13 MEMORANDUM by Steven A. Silvers in opposition to [2-2] motion for preliminary injunction (rb) [Entry date 05/23/05]
- 5/23/05 -- Motion hearing re: [2-1] motion for temporary restraining order Motion hearing held, [2-2] motion for preliminary injunction Motion hearing held (ck) [Entry date 05/24/05]
- 5/23/05 14 Exhibit list by Stelor Productions, Steven A. Silvers (ck) [Entry date 05/24/05]
- 5/23/05 15 Minutes of Motion hearing re [2-1] & [2-2] motion for temporary restraining order and/or preliminary injunction: held before Magistrate Judge James M. Hopkins on 5/23/05 Court Reporter Name: Phillip May (ck) [Entry date 05/24/05]
- 5/23/05 16 Declaration/Statement of Steven A. Esrig (lh) [Entry date 05/24/05]
- 5/23/05 17 Declaration/Statement of Kevin C. Kaplan (lh) [Entry date 05/24/05]
- 5/23/05 18 REPLY by Stelor Productions, to response to [2-2] motion for preliminary injunction (lh) [Entry date 05/24/05]
- 5/26/05 19 MOTION by Steven A. Silversto dismiss for lack of subject matter jurisdiction and standing (rb) [Entry date 05/27/05]
- 5/26/05 20 NOTICE of Filing proposed Report and Recommendation Denying Plaintiffs motion for preliminary injunction by Steven A. Silvers (rb) [Entry date 05/27/05]
- 5/26/05 21 NOTICE of Filing Supplemental Declaration of keva Labossiere by Steven A. Silvers (rb) [Entry date 05/27/05]
- 5/26/05 22 MOTION by Stelor Productions to strike [21-1] notice (bs) [Entry date 05/27/05]
- 6/1/05 23 RESPONSE by Steven A. Silvers to [22-1] motion to strike [21-1] notice of supplemental declaration of Keva

Labossiere (pa) [Entry date 06/03/05]

- 6/3/05 24 REPORT AND RECOMMENDATIONS of Magistrate Judge James M. Hopkins recommending that [2-2] motion for preliminary injunction, [2-1] motion for temporary restraining order be GRANTED. Motion no longer referred. Signed on: 6/3/05
Objections to R and R due by 6/13/05 CCAP (ck)
- 6/5/05 35 ORDER DENYING MOTION AS MOOT. ORDER denying as moot [29-1] motion for clarification of Order granting temporary restraining order (Signed by Judge T. K. Hurley on 6/15/05) [EOD Date: 6/15/05] (pa) [Entry date 06/15/05]
- 6/6/05 26 Transcript filed re: hearing held 5/23/05 before Judge Magistrate James Hopkins Pages: 1-79 (ga) [Entry date 06/07/05]
- 6/8/05 27 RENEWED EMERGENCY MOTION with memorandum in support by Stelor Productions, for entry of temporary restraining order implementing the injunction recommended by the Magistrate (dg) [Entry date 06/09/05]
- 6/9/05 28 RESPONSE by Steven A. Silvers to [27-1] motion for entry of temporary restraining order implementing the injunction recommended by the Magistrate (mh)
- 6/9/05 29 URGENT MOTION by Steven A. Silvers for clarification of Order granting temporary restraining order (Order not found) (wc) [Entry date 06/10/05]
- 6/9/05 30 RESPONSE by Stelor Productions, to [29-1] motion for clarification of Order granting temporary restraining order (mh) [Entry date 06/10/05]
- 6/9/05 31 NOTICE of filing May 23, 2005 Hearing transcript of by Steven A. Silvers (dj) [Entry date 06/10/05]
- 6/9/05 32 ORDER granting [27-1] motion for entry of temporary restraining order implementing the injunction recommended by the Magistrate; This Order shall remain in full force and effect up to and including WEDNESDAY JUNE 21, 2005 (Signed by Judge Daniel T. K. Hurley on 06/09/05) [EOD Date: 6/10/05] (rb) [Entry date 06/10/05]
- 6/13/05 33 Notice of compliance: by Steven A. Silvers with [32-1] order (tb)
- 6/13/05 34 VERIFIED MEMORANDUM OF LAW by Stelor Productions, in opposition to [19-1] motion to dismiss for lack of subject matter jurisdiction and standing (mh) [Entry date 06/14/05]
- 6/16/05 36 ORDER denying [22-1] motion to strike [21-1] notice (Signed by Magistrate Judge James M. Hopkins on 06/16/05) [EOD Date: 6/17/05] (dj) [Entry date 06/17/05]
- 6/16/05 37 MOTION by Stelor Productions, (Attorney) to extend time emergency temporary restraining order implementing preliminary injunction (lk) [Entry date 06/17/05]
- 6/16/05 39 MOTION by Steven A. Silvers to strike declaration of

Steven A. Esrig, set aside Magistrate's findings and report and recommendation, and to vacate [32-1] order (dg) [Entry date 06/17/05]

6/16/05 41 NOTICE of depositing funds into Court Registry by Stelor Productions, (sk) [Entry date 06/20/05]

6/16/05 -- Filing Fee Paid; FILING FEE \$ 10,000.00 RECEIPT # 230572 (sk) [Entry date 06/20/05]

6/17/05 38 NOTICE of filing declaration of Russell B. Tewsbury by Steven A. Silvers (dg)

6/17/05 40 Notice of filing attached declaration of Paul Worshaw by Steven A. Silvers (hd)

6/17/05 42 NOTICE of by Steven A. Silvers [filing declaration of Gail M. McQuilkin] (dj) [Entry date 06/20/05]

6/17/05 43 DECLARATION Re: of Gail A. McQuilkin (dj) [Entry date 06/20/05]

6/17/05 44 APPENDIX to: [39-1] motion to strike declaration of Steven A. Esrig by Steven A. Silvers (dj) [Entry date 06/20/05]

6/17/05 45 REQUEST by Steven A. Silvers for oral argument or Hearing on [39-1] motion to strike declaration of Steven A. Esrig (dj) [Entry date 06/20/05]

6/17/05 46 OBJECTION by Steven A. Silvers to [24-1] report and recommendations, [25-1] report and recommendations (dj) [Entry date 06/20/05]

6/17/05 47 RESPONSE by Steven A. Silvers in opposition to [37-1] motion to extend time of emergency temporary restraining order implementing preliminary injunction (hd) [Entry date 06/20/05]

6/20/05 48 REPLY by Steven A. Silvers to response to [19-1] motion to dismiss for lack of subject matter jurisdiction and standing (wc) [Entry date 06/21/05]

6/22/05 49 ORDER EXENDING TEMPORARY RESTRAINING ORDER: ORDER denying [37-1] motion to extend time emergency temporary restraining order implementing preliminary injunction. The temporary restraining order shall remain in full force and effect up through the end of the International Trade Show in New York up through and including 6/24/05 (Signed by Judge Daniel T. K. Hurley on [EOD Date: 6/22/05] (pa)

6/24/05 50 SUPPLEMENT by Steven A. Silvers to: [39-1] motion to strike declaration of Steven A. Esrig (ct) [Entry date 06/27/05]

6/24/05 50 OBJECTION by Steven A. Silvers to [24-1] report and recommendations, [25-1] report and recommendations (ct) [Entry date 06/27/05]

6/24/05 51 MOTION by Steven A. Silvers (Attorney) to seal exhibit F n appendix to Silvers' objections to Magistrate report and

recommndation and exhibit F to declaration of Gail A. McQuilkin (ct) [Entry date 06/27/05]

7/1/05 53 NOTICE of filing supplemental declaration of Steven A. Esrig by Stelor Productions (kw) [Entry date 07/06/05]

7/1/05 54 RESPONSE TO SILVERS' REQUEST FOR ORAL ARGUMENT OR HEARING ON SILVERS' OBJECTION TO REPORT AND RECOMMENDATION by Stelor Productions (kw) [Entry date 07/06/05]

7/1/05 55 RESPONSE by Stelor Productions in opposition to [50-1] objection (kw) [Entry date 07/06/05]

7/1/05 56 RESPONSE by Stelor Productions to [39-1] motion to strike declaration of Steven A. Esrig (kw) [Entry date 07/06/05]

7/1/05 57 NOTICE of filing supplemental declaration of Kevin Kaplan by Stelor Productions (kw) [Entry date 07/06/05]

7/1/05 58 SUPPLEMENTAL DECLARATION OF KEVIN C. KAPLAN (kw) [Entry date 07/06/05]

7/1/05 59 NOTICE of filing declaration of Martin Jeffrey by Stelor Productions (kw) [Entry date 07/06/05]

7/5/05 52 ORDER REJECTING IN PART AND APPROVING IN PART MAGISTRATE'S REPORT AND RECOMMENDATION ON PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION adopting [24-1] report and recommendations denying [2-1] motion for temporary restraining order, denying [2-2] motion for preliminary injunction, mooting [45-1] motion for oral argument or Hearing on [39-1] motion to strike declaration of Steven A. Esrig, mooting [39-1] motion to strike declaration of Steven A. Esrig, mooting [39-2] motion set aside Magistrate's findings and report and recommendation, mooting [39-3] motion to vacate [32-1] order, denying [51-1] motion to seal exhibit F n appendix to Silvers' objections to Magistrate report and recommndation and exhibit F to declaration of Gail A. McQuilkin (Signed by Judge Daniel T. K. Hurley on 7/2/05) [EOD Date: 7/6/05] CCAP (kw) [Entry date 07/06/05]

7/6/05 25 Error in dockting. Docket #25 was a duplicate of #24. (pa)

7/8/05 60 RESPONSE by Steven A. Silvers to [39-3] motion to vacate [32-1] order (aj)

7/8/05 61 MOTION by Stelor Productions (Attorney) for reconsideration of [52-1] order (dj) [Entry date 07/11/05]

7/18/05 62 REPLY by Stelor Productions to response to [61-1] motion for reconsideration of [52-1] order (cj)

7/18/05 63 NOTICE of by Stelor Productions filing second supplemental declaration of Steven A Esrig (dj) [Entry date 07/19/05]

7/21/05 64 ORDER denying [61-1] motion for reconsideration of [52-1] order (Signed by Judge Daniel T. K. Hurley on 07/21/05) [EOD Date: 7/21/05] (rb)

- 7/22/05 65 NOTICE OF INTERLOCUTORY APPEAL of [64-1] order, [52-1] order . EOD Date: 7/6/05; Filing Fee: \$ FEE NOT PAID;; Copies to USCA and Counsel of Record. (ga)

[Entry date 08/01/05]
- 8/4/05 66 USCA appeal fees received Re: [65-1] appeal Filing Fee \$ 255.00 Receipt # 925051 (ga)
- 8/8/05 67 ORDER granting [19-1] motion to dismiss for lack of subject matter jurisdiction and standing (Signed by Judge Daniel T. K. Hurley on 08/06/05) [EOD Date: 8/9/05] (rb)
[Entry date 08/09/05]
- 8/9/05 68 Transcript Information Form re: as to Stelor Productions [65-1] appeal . No transcript requested. All necessary transcripts are already on file. (nc) [Entry date 08/11/05]
- 8/11/05 69 NOTICE of Receipt of Notice of Appeal Transmittal Letter from USCA on 8/4/05 Re: [65-1] appeal USCA NUMBER: 05-14258-I (ga) [Entry date 08/12/05]

Case Flags:
 JMH
 INTAPP

END OF DOCKET: 9:05cv80393

PACER Service Center			
Transaction Receipt			
08/15/2005 17:41:40			
PACER Login:	kt0009	Client Code:	3339-103
Description:	docket report	Search Criteria:	9:05cv80393
Billable Pages:	8	Cost:	0.64