

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MICHAEL ROULEAU,	:	
	:	
Plaintiff,	:	Civ. No. 10-3804 (RBK) (JS)
	:	
v.	:	MEMORANDUM ORDER
	:	
OFFICER JOHN ELWELL, et al.	:	
	:	
Defendants.	:	
	:	

Plaintiff is proceeding *pro se* with a civil rights complaint filed pursuant to 42 U.S.C. § 1983. On December 4, 2013, the Court granted plaintiff’s motion for default judgment against defendants John Elwell and James Stevens in the amount of \$5,000. (*See* Dkt. No. 40.) The matter was subsequently closed.

Plaintiff then filed a motion to enforce the judgment. (*See* Dkt. No. 41.) Thereafter, defendants Elwell and Stevens entered an appearance in the case and filed a motion to vacate the default judgment with the consent of plaintiff.

It appears that on May 8, 2014, counsel for Elwell and Stevens met with plaintiff in an attempt to settle this case. The parties represent that they have now settled this case and jointly request that the Court vacate the previously entered default judgment. The Court will make it so. In light of this agreement of the parties to settle this matter and vacate the default judgment, the Court will deny plaintiff’s motion to enforce the default judgment as unnecessary.

Therefore, IT IS on this 12th day of May, 2014,

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that defendants’ (with consent of plaintiff) motion to vacate the default judgment (Dkt. No. 44.) is granted; and it is further

ORDERED that the Order granting default judgment (Dkt. No. 40.) is vacated; and it is further

ORDERED that this matter is dismissed as settled; and it is further

ORDERED that plaintiff's motion to enforce the default judgment (Dkt. No. 41.) is denied as unnecessary; and it is further

ORDERED that the Clerk shall reclose this case; and it is further

ORDERED that the Clerk shall serve this Memorandum Order on plaintiff by regular U.S. Mail.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge