# CAPTION: PLATINUM REAL ESTATE HOLDINGS, INC. V. SLABAKIS

**02-14-24**

APPEAL NO.: C-230237

TRIAL NO.: A-1703642

KEY WORDS: CIV.R. 60(B) – SATISFACTION OF JUDGMENT

SUMMARY:

The trial court erred in granting plaintiff’s motion to vacate an entry of satisfaction of judgment in a cognovit action under Civ.R. 60(B)(4) where plaintiff argued that defendant had repudiated a mutual release by filing an action in New York state court: plaintiff failed to show that the continued enforcement of the satisfaction of judgment would be inequitable, because the New York court had yet to determine whether the mutual release applied to the New York litigation, and plaintiff failed to demonstrate that it acted reasonably in waiting nearly four years after defendant filed the New York case to file its motion to vacate.

JUDGMENT: REVERSED AND CAUSE REMANDED

JUDGES: OPINION by WINKLER, J.; BERGERON, P.J., and KINSLEY, J., CONCUR.