

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

STELOR PRODUCTIONS LLC F/K/A STELOR )  
PRODUCTIONS, INC., )

Plaintiff, )

v. )

Case No. 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. )

**JOINT MOTION TO EXTEND CERTAIN DEADLINES  
IN CASE MANAGEMENT PLAN ORDER**

Plaintiff Stelor Productions LLC f/k/a Stelor Productions, Inc (“Stelor”) and Defendants Oogles N Googles, 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”) by their respective undersigned counsel, hereby jointly move to extend certain pretrial deadlines set forth in the Amended Case Management Plan [DE 66]. In support of their Motion, the parties state as follows:

This is a Lanham Act action based on alleged trademark violations by Defendants. Plaintiff has submitted interrogatories and document requests to all of the Defendants, but has

not received responses to them. Plaintiff has agreed to various extensions of discovery due dates and deadlines, at the request of Defendant's counsel.

Defendant has committed to provide complete responses to the pending discovery requests no later than January 15, 2008. Plaintiff is willing accept that commitment, in lieu of incurring the expense of filing a motion, but as a result, would require certain of the deadlines set forth in the CMP to be extended.

Specifically, Plaintiff requests that the following deadlines be extended:

- That the deadline for motions for leave to amend the pleadings and/or join additional parties be extended to February 29, 2008. This extension is required because the anticipated discovery includes names of additional franchisees that need to be joined as parties in the case.
- That the deadline for disclosure of expert witness by Plaintiff be extended to February 29, 2008; with Defendant's experts to be disclosed 30 days thereafter. This extension is also required because Plaintiff needs an opportunity to assess the information provided through discovery in selecting experts.

Defendant agrees to and joins in these requests. The parties respectfully submit that their request is in the interest of justice and not for the purpose of delay.

WHEREFORE, the parties respectfully move for an order of Court granting their Motion.

Counsel for Plaintiff

John David Hoover, Attorney No. 7945-49  
HOOVER HULL BAKER & HEATH LLP  
Suite 4400  
111 Monument Circle  
P.O. Box 44989  
Indianapolis, IN 46244-0989  
Tel: 317-822-4400  
Fax: 317-822-0234  
E-mail: [jdhoover@hooverhull.com](mailto:jdhoover@hooverhull.com)

Of counsel:

Kevin C. Kaplan (admitted *pro hac vice*)  
David J. Zack (admitted *pro hac vice*)  
BURLINGTON, WEIL, SCHWIEP, KAPLAN  
& BLONSKY, P.A.  
Office in the Grove, PH-A  
2699 S. Bayshore Drive, PH-A  
Miami, Florida 33133  
Tel: 305-858-2900  
Fax: 305-858-5261  
Email: [kkaplan@bwskb.com](mailto:kkaplan@bwskb.com)

Attorneys for Plaintiff, Stelor Productions, Inc.

By:  /s Kevin C. Kaplan

Counsel for Defendants

Stephen L. Vaughan, Esq.  
INDIANO VAUGHAN LLP  
One N. Pennsylvania Street, Suite 1300  
Indianapolis, IN 46204  
Tel: (317) 822-0033  
E-mail: [steve@iplawindiana.com](mailto:steve@iplawindiana.com)

Attorneys for Defendants

By:  /s Stephen L. Vaughan

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Plaintiff,

v.

OOGLES N GOOGLES, an Indiana corporation;  
KEVIN MENDELL, an individual;  
DANYA MENDELL, an individual; and  
X, Y, Z CORPORATIONS,

Defendants.

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**PROPOSED ORDER GRANTING JOINT MOTION TO EXTEND  
CERTAIN DEADLINES IN CASE MANAGEMENT PLAN ORDER**

This cause came before the Court on the Parties' Joint Motion to Extend Certain Deadlines in Case Management Plan Order, and the Court having revised the Motion and being otherwise fully advised in the premises hereby,

**ORDERED AND ADJUDGED** that the Motion is Granted, as follows: Defendants shall provide complete responses to Plaintiff's outstanding discovery requests, including answers to interrogatories and production of documents, no later than January 15, 2008. The deadline for motions for leave to amend the pleadings and/or join additional parties is hereby extended to February 29, 2008. The deadline for disclosure of expert witness by Plaintiff is extended to February 29, 2008, with Defendant's experts to be disclosed 30 days thereafter.

**DONE AND ORDERED** in chambers at Indianapolis, Indiana, this \_\_\_ day of January, 2008.

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JUDGE, United States District Court  
Southern District of Indiana, Indianapolis Division