

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

NEW KAJ, INC.,)	
)	
Plaintiff)	
)	
v.)	08-CV-323-P-S
)	
NATIONAL AUCTIONEERS)	
ASSOCIATION,)	
)	
Defendant)	

ORDER ON MOTION FOR APPROVAL OF JUDGMENT BY STIPULATION

Before the Court is the Consented-to Motion for Approval of Judgment by Stipulation (Docket # 9). The Court hereby DENIES this Motion WITHOUT PREJUDICE.

Having reviewed the proposed judgment (Docket # 9-2), the Court has determined that it would be improper for the Court to enter the requested detailed factual findings and legal conclusions as part of a stipulated judgment in this matter. To be clear, the Court is not willing to enter as part of a stipulated judgment the “findings” found in proposed judgment. (See Ex. A (Docket # 9-2) at 1-3.b.) If the parties have reached an agreement as to liability and the amount of damages owed, the Court is willing to enter a stipulated judgment to that effect.

If the parties wish the Court to enter such a stipulated judgment, they are free to refile the Consent Motion with a new proposed judgment attached. Of course, the parties are free to enter into a separate private agreement as to other matters.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 19th day of March, 2009.

Plaintiff

NEW KAJ INC

represented by **LEE H. BALS**
MARCUS, CLEGG & MISTRETТА,
P.A.
ONE CANAL PLAZA, SUITE 600
PORTLAND , ME 04101-4102
(207) 828-8000
Email: lbals@mcm-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**NATIONAL AUCTIONEERS
ASSOCIATION**

represented by **JERROL A. CROUTER**
DRUMMOND WOODSUM &
MACMAHON
84 MARGINAL WAY
SUITE 600
PORTLAND , ME 04101-2480
207-772-1941
Email: jcrouter@dwmlaw.com
ATTORNEY TO BE NOTICED