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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FOLKMANIS, INC.,  
Plaintiff,

v.

UPTOWN TOYS LLC,  
Defendant.

Case No. 18-cv-00955-EMC

**ORDER GRANTING PLAINTIFF'S  
MOTION TO CORRECT CLERICAL  
ERROR**

Docket No. 35

In September 2018, the Court granted Plaintiff's motion for default judgment and entered a final judgment in favor of Plaintiff. *See* Docket Nos. 26-27 (order and final judgment). Plaintiff subsequently filed a motion to alter the judgment which the Court denied in December 2018. *See* Docket No. 33 (order). In March 2019, Plaintiff filed a motion to correct the final judgment on the ground that it contains a clerical error. This is the motion currently pending before the Court.

As Plaintiff notes, Federal Rule of Civil Procedure 60(a) provides that "[t]he court may correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record. The court may do so on motion or on its own, with or without notice." Fed. R. Civ. P. 60(a). Plaintiff argues that the final judgment in the instant case has a clerical mistake in that the final judgment – unlike the order granting default judgment – "does not state the dollar amount of the monetary award." Mot. at 1. In a declaration, Plaintiff's counsel states that "Plaintiff does not seek any substantive modification of the [final] judgment by this motion" and seeks relief only because, "[i]n order to enforce the Judgment in a foreign jurisdiction (Utah in this case), it is necessary to have a dollar amount[] stated on the face of the judgment." Brucker Decl. ¶¶ 2, 5.

The Court **GRANTS** the motion to correct and shall forthwith file the proposed corrected


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judgment filed by Plaintiff. The Court notes that its action here does not extend the time for an appeal. *See Hodge v. Hodge*, 269 F.3d 155, 158 (2d Cir. 2001) (stating that “a motion under Rule 60(a) does not start anew the time for filing a notice of appeal”).

This order disposes of Docket No. 35.

**IT IS SO ORDERED.**

Dated: March 13, 2019

  
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EDWARD M. CHIEN  
United States District Judge