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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Arizona Black Entertainment, L.L.C., an
Arizona limited liability company,

No. CV-09-00407-PHX-LOA

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Plaintiff,

ORDER

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v.

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Black Velvet Entertainment, Inc., a
Georgia Corporation; Frantz Florestal,

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Defendants.

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On January 12, 2011, Plaintiff Arizona Black Entertainment, L.L.C. filed its second Notice to the Court of Default on Settlement Agreement and Request to Enter Consent Judgment. (Doc. 58) This Notice indicates that Defendants BlackVelvet Entertainment, Inc. and Frantz Florestal were required to pay the amount of \$5,000 to Plaintiff Arizona Black Entertainment and Dwane Weaver on or before December 21, 2010 and have failed to make this payment. (*Id.*) Per the parties' settlement agreement, doc. 54 at ¶ 7, Plaintiff requests that the Court enter the signed Consent Judgment which it has been holding per the parties' agreement pending full payment by Defendants. The Court expressly reserved federal jurisdiction to enforce the terms of the parties' settlement agreement. (Doc. 48)

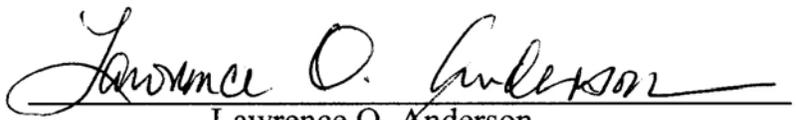
Pursuant to the parties' written settlement agreement and good cause appearing,

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IT IS ORDERED setting aside the February 12, 2010 dismissal of Plaintiff's action pursuant to Rule 60(b)(6), Fed.R.Civ.P., and hereby reinstating Plaintiff's lawsuit only. Defendants Black Velvet Entertainment, Inc.'s and Frantz Florestal's counterclaim shall remain dismissed.

IT IS FURTHER ORDERED directing the Clerk of Court to enter the separate Consent Judgment signed by the Court this day.

DATED this 20th day of January, 2011.


Lawrence O. Anderson
United States Magistrate Judge