

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

AMERANTH, INC.,
Plaintiff -Appellant,

v.

**MENUSOFT SYSTEMS CORPORATION AND
CASH REGISTER SALES & SERVICE OF
HOUSTON, INC. (DOING BUSINESS AS CRS
TEXAS),**
Defendant-Cross Appellants.

2011-1469, -1502

Appeals from the United States District Court for the Eastern District of Texas in case no. 07-CV-0271, Magistrate Judge Charles Everingham.

ON MOTION

Before NEWMAN, LINN, and REYNA, *Circuit Judges.*
LINN, *Circuit Judge.*

O R D E R

Ameranth, Inc. moves without opposition to remand these appeals due to settlement.

Ameranth states that the parties settled the case and requested an indicative ruling from the district court, pursuant to Fed. R. Civ. P. 62.1, whether the district court would defer, deny, or grant a motion to vacate the underlying judgment if the case were remanded. The district court indicated pursuant to Rule 62.1(a)(3) that it would grant the motion.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion is granted. The case is remanded to the district court for further proceedings as may be appropriate.
- (2) Any other pending motions in this court are moot.
- (3) Each side shall bear its own costs.

FOR THE COURT

JAN 13 2012

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: John W. Osborne, Esq.
George R. McGuire, Esq.

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Issued As A Mandate: JAN 13 2012

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

JAN 13 2012

JAN HORBALY
CLERK