

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

STELOR PRODUCTIONS, LLC)
)
)
Plaintiff)
)
) Case Number: 1:05-CV-0354-DFH-TAB
v.)
)
)
OOGLES N GOOGLES FRANCHISING)
LLC, *et. al.*)
)
)
Defendants)

DEFENDANTS' MOTION TO CONTINUE
DISCOVERY DISPUTE HEARING SCHEDULED FOR
NOVEMBER 4, 2008

Defendants, by counsel, for their Motion to Continue the Discovery Dispute Hearing scheduled for November 4, 2008, state as follows:

1. At the undersigned's request, the Court scheduled a discovery dispute hearing on October 23, 2008. (Doc. 179). Defendants seek to compel Stelor to provide answers and documents in response to certain of Defendants' First Interrogatories and Requests for Production served on March 14, 2008. Stelor's delays in responding to Defendants' First Interrogatories and Requests for Production will be detailed in Defendants' response to Stelor's Motion for Protective Order filed October 27, 2008. (Doc. 276).

2. Stelor moved that the hearing be continued for two (2) weeks because of depositions in the Stelor's case for trademark infringement against Google, Inc. (Doc. 245) and the hearing was rescheduled for November 4, 2008. (Doc. 271).

3. Stelor has filed two (2) Motions, one to continue the trial and extend all of the Case Management Plan deadlines (Doc. 274) and a second Motion for Protective Order (Doc. 276), on October 21 and October 27, 2008, respectively. The second Motion includes Stelor's objections to Defendants' Second Interrogatories and Requests for Production served on August 29, 2008. Stelor seeks to have these Motions heard at the November 4, 2008 hearing that the Defendants requested regarding Defendants' First Interrogatories and Requests for Production.

4. Stelor's interjection of additional issues into the November 4, 2008 discovery dispute hearing with the short period of time remaining until the hearing leaves Defendants with inadequate time to prepare written responses to Stelor's recently filed Motions.

5. Stelor's attorney, Mr. Merz, does not object to a continuance of the hearing.

6. Defendants' therefore request that the hearing be continued at least one (1) week to provide Defendants adequate time to respond to Stelor's Motions.

Respectfully submitted by:

/s/ Stephen L. Vaughan
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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2008, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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