

FILED

UNITED STATES COURT OF APPEALS

NOV 07 2013

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

<p>INGENUITY13 LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">and</p> <p>BRETT L. GIBBS,</p> <p style="text-align: center;">Movant - Appellant,</p> <p style="text-align: center;">v.</p> <p>JOHN DOE,</p> <p style="text-align: center;">Defendant - Appellee.</p>
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No. 13-55871

D.C. No. 2:12-cv-08333-ODW-JC
Central District of California,
Los Angeles

ORDER

<p>RECEIVED CLERK, U.S. DISTRICT COURT</p> <div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 80%;"> <p style="font-size: 1.2em;">11/7/13</p> </div> <p>CENTRAL DISTRICT OF CALIFORNIA BY: <u> MAT </u> DEPUTY</p>
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Before: Peter L. Shaw, Appellate Commissioner.

On October 30, 2013, the district court granted appellant’s motion for an indicative ruling. *See* Fed. R. Civ. P. 62.1(a)(3); Fed. R. App. P. 12.1.

Accordingly, appellant’s request for a limited remand is granted. *See Crateo v. Intermark*, 536 F.2d 862 (9th Cir. 1976). This appeal is remanded to the district court for the limited purpose of enabling the district court to consider appellant’s motion to vacate the May 6, 2013 order imposing sanctions on appellant.

Within 60 days after the filing date of this order or within 7 days of the district court's ruling on appellant's motion to vacate, whichever occurs first, appellant shall file: (1) a report on the status of the district court proceedings and a motion for appropriate relief or (2) the opening brief. The filing of the opening brief or the failure to file a report will terminate the limited remand.

If the opening brief is filed, the answering and optional reply briefs shall be filed in accordance with the time limits set forth in Federal Rule of Appellate Procedure 31(a).

Appellant's request for dismissal is denied without prejudice to renewal after resolution of this limited remand.

The Clerk shall serve this order on the district court judge.