

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Christine M. Arguello**

Civil Action No. 13-CV-02113-CMA-KMT

LEHMAN BROTHERS HOLDINGS, INC.

Plaintiff,

v.

FIRST CALIFORNIA MORTGAGE CORPORATION

Defendant.

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**ORDER ON JOINT MOTION FOR VACATUR/RELIEF FROM ORDER AND  
JUDGMENT PURSUANT TO RULE 60(b)**

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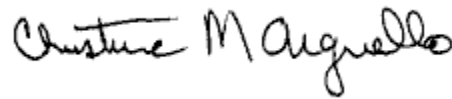
The above-captioned civil action is on appeal. On November 20, 2014, the parties filed a *Joint Motion for Indicative Ruling* (Doc. # 56) pursuant to Fed. R. Civ. P. 62.1(a)(3) requesting this Court state whether it would grant a motion to vacate the Order and Judgment (Doc. ## 33, 34, 52). On January 21, 2015, this Court indicated that it would vacate the Order and Judgment. (Doc. # 57.) On January 26, 2015, the Tenth Circuit Court of Appeals remanded this matter to this Court for the limited purpose of entering a decision on the parties' *Joint Motion for Vacatur/Relief from Order and Judgment Pursuant to Rule 60(b)*. (Doc. # 58.)

Pursuant to the parties' *Joint Motion for Vacatur/Relief from Order and Judgment Pursuant to Rule 60(b)* (Doc. # 59), filed on January 27 2015, and for the reason stated in the previously-filed *Joint Motion for Indicative Ruling* (Doc. # 56), it is ORDERED that

the *Order Granting Defendant's Motion for Summary Judgment* entered on April 30, 2014 (Doc. # 33); the *Final Judgment* entered on May 2, 2014 (Doc. # 34); and the *Order Denying Plaintiff's Motion to Amend/Correct/Modify Judgment Pursuant to F.R.C.P. 59* (Doc. # 52) are VACATED.

DATED: February   9  , 2015

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge