

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WO

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Acushnet Company,
Plaintiff,
v.
Thomas Allan Thiede, et al.,
Defendants.

No. CV-12-02508-PHX-JAT
ORDER

Pending before the Court is Plaintiff’s Motion to Release/Exonerate Bond (Doc. 51). Initially, Plaintiff filed an ex parte motion with the Court for the entry of a temporary restraining order and seizure order. (Doc. 5). The Court granted Plaintiff’s motion, and ordered Plaintiff to post a \$10,000 bond “as payment of damages to which Defendant may be entitled for a wrongful seizure or wrongful attempted seizure, prior to conducting the seizure ordered herein.” (Doc. 17 at 8). Plaintiff posted this bond, (Doc. 20), and the Court ultimately entered a final judgment and permanent injunction against Defendants, (Doc. 47).

Defendants have not opposed Plaintiff’s motion for exoneration. Because the Court has permanently enjoined Defendant, there no longer exists the potential for wrongful seizure. Accordingly, the Court will exonerate the bond.

For the foregoing reasons,


/
/
/

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS ORDERED granting Plaintiff's Motion to Release/Exonerate Bond (Doc. 51).

IT IS FURTHER ORDERED that the bond posted on December 6, 2012 is exonerated. The Clerk of the Court shall issue a check payable to Osborn Maledon for the \$10,000 bond, including all accrued interest, and send this check to John Blanchard, Osborn Maledon, P.A., 2929 North Central Avenue, 21st Floor, Phoenix, AZ 85012.

Dated this 3rd day of September, 2014.


James A. Teilborg
Senior United States District Judge