

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF _____

}
}
}
}
}
}
}
}
}

NOTICE OF SETTLEMENT ON APPEAL;
JOINT MOTION FOR INDICATIVE RULING TO EFFECT TERMS OF SETTLEMENT

The parties hereby provide notice of their settlement of all matters in dispute, subject to this Court’s willingness to take certain action necessary to effectuate the settlement. Accordingly, pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, the parties jointly request an indicative ruling that the Court will, upon remand from the Sixth Circuit Court of Appeals, proceed with such requested action.

While on appeal, the parties participated in mediation discussions under Rule 33 of the Sixth Circuit Rules, and they reached a settlement agreement, the terms of which require certain action by this Court. Specifically, one of the terms of settlement is [specify the action required on the part of the District Court].

The parties therefore respectfully request that this Court enter the attached proposed Order indicating that it will accept the limited remand from the Court of Appeals and proceed to [specify the action the District Court is asked to take].

Respectfully submitted,

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF _____

}
}
}
}
}
}
}
}
}

ORDER

This matter came before the Court upon the joint motion of the parties pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, asking this Court to indicate its willingness to accept the limited remand from the Court of Appeals and proceed to [specify the action required on the part of the District Court].

Having considered the parties' motion and the entire record, the Court is of the opinion, and so finds, that if the case is remanded to it by the Court of Appeals for the Sixth Circuit, it will 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 will grant the parties' joint motion pursuant to Rule 62.1 of the Federal Rules of Civil Procedure and proceed to [specify the action the District Court agrees to take].

ENTERED this _____ day of _____, 20__.

Judge, United States District Court

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

}
}
}
}
}

JOINT MOTION FOR LIMITED REMAND

The parties jointly move the Court, pursuant to Rule 12.1 of the Federal Rules of Appellate Procedure, for a limited remand of this case to the United States District Court for the _____ District of _____ for the purpose of [specify the action the District Court agrees to take].

While on appeal, the parties participated in mediation discussions under Rule 33 of the Sixth Circuit Rules, and they reached a settlement agreement, the terms of which require certain action by the District Court. Specifically, one of the terms of settlement is [specify the action required on the part of the District Court].

Pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, the parties filed a motion in the District Court for an indicative ruling. The District Court granted the motion and stated that if this Court remands the case, the District Court will proceed to [specify the action the District Court agrees to take]. A copy of the District Court's Order is attached.

Wherefore, the parties respectfully request that the Court grant a limited remand of this case to the District Court in order for it to proceed as set forth above. If the case is so remanded and the District Court takes the above action, all issues presented on appeal will be resolved, and the appeal will be dismissed.

Respectfully submitted,

Sample Order provided for information purposes only.

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

}
}
}
}
}
}
}
}
}

ORDER

In accordance with the settlement agreement reached by the parties following mediation negotiations under Rule 33 of the Sixth Circuit Rules, the parties have jointly moved, pursuant to Rule 12.1 of the Federal Rules of Appellate Procedure, to remand this case to the United States District Court for the _____ District of _____ for the limited purpose of [specify the action the District Court agrees to take].

Upon consideration of the motion and further considering the District Court's Order of _____, 20__,

IT IS ORDERED that the motion shall be and is hereby GRANTED. This appeal is remanded to the District Court for further proceedings. The parties shall notify this Court within 28 days following the District Court's decision and the effect of such decision on disposition of the appeal.

ENTERED PURSUANT TO RULE
33 OF THE SIXTH CIRCUIT
RULES

Deborah S. Hunt, Clerk

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

}
}
}
}
}
}
}
}
}

NOTICE OF DISTRICT COURT RULING PURSUANT TO LIMITED REMAND

Notice is hereby given that on _____, 20__, the United States District Court for the _____ District of _____ specify the action taken by the District Court], thereby completing all requirements for finalizing the parties' settlement. A copy of the District Court's Order is attached. The settlement having resolved all matters in dispute, the parties will file forthwith a Stipulation to Dismiss the Appeal.

Respectfully submitted,