

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80393-CIV-HURLEY

STELOR PRODUCTIONS, LLC.,  
f/k/a STELOR PRODUCTIONS, INC.

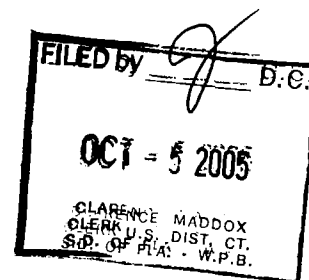
Plaintiff,

vs.

STEVEN A. SILVERS,

Defendant.

**CLOSED CASE**



**FINAL ORDER OF DISMISSAL WITHOUT PREJUDICE & CLOSE OUT**

THIS CAUSE is before the court *sua sponte* for consideration of its subject matter jurisdiction. This court previously granted defendant's motion to dismiss the case without prejudice for failure to allege sufficient facts to establish the asserted diversity jurisdiction of the court, and in particular, the citizenship of the plaintiff limited liability company. [DE# 67] That dismissal was entered without prejudice for plaintiff to re-file its complaint to specifically identify its members and sub-members by name and place of citizenship.

Plaintiff has since filed response to that order, advising that a sub-member of one of its members in fact resides in the State of Florida, consequently defeating the diversity jurisdiction of the court. It is accordingly now apparent that this court lacks subject matter jurisdiction over this controversy.

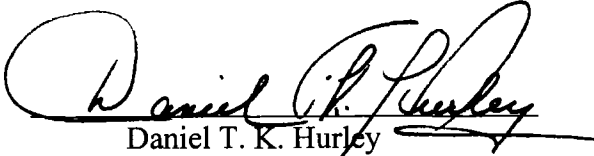
It is therefore **ORDERED and ADJUDGED** :

1. This case is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction, with the court reserving jurisdiction to tax fees and costs in favor of the defendant, who shall have **TWENTY (20) DAYS** from entry of this order within which to file such motion, if any.

2. The plaintiff's motion to transfer the action to the division of the Honorable Judge Ryskamp for consolidation with the pending matter of *Steven A. Silvers v Google, Inc.*, Case No. 05-80387-Civ-Ryskamp [DE# 74] is **DISMISSED** for lack of jurisdiction.

3. There being nothing further for the court to do, the clerk of the court shall **CLOSE** this case and **DENY** any other pending motions as **MOOT**.

**DONE and SIGNED** in Chambers in West Palm Beach, Florida this 4<sup>th</sup> day of October, 2005.

  
Daniel T. K. Hurley  
United States District Judge

copies to:  
Kevin Kaplan, Esq.  
Adam T. Rabin, Esq.  
Kenneth R. Hartmann, Esq.

**CLOSED CASE**