

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Sep 12 2005

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMISTELOR PRODUCTIONS, L.L.C., a
Delaware corporation, f/k/a STELOR
PRODUCTIONS, INC.,CASE NO. 05-80393-CIV
Magistrate Hopkins

Plaintiff,

v.

STEVEN A. SILVERS, a Florida resident,

Defendant.

**SILVERS' RESPONSE TO PLAINTIFF'S MOTION FOR
ENLARGEMENT OF TIME TO RESPOND TO DISCOVERY REQUESTS**

Defendant, Steven A. Silvers ("Silvers"), requests that this Court disregard or deny Plaintiff's motion for enlargement of time to respond to Silvers' discovery. The Court has found there is a lack of subject matter jurisdiction for this case, and dismissed it. While the Court granted leave for Stelor to amend its complaint to assert a proper basis for subject jurisdiction, Stelor has declined to do so, and has finally admitted that there is a lack of diversity in this case.


The present posture of this case, therefore, is that it has been dismissed and the Court has no authority, given the lack of subject matter jurisdiction, to provide the relief requested by Stelor.

While Silvers is interested in obtaining the discovery he served prior to the case being dismissed, in good faith we cannot proceed to obtain this information under a case which has been dismissed.

Respectfully submitted,

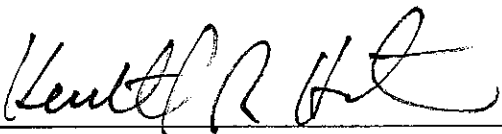
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By: 
Kenneth R. Hartmann
Florida Bar No. 664286
Gail M. McQuilkin
Florida Bar No. 969338

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 12th day of September, 2005, to: Kevin C. Kaplan, Esq., Daniel F. Blonsky, Esq. and David Zack, Esq., Burlington, Weil, Schwiep, Kaplan & Blonsky, P.A., Counsel for Plaintiff, Office in the Grove, Penthouse A, 2699 South Bayshore Drive, Miami, FL 33133.

By: 
Kenneth R. Hartmann

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