

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOHN CASARETTO aka JUAN CASARETTO)
and GLORIA CASARETTO,)

Plaintiffs,)

v.)

COLDWELL BANKER REALTY; KELLER)
WILLIAMS REALTY; OSCAR MARTINEZ)
dba CENTURY MEDALLION LOS GATOS;)
WILLOW MORTGAGE COMPANY;)
VALLEY OF CALIFORNIA, INC, dba)
COLDWELL BANKER; TIMOTHY)
CONWAY; and ALEXIS JAN BRIGHAM,)

Defendants.)

Case No.: 10-CV-00509-LHK

ORDER REGARDING FINAL
JUDGMENT

On April 15, 2011, the Court granted Summary Judgment in favor of Defendants Valley of California, Inc. dba Coldwell Banker Realty and Alexis Jan Brigham (Defendants) regarding the single claim asserted against them in this action. Dkt. No. 65. On April 26, 2011, the Court denied Plaintiffs' Motion to Amend the complaint in this case in order to add causes of action against Defendants. Dkt. No. 73. Accordingly, there are no longer any claims pending against Defendants in this matter.

On April 27, 2011, Defendants filed a document titled "[PROPOSED] JUDGMENT." Without citation to any authority, Defendants ask the Court to approve an Order stating that "the

1 action be dismissed on the merits as to Defendants . . . and that said Defendants recover their
2 costs.”

3 Federal Rule of Civil Procedure 54(b) states:

4 (b) Judgment on Multiple Claims or Involving Multiple Parties.

5 When an action presents more than one claim for relief — whether as a claim,
6 counterclaim, crossclaim, or third-party claim — or when multiple parties are
7 involved, the court may direct entry of a final judgment as to one or more, but fewer
8 than all, claims or parties only if the court expressly determines that there is no just
9 reason for delay. Otherwise, any order or other decision, however designated, that
adjudicates fewer than all the claims or the rights and liabilities of fewer than all the
parties does not end the action as to any of the claims or parties and may be revised
at any time before the entry of a judgment adjudicating all the claims and all the
parties’ rights and liabilities.

10 Because the Court’s Orders as to Defendants do not dispose of all claims asserted in this
11 case, Defendants must move for entry of final judgment under Rule 54(b) if they wish to obtain a
12 final judgment before all the claims in case have been resolved.

13 **IT IS SO ORDERED.**

14 Dated: May 5, 2011


LUCY H. KOH
United States District Judge