

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JOE HAND PROMOTIONS, INC.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 12-249-GPM
)	
TERRI BOVA, individually and d/b/a)	
Jack’s Place Bar & Grill, and, JACK’S)	
PLACE BAR & GRILL,)	
)	
Defendants.)	

**ORDER REOPENING CASE, VACATING JUDGMENT,
AND ORDER FOR STATUS**

MURPHY, District Judge:

Plaintiff filed this Communications Act and Cable and Television Consumer Protection and Competition Act case on March 22, 2012, claiming, in short, that Defendants televised an ultimate fighting championship in violation of Plaintiff’s licensing agreements (Doc. 2). Defendants have counsel and did file an answer (Doc. 10). On September 28, 2012, Plaintiff filed a motion for summary judgment (Doc. 22). Defendants did not respond. The motion for summary judgment was granted on December 19, 2012 and Judgment entered that day, awarding Plaintiffs the relief they sought in the motion for summary judgment--\$15,535.25 total. On November 16 and December 12, 2012, a legal assistant from Plaintiff’s counsels’ firm had e-mailed a message to the Court’s proposed documents email address entitled “proposed consent of judgment (2).” That message had an attachment (which was ostensibly a proposed consent judgment). Nothing regarding a proposed consent judgment was ever filed in the case, nor was

anything filed to retract or stay the motion for summary judgment, but on December 23, 2012 (less than 28 days after Judgment entered) Defendants filed a motion to vacate, citing a preexisting settlement between the parties (Doc. 27). On the basis of Defendants' motion, the Court finds that altering Judgment may be necessary. Though Defendants fail to specify their grounds, relief is warranted pursuant to Federal Rule of Civil Procedure 59(e).

Defendant's motion is therefore **GRANTED** and this action shall be **REOPENED**.

All parties are **ORDERED** to file status reports **on or before March 6, 2013**. The status updates must address the existence of a settlement and/or an arrangement for a proposed consent judgment. Each party's status update shall also include their position on the Plaintiff's motion for summary judgment (i.e. should it be withdrawn, does Plaintiff wish to pursue the motion, etc.).

IT IS SO ORDERED.

DATED: February 14, 2013

s/ G. Patrick Murphy
G. PATRICK MURPHY
United States District Judge