

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**3:10cv462**

|                                       |   |                              |
|---------------------------------------|---|------------------------------|
| <b>THE CATO CORPORATION,</b>          | ) |                              |
|                                       | ) |                              |
| <b>Plaintiff,</b>                     | ) |                              |
|                                       | ) |                              |
| <b>Vs.</b>                            | ) |                              |
|                                       | ) |                              |
| <b>L.A. PRINTEX INDUSTRIES, INC.,</b> | ) | <b>Case No.3:10-cv-00462</b> |
|                                       | ) |                              |
| <b>Defendant.</b>                     | ) |                              |
|                                       | ) |                              |

**ORDER**

---

|                                       |   |                               |
|---------------------------------------|---|-------------------------------|
| <b>L.A. PRINTEX INDUSTRIES, INC.,</b> | ) |                               |
|                                       | ) |                               |
| <b>Counterclaim Plaintiff,</b>        | ) |                               |
|                                       | ) |                               |
| <b>Vs.</b>                            | ) | <b>Case No. 3:10-cv-00543</b> |
|                                       | ) |                               |
| <b>THE CATO CORPORATION,</b>          | ) |                               |
|                                       | ) |                               |
| <b>Counterclaim Defendants.</b>       | ) |                               |

**THIS MATTER** is before the court on the joint Motion to Vacate Summary Judgment Order and Sanctions Order and Withdraw Motion for Order to Show Cause (#160).

In so moving, the parties have informed the court that they have reached a resolution of this lawsuit. *Vacatur* of the Summary Judgment Order and the Sanctions Order was contemplated by the parties as a term of their amicable resolution of this matter and they advise that upon entry of an Order vacating the Summary Judgment Order and the Sanctions Order, the parties will file a Stipulation of Dismissal. As a further term of the amicable

resolution, Cato has agreed to withdraw its Motion for an Order to Show Cause. Finding that good cause exists for the relief sought, the court will conditionally grant the request for the reasons more thoroughly discussed in the Memorandum of Law filed in support of such motion. Upon entry of this Order, the parties will have until November 30, 2012, to file their Stipulation of Dismissal of all claims with prejudice, which will terminate this action. Absent timely filing, all motions now pending shall be placed on a calendar for hearing.

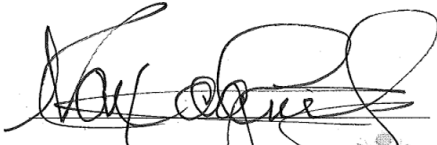
### **ORDER**

**IT IS, THEREFORE, ORDERED** that the joint Motion to Vacate Summary Judgment Order and Sanctions Order and Withdraw Motion for Order to Show Cause (#160) is **GRANTED**, the Summary Judgment Order (#110) and the Order of Certification of Facts [Contempt] (#155) are **VACATED**, and upon request of the parties, the Motion for Order to Show Cause (#125) is **WITHDRAWN**.

**IT IS FURTHER ORDERED**, as a matter of housekeeping, that the Motion for Reconsideration (#152), the Motion to Dismiss (#158), and Motion for Reconsideration (#159) are also **DENIED**.

**The parties shall have up to and inclusive of November 30, 2012, to file their Stipulation of Dismissal. Absent such filing, this Order shall be withdrawn and all motions heard on December 19, 2012, at 9:00 a.m.**

Signed: November 27, 2012

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written in a cursive style with a large loop at the end.

Max O. Cogburn Jr.  
United States District Judge

