

1 presented the requirements for the matter, mere
2 declarations.

3 Now, we never sought to present enough evidence
4 to actually ask for that relief. And that's where we would
5 want the change in the order, that it not be a nonsuit, but
6 that the declarations be made, all other matters be dropped
7 because it is our opinion they are moot issues. There's no
8 need to further proceed with the continued injunction.
9 There's been a remedy to that which was satisfactory to us,
10 and the other matters that were claimed in the complaint.

11 THE COURT: I'll hear from the defense.

12 MR. GOLDMAN: Your Honor, that is not what they
13 prayed for, asked for in the underlying suit. We attached
14 a copy of the transcript where the argument was made and
15 the Court made a ruling. I was very careful when I did the
16 judgment. I ordered from Ms. Price a copy of the
17 transcript so it absolutely tracked what you said, and I
18 did a judgment in accordance with the Court's order.

19 I then had the judgment served on plaintiff's
20 counsel, the proposed judgment. You held it for 15 days;
21 you entered it; thereafter, much more than 15 days went by
22 before this motion was filed.

23 There's no facts or evidence or declarations in
24 support of the motion. It doesn't really fit under 473.
25 If anything, it would fit under 663 which is setting aside
26 judgment or decree, entering of new judgments and grounds.

27 And that must be brought within 15 days and
28 they didn't do it. That's jurisdictional. That's pursuant