

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SAVANNAH COLLEGE OF ART
AND DESIGN, INC.,

Plaintiff,

v.

PHILIPPE HOUEIX,

Defendant.

CASE NO.: 1:02-cv-490

Magistrate Judge Hogan

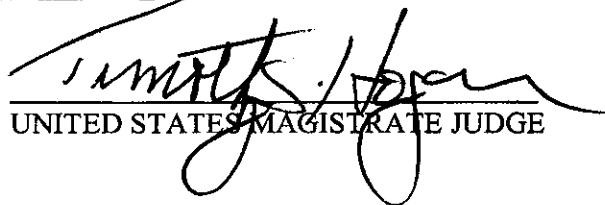
ORDER

This matter came to be heard upon the joint motion of the parties pursuant to Fed. R. Cir P. 60(b), as contemplated in *First National Bank of Salem, Ohio v. Hirsch*, 535 F.2d 343 (6th Cir. 1976), asking this Court to vacate this Court's Order and Judgment of December 21, 2004, Docket Entries 72 and 73.

Considering the parties desire to settle and the entire record, the Court is of the opinion, and so finds, that should the case be remanded to it by the Court of Appeals for the Sixth Circuit, this Court is inclined to grant the relief requested.

IT IS, THEREFORE, ORDERED BY THE COURT that if this case is remanded to the District court by the Court of Appeals, this court is disposed to grant the parties' 60(b) motion.

ENTERED this 2nd day of August, 2005


UNITED STATES MAGISTRATE JUDGE