

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

PEGASUS IMAGING CORPORATION,

Plaintiff,

v.

Case No. 8:08-cv-1770-T-30EAJ

**ALLSCRIPTS HEALTHCARE
SOLUTIONS, INC. and ALLSCRIPTS,
LLC,**

Defendants.

ORDER

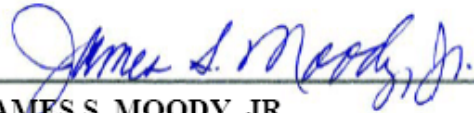
THIS CAUSE comes before the Court upon Defendants' Status Report (Dkt. 269) and Plaintiff's Status Report (Dkt. 270). The parties indicate that they attended arbitration before arbitrator, Gregg D. Thomas (the "Arbitrator") and that on August 11, 2010, the Arbitrator entered a stipulated injunction against Defendants. On August 25, 2010, the Arbitrator entered a final judgment in favor of Pegasus Imaging Corporation and against Allscripts-Misys Healthcare Solutions, Inc. and AllscriptsMysis, LLC. The final judgment entered judgment on the merits and awarded damages in favor of Plaintiff and against Defendants. And Defendants indicate that the damages have been fully paid by Allscripts.

The parties indicate a dispute over whether this case should be dismissed with prejudice or administratively closed. Defendants argue that the case should be dismissed with prejudice. However, Defendants do not cite to any authority suggesting that a dismissal with prejudice is appropriate under these circumstances. As Plaintiff points out, the

Arbitrator's award constitutes a final adjudication on the merits in Plaintiff's favor. Indeed, an injunction and final judgment in arbitration have already been entered in favor of Plaintiff. Under normal circumstances, the Court would do nothing at this juncture other than close the case unless one of the parties filed a motion to enforce the arbitration award. Since a motion to enforce is not at issue, all that is necessary at this point is to administratively close the case.

It is therefore ORDERED AND ADJUDGED that the CLERK is directed to CLOSE this case and terminate any pending motions as moot.

DONE and **ORDERED** in Tampa, Florida on October 13, 2010.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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