

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

CASE NO. 1:05-cv-0354-DFH-TAB

STELOR PRODUCTIONS, LLC, a
Delaware limited liability company
f/k/a STELOR PRODUCTIONS, INC.,

Plaintiff,

vs.

OOGLES N GOOGLES, an Indiana corporation;
KEVIN MENDELL; DANYA MENDELL;
MICHELLE COTE; ROB LENDERMAN;
STACEY LENDERMAN; BRENDA MURTY;
MARGIE THOMAS; ROB SLYTER;
ELIZABETH SLYTER; CORINNA SPARKS;
CHRISTINE WATERBURY;
LEIGH SUNDLING; and TINA CARTAYA,

Defendants.

**PLAINTIFF'S MOTION AND MEMORANDUM TO COMPEL DISCOVERY
RESPONSES FROM DEFENDANTS OOGLES N GOOGLES,
KEVIN MENDELL, DANYA MENDELL, AND X,Y,Z CORPORATIONS**

Pursuant to Federal Rules of Civil Procedure, Rules 33(b), 34(b) and 37(a), plaintiff Stelor Productions, LLC ("plaintiff") hereby moves for an order compelling responses to plaintiff's first request for production of documents (tab 1) and first set of interrogatories (tab 2) propounded upon Defendants Oogles N Googles, Kevin Mendell, Danya Mendell, and X,Y, Z Corporations.

Responses as to both these discovery sets were due on or before August 1, 2005, but Defendants have not responded. Defendants requested no enlargement of time and have offered no reason or justification for their utter failure to provide discovery. Any conceivable objection to the discovery has long since been waived. Defendants' blatant disregard for their discovery

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obligations has hampered Plaintiff's ability to prepare for this litigation. Plaintiff therefore seeks the fees and expenses incurred in bringing this motion and such other relief as the Court deems appropriate.

Undersigned counsel certifies that he has conferred with counsel for Defendants in a telephonic conference occurring on or around November 11, 2005, but the parties were unable to resolve the issues set forth herein.

Wherefore, Plaintiff respectfully requests that the Court issue an order compelling Defendants to produce the documents requested and answer the interrogatories within ten (10) days of the order and requiring Defendants to pay Plaintiffs' attorneys' fees and expenses for bringing this motion.

Respectfully submitted,

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Attorneys for Plaintiff, Stelor Productions, LLC

By: /s/ David J. Zack

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of January, 2006, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's systems. I certify also that I have served the foregoing by United States mail to the following parties.

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By: /s/ David J. Zack