

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

STEVEN R. HUCKABA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:13-cv-0586-SMY-PMF
)	
CSX TRANSPORTATION, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Parties’ Stipulation to Set Aside Judgment and Dismiss With Prejudice. (Doc. 93). Plaintiff filed a one count Complaint under FELA on June 18, 2013. (Doc. 2). An eight-member jury was impaneled, and a three day jury trial occurred October 20, 2014 through October 22, 2014. On October 22, 2014, the jury returned a unanimous verdict in favor of Plaintiff in the amount of \$355,000.00 which was reduced by 33% for comparative fault. Judgment was entered on the verdict on October 29, 2014.

Federal Rule of Civil Procedure 60(b)(6) provides that a district court may “relieve a party ... from a final judgment, order, or proceeding ... [for] any other reason justifying relief from the operation of the judgment.” Fed.R.Civ.P. 60(b)(6). A district court may vacate judgments pursuant to the Rule “whenever such action is appropriate to accomplish justice.” Klapprott v. United States, 335 U.S. 601, 615, 69 S.Ct. 384, 390, 93 L.Ed. 266 (1949). The court has sound discretion to determine whether the facts require vacating its earlier order. Smith v. Widman Trucking & Excavating, Inc., 627 F.2d 792, 795 (7th Cir.1980).

In this case, the parties have stipulated and agreed that the Judgment be set aside pursuant to a settlement. Accordingly, the Court finds that setting aside the Judgment is appropriate and

in the interests of justice. The Judgment at Doc. 64 is hereby **VACATED** and this case is **DISMISSED** with prejudice.

IT IS SO ORDERED.

DATED: July 20, 2015

s/ Staci M. Yandle
STACI M. YANDLE
DISTRICT JUDGE