

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BRIAN PITTS,)
)
Plaintiff,)
)
v.)
)
STATE FARM MUTUAL AUTOMOBILE)
INSURANCE COMPANY,)
)
Defendant/Third-Party Plaintiff,)
)
v.)
)
THE HERTZ CORPORATION,)
)
Third-Party Defendant.)
)

Case No. 4:15-CV-1332 NAB

MEMORANDUM AND ORDER

This matter is before the Court on Third-Party Plaintiff State Farm Mutual Automobile Insurance Company’s Motion to Vacate Judgment. [Doc. 52.] Third-Party Defendant The Hertz Corporation filed a notice that it consents to State Farm’s Motion to Vacate. [Doc. 53.]

The Court entered final judgment in this action on March 31, 2017. The parties settled this action the day before, but the Court was unaware of this settlement.

Accordingly,

IT IS HEREBY ORDERED that Third-Party Plaintiff State Farm Mutual Automobile Insurance Company’s Motion to Vacate Judgment is **GRANTED and the judgment entered herein is VACATED.** [Doc. 52.]

IT IS FURTHER ORDERED that the Clerk of Court shall strike the Court's Memorandum and Order and Judgment from the record and remove them from the electronic case record in this case. [Docs. 49, 50.]

IT IS FURTHER ORDERED that the parties shall file a stipulation for dismissal, a motion for leave to voluntarily dismiss, or a proposed consent judgment no later than **May 10, 2017**.

Dated this 10th day of April, 2017.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE