

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 10-11226-RGS

AD-A-DAY COMPANY, INC.

v.

XEROX CORPORATION and
XEROX CAPITAL SERVICES, LLC

ORDER ON DEFENDANTS'
MOTION TO CLARIFY

November 10, 2010

STEARNS, D.J.

On September 28, 2010, the court issued an Order allowing the defendants Xerox Corporation and Xerox Capital Services, LLC,'s motion to dismiss without prejudice, directing the Clerk to close the case. Thereafter, plaintiff Ad-A-Day asked the court to reconsider its Order in light of a "newly discovered" version of the parties' contract. On November 4, 2010, the court denied Ad-A-Day's motion to reconsider its Order on the motion to dismiss/transfer and mistakenly directed the Clerk to "transfer" the case. Defendants asked the court to clarify its apparent inconsistent rulings. The request is ALLOWED. This case is dismissed without prejudice and closed.

SO ORDERED

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE