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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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10 TSYS Acquiring Solutions, LLC,

No. CV-10-01060-PHX-DGC

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Plaintiff,

ORDER

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vs.

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Electronic Payment Systems, LLC,

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Defendant.

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On November 9, 2010, the Court issued an order granting summary judgment in favor of Defendant Electronic Payment Systems, LLC (“EPS”). Doc. 58. Plaintiff TSYS Acquiring Solutions, LLC (“TSYS”) has filed a motion for the entry of a final judgment pursuant to Rule 54(b) of the Federal Rules of Civil Procedure. Doc. 59. EPS does not oppose the motion. Doc. 65.

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When more than one claim for relief is presented in an action, or when multiple parties are involved, the district court may direct the entry of a final judgment as to one or more but fewer than all of the claims or parties “if the court expressly determines that there is no just reason for delay.” Fed. R. Civ. P. 54(b). “Judgments under Rule 54(b) must be reserved for the unusual case in which the costs and risks of multiplying the number of proceedings and of overcrowding the appellate docket are outbalanced by the pressing needs

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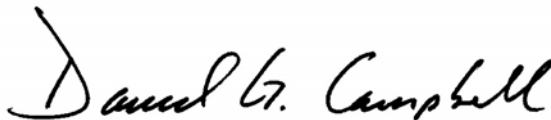
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1 of the litigants for an early and separate judgment as to some claims or parties.” *Frank*
2 *Briscoe Co. v. Morrison-Knudsen Co.*, 776 F.2d 1414, 1416 (9th Cir. 1985); *see Gausvik v.*
3 *Perez*, 392 F.3d 1006, 1009 n.2 (9th Cir. 2004).

4 This is such a case. The issues addressed by TSYS’s claim are factually and legally
5 distinct from the issues raised by EPS’s counterclaims. The parties have a genuine and
6 pressing need to settle the issues raised in the TSYS claim. *See* Doc. 58. The Court
7 concludes that there is no just reason for delaying the appeal of the TSYS claim, and that
8 there is good reason to resolve that claim expeditiously.

9 **IT IS ORDERED** that TSYS’s motion for entry of final judgment pursuant to
10 Rule 54(b) (Doc. 59) is **granted**.

11 DATED this 29th day of November, 2010.

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16 David G. Campbell
17 United States District Judge
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