

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with
Fed. R. App. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Argued September 27, 2007
Decided August 28, 2008

Before

WILLIAM J. BAUER, *Circuit Judge*

KENNETH F. RIPPLE, *Circuit Judge*

MICHAEL S. KANNE, *Circuit Judge*

Nos. 06-3328, 06-3488 & 06-3563

LARRY MAYES,
Plaintiff-Appellee,
Cross-Appellant,

Appeals from the United States District
Court for the Northern District of Indiana,
Hammond Division.

v.

No. 03 C 379

CITY OF HAMMOND and MICHAEL
SOLAN,
Defendants-Appellants,

Paul R. Cherry,
Magistrate Judge.

and

RAYMOND MYSZAK and FRANK
DUPEY,
Defendants,
Cross-Appellees.

ORDER

These consolidated appeals were argued on September 27, 2007. Nearly six months later we granted the parties' motion to stay proceedings pending the outcome of their

settlement efforts. On June 26, 2008, the parties filed a joint motion to vacate the underlying jury verdict and judgment as a condition to the proposed settlement agreement they had reached. We issued a limited remand to the district court to allow the court to inform us if it was inclined to vacate the jury verdict and judgment. *See U.S. Bancorp Mortgage Co. v. Bonner Mall Partnership*, 513 U.S. 18 (1994); *Marseilles Hydro Power LLC v. Marseilles Land & Water Co.*, 481 F.3d 1002 (7th Cir. 2007). In response the district court issued an Opinion and Order on August 15, 2008, advising us that it is inclined to grant the joint request to vacate the jury verdict and judgment. Accordingly, the case is REMANDED to the district court for further proceedings.