

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 11-cv-02327-WJM-MEH

AVAYA, INC., a Delaware Corporation,,

Plaintiff,

v.

UNITED PACIFIC (USA) CORP., A New York Corporation

Defendant.

**ORDER GRANTING UNOPPOSED MOTION TO REOPEN CASE, VACATE
PARAGRAPH 23 OF ORDER DATED SEPTEMBER 9, 2011 (ECF NO. 16),
AND RE-CLOSING CASE**

This matter is before the Court on the Plaintiff's Unopposed Motion to Reopen Case, Vacating Paragraph 23 of Order Granting Plaintiff's *Ex Parte* Application for Seizure of Counterfeit Goods, and Re-Closing Case (ECF No. 50), filed June 6, 2013. The Court having reviewed the Motion and the applicable record, and being fully advised therein, hereby ORDERS as follows:

The Plaintiff's Unopposed Motion is GRANTED for good cause shown. This matter is REOPENED for the sole and limited purpose of addressing Paragraph 23 of this Court's September 9, 2011 Order (ECF No. 16). Paragraph 23 of said Order is hereby VACATED.

Plaintiff Avaya, Inc. is hereby relieved of its obligation to maintain the seized counterfeit Avaya products underlying this case, and, as this matter is now concluded,

Avaya may destroy those counterfeit products.

This case shall return to its prior status of being DISMISSED WITH PREJUDICE.

Dated this 11th day of June, 2013.

BY THE COURT:



William J. Martínez
United States District Judge