

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

STELOR PRODUCTIONS, INC., )  
a Delaware corporation, )

Plaintiff, )

v. )

Case Number: 1:05-CV-0354-DFH-TAB

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. )

**NOTICE OF WITHDRAWAL OF MOTION TO DISMISS**

Defendants, by counsel, for their Notice of Withdrawal of Motion to Dismiss, state as follows:

1. On or about September 8, 2005, Defendants filed a Motion to Dismiss (Doc. 34) on grounds that Plaintiff's license for the rights to the trademarks at issue in this case had been terminated. (*See*, Doc. 39 - Brief in Support of Motion to Dismiss).
2. Plaintiff's counsel, Mr. Kevin Kaplan, has represented to the undersigned that Plaintiff now owns the trademarks at issue and has provided the undersigned with documents indicating that Plaintiff now has rights to those trademarks.
3. In reliance on counsel's representation and the documentation provided, Defendants, by counsel, agree to withdraw the Motion to Dismiss, without prejudice.

Wherefore, Defendants, by counsel, hereby notify the Court and parties that Defendants' Motion to Dismiss Plaintiff's Amended Complaint is hereby withdrawn, without prejudice.

Respectfully submitted by:

/s/ Stephen L. Vaughan  
Stephen L. Vaughan, #2294-49

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2007 a copy of the foregoing Appearance 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.

/s/ Stephen L. Vaughan

Stephen L. Vaughan, #2294-49

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