

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JOHN EAKIN

Plaintiff,

v.

**AMERICAN BATTLE MONUMENTS
COMMISSION, et al.**

Defendants.

§
§
§
§
§
§
§
§
§
§
§
§
§

Civ. A. No. SA:12-cv-1002-FB-HJB

ORDER

IT IS THEREFORE ORDERED that Plaintiff's Motion to Vacate the Judgment of March 25, 2015 (ECF 121) is granted. Subject judgment is vacated and the case will be returned to the court's active docket and discovery resumed.

IT IS FURTHER ORDERED that within thirty (30) days of this date Defendants will report to this court their ability or inability to fully and completely identify and return the additional remains of Private Arthur H. "Bud" Kelder.

IT IS FURTHER ORDERED that should Defendants determine that they are unable to fully and completely identify the additional remains of Private Arthur H. "Bud" Kelder within sixty (60) days of this date they are to produce all remains disinterred from Cabanatuan Common Grave #717, including CIL portions, for examination and testing by Plaintiff's experts.

Such production to be made at a mutually agreeable facility within the Western District and all expenses of transportation, examination, and testing reimbursed by Defendants.

It is so ORDERED.

SIGNED this day of , 2024.

FRED BIERY
UNITED STATES DISTRICT JUDGE