

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STELOR PRODUCTIONS, LLC., )  
Plaintiff/Counter-Defendant, )  
v. ) Case No. 1:05-cv-0354-DFH-TAB  
OOGLES N GOOGLES FRANCHISING, LLC )  
an Indiana limited liability company, et. al. )  
Defendants/Counter-Plaintiffs. )

**MOTION TO VACATE THE DISCOVERY HEARING SET FOR  
OCTOBER 23, 2008 AND RESET THE HEARING FOR THE FIRST WEEK OF  
NOVEMBER**

Plaintiff/Counter-Defendant, Stelor Productions, LLC (“Stelor”), requests that the Court enter an order vacating the October 23, 2008 discovery hearing and reset this matter for the first week of November. In support of its Motion, Stelor states the following:

1. On October 16, 2008 this Court entered an order setting a discovery hearing for October 23, 2008 at 2:00 p.m.
2. Plaintiff/Counter-Defendant had called the Judge's Deputy and Secretary earlier in the week in an effort to discuss the discovery hearing but was unable to speak with either.
3. Counsel for Plaintiff/Counter-Defendant is unable to attend a discovery hearing on October 23, 2008 because he will be heavily involved in depositions for the next two weeks in the matter of *Stelor Productions, LLC v Google, Inc.*
4. Additionally, Plaintiff/Counter-Defendant will be filing a Motion for Protective Order and a Motion to Amend the Case Management Schedule, on Monday, October 20, 2008.

These Motions have direct bearing on the issues to be addressed during the discovery hearing currently set for October 23, 2008.

5. Counsel for Plaintiff/Counter-Defendant has spoken with counsel for Defendants/Counter-Plaintiffs, Steven Vaughn, and Mr. Vaughn has indicated that while Defendants/Counter-Plaintiffs would not agree to vacate the discovery hearing date he would not be filing an objection.

WHEREFORE, Plaintiff/Counter-Defendant, Stelor Productions, LLC, by counsel, respectfully requests that this Court enter an order vacating the October 23, 2008 discovery hearing and re-setting the discovery hearing for first week of November, and granting all other relief deemed just and proper.

Respectfully submitted,

s/Michael A. Dorelli

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**Attorneys for Plaintiff, Stelor Productions, LLC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on October 17, 2008, a copy of the foregoing was filed electronically, and that notice of this filing will be sent to the following party by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Stephen L. Vaughan  
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*s/ Michael A. Dorelli* \_\_\_\_\_