

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Case Number: 17-22405-CIV-MORENO

ROLAND CORP.,

Plaintiff,

vs.

INMUSIC BRANDS, INC.,

Defendant.

ORDER GRANTING MOTION FOR RECONSIDERATION

THIS CAUSE came before the Court upon the Motion for Reconsideration of the Order denying the parties' Joint Motion to Restart Litigation and Request for Entry of Updated Scheduling Order (**D.E. 330**), filed on **December 2, 2020**.

THE COURT has considered the motion, the response, the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the motion for reconsideration is GRANTED. The Court reconsiders its ruling denying the joint motion to restart the litigation and finds it appropriate to reopen the case as the Magistrate Judge found there was no existing settlement agreement between the parties. The failure to consummate a settlement agreement is good cause to reopen an action. *See Kennedy v. Jai Hanumaan, LLC & Rondolino v. Nw. Mut. Life Ins. Co.*, Case No. 18-63095-CIV-Martinez (ECF No. 16) (S.D. Fla. Apr. 22, 2019) (recommending that the plaintiff's motion to reopen case be granted where there was no enforceable settlement); *Hitchcock v. Orange Cty., Fla.*, No. 6:04-cv-1722-JA-JGG (ECF No. 46) (M.D. Fla. June 21, 2006) (granting motion to reopen after case was dismissed in light of a settlement that was not consummated); *United States v. Persaud*, No. 6:02-cv-1528-ACC-JGG (ECF No. 147) (M.D. Fla. Mar. 1, 2005). The

Court reopens this case and will issue a separate scheduling order. It is also

ADJUDGED that the motion for relief from the Court's January 6, 2020 is DENIED as moot.

DONE AND ORDERED in Chambers at Miami, Florida, this 16th of June 2021.

A handwritten signature in black ink that reads "Federico A. Moreno". The signature is written in a cursive style and is underlined with a single horizontal line.

FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record