

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>MICHAEL H. WU and CHRISTINE T. WU,</b>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 14 C 5392
	)	
<b>PRUDENTIAL FINANCIAL, INC., et al.,</b>	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**


On November 14, 2014 this Court dismissed this action with prejudice [Dkt. 90], granting all defendants' motions to dismiss and entering judgment in favor of all defendants [Dkt. 91]. On December 11, 2014 plaintiffs Michael Wu and Christine Wu (collectively "Wus") filed a motion to reconsider the order of November 14, 2014 [Dkt. 92].

On January 20, 2015 a hearing was held during which Wus asked this Court to change its November 14, 2014 order of dismissal with prejudice to an order of dismissal without prejudice so that they could file an arbitration proceeding with the Financial Industry Regulatory Authority ("FINRA"). (Jan. 20, 2015 Tr. 11:19-22; 12:24-13:7.) On that basis, and over defendants' objections, Wus' oral motion to dismiss this action without prejudice was granted, the judgment entered on November 14, 2014 was vacated and this Court ordered that this case be dismissed without prejudice [Dkt. 100].

But Wus did not keep their commitment (on which this Court had relied in entering its January 20, 2015 order) to file an arbitration proceeding with FINRA. Instead they returned to this Court and filed a closely related and equally turgid Complaint in Wu v. Prudential Fin., Inc. et al., Case No. 15 C 2238 ("Wu II").

On May 18, 2015, at a hearing on defendants' motion to dismiss Wu II, this Court exercised its power under Fed. R. Civ. P. ("Rule") 60 to vacate the January 20, 2015 order. Accordingly that order [Dkt. 100] is vacated in its entirety, for the reasons articulated at length on the record.

Effective on the date of this memorandum order, this Court reinstates its November 14, 2014 order dismissing all claims with prejudice and reinstates the November 14, 2014 judgment against Michael and Christine Wu and in favor of all of the defendants [Dkts. 90 and 91]. Pursuant to Rule 59(e), the plaintiffs shall have 28 days from entry of this order (a non-extendable period) within which they may file an appropriately supported motion seeking to alter or amend the judgment against them in this case.



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Milton I. Shadur  
Senior United States District Judge

Date: May 20, 2015