

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

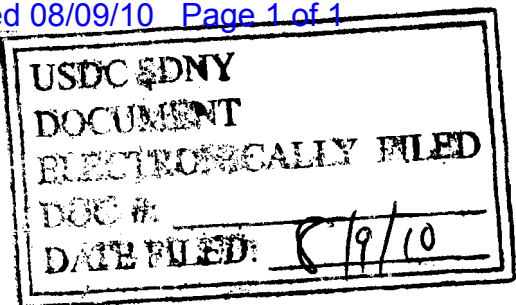
----- x
LARYSSA JOCK, et al.,

Plaintiffs,

-v-

STERLING JEWELERS, INC.,

Defendant.
----- x



08 Civ. 2875 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

By Order dated August 3, 2010, Docket No. 10-330 (2d Cir.), the Court of Appeals remanded this matter "to permit the District Court to rule on a pending Fed. R. Civ. Pro. 60(b)(5) motion." In a Memorandum Order dated July 26, 2010, the Court had indicated that it would be inclined to grant that motion if its jurisdiction were restored and had stated the reasons therefor. Upon receipt of the Court of Appeals' Order of August 3, 2010, the Court gave the parties a further opportunity to be heard on this motion, which both sides declined. Accordingly, the Court, for the reasons stated in the July 26 Memorandum Order, hereby grants defendant's motion and vacates the arbitrator's June 1, 2009 award permitting class arbitration to proceed. Pursuant to the Court of Appeals' August 3, 2010 Order, defendant must notify the Court of Appeals of this ruling by no later than August 13, 2010.

SO ORDERED.

Dated: New York, NY
August 6, 2010


JED S. RAKOFF U.S.D.J.