

Note: This Order will not be published in a printed volume because it does not add significantly to the body of law and is not of widespread legal interest. It is a public record. It is not citable as precedent.

United States Court of Appeals for the Federal Circuit

THE MAGNAVOX COMPANY, and)
SANDERS ASSOCIATES, INC.)
)
Plaintiffs-Appellees,)
)
v.)
)
ACTIVISION, INC.,)
)
Defendant-Appellant.)

Appeal No. 86-852

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MAR 24 1986

NEUMAN, WILLIAMS,
ANDERSON & OLSON
THEODORE W. ANDERSON

BEFORE MARKEY, Chief Judge, FRIEDMAN, and RICH, Circuit Judges.

O R D E R

Magnavox Company (Magnavox) has moved to dismiss and sanction the appellant on the ground that the district court's December 27, 1985 Findings of Fact, the subject of the appeal, is not a final, appealable order.

The Findings of Fact were not an appealable final order, and no final judgment was entered by the district court as required by F. R. Civ. P. 58. Nor did the district court intend that the Findings of Fact be considered a final order. As stated by appellant, "[t]he district court announced that it intended to issue conclusions of law and a judgment at the end of February."