

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

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<b>Case No.</b>	2:14-cv-06264-CAS(SSx)	<b>Date</b>	July 19, 2016
<b>Title</b>	JUNG JAE LEE V. FEDERAL STREET, LA. LLC, ET AL.		

<b>Present: The Honorable</b>	CHRISTINA A. SNYDER	
Catherine Jeang	Not Present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
Not Present	Not Present	

**Proceedings:** (IN CHAMBERS) - PROPOSED JUDGMENT IN FAVOR OF TIVOLI DEFENDANTS (Dkt. 129, filed June 29, 2016)

PROPOSED JUDGMENT IN FAVOR OF FSLA DEFENDANTS  
(Dkt. 130, filed June 30, 2016)

On June 27, 2016, the Court granted summary judgment in favor of all defendants as to plaintiff’s fourth, fifth, sixth, and seventh claims for relief. Dkt. 128. As a result of the Court’s ruling, there are presently no claims pending against defendants Tivoli Square Apartments, L.P., Tivoli Capital, Inc., Milan Properties, LLC (collectively, “the Tivoli Defendants”), The View Wilshire, LLC, JMCP Corp., JMCP, LLC, and JMCP Manager, LLC (collectively, “the TVW Defendants”). The case remains pending against defendants Federal Street L.A., LLC, Federal Street Corporation, Judi Fishman, and Michael Winter. Defendants now request that the Court enter a final judgment in favor of the Tivoli Defendants and the TVW Defendants and have lodged proposed judgments with the Court. Dkt. 129, 130. Plaintiff objects to the entry of a final judgment in favor of these defendants. Dkt. 131, 132.

“When an action presents more than one claim for relief . . . or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.” Fed. R. Civ. P. 54(b); see also Purdy Mobile Homes, Inc. v. Champion Home Builders Co., 594 F.2d 1313, 1317 (9th Cir. 1979) (“Whether there is just reason for delay in the entry of judgment is a matter left to the discretion of the district court.”). Here, the Court finds that there is just reason for delay. Namely, a trial in this matter is currently scheduled to begin on September 13, 2016. At trial, either party may introduce evidence that causes the Court to reconsider its prior ruling granting summary judgment

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in favor of defendants. See also City of Los Angeles, Harbor Div. v. Santa Monica Baykeeper, 254 F.3d 882, 885 (9th Cir. 2001) (“As long as a district court has jurisdiction over the case, then it possesses the inherent procedural power to reconsider, rescind, or modify an interlocutory order for cause seen by it to be sufficient.”) (citations omitted); Fed. R. Civ. P. 54(b) (any order adjudicating less than all the claims “may be revised at any time before the entry of a judgment”). Accordingly, defendants’ request for entry of a final judgment in favor of the Tivoli Defendants and the TVW Defendants is **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Initials of Preparer 00 : 00  
CMJ