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4 **UNITED STATES DISTRICT COURT**

5 EASTERN DISTRICT OF CALIFORNIA

6 GULAMNABI VAHORA,

Case No. 1:16-cv-01624-SKO

7 Plaintiff,

8 **ORDER APPROVING AMENDED**
9 **PROPOSED SUPERSEDEAS BOND**

v.

(Doc. 182)

10 VALLEY DIAGNOSTICS LABORATORY,
11 INC., et al.,

12 Defendants.
13 _____/

14 **ORDER**

15 On November 13, 2019, the Court issued an order denying Defendant Valley Diagnostics
16 Laboratory, Inc.'s ("VDL") motion to stay proceedings to enforce the judgment and approve
17 supersedeas bond, (Doc. 175), as the proposed bond did not comply with the requirements of Local
18 Rule 151. (Doc. 181.) The Court directed VDL to file an amended proposed bond for the Court's
19 review and approval by no later than November 25, 2019. (*Id.* at 5.) On November 19, 2019,
20 VDL filed an amended proposed bond¹ in compliance with the Court's order. (Doc. 182.)

21 The amended proposed bond provides:

22 United States Fire Insurance Company, as Surety does hereby and pursuant to the
23 Federal Rules of Civil Procedure, undertake that the Defendants will pay to the
24 Plaintiff or party(ies) as named by the Court a sum of One Hundred Ninety Seven
25 Thousand Seven Hundred Twenty Dollars (\$197,720) for such damages and/or costs
26 as the Court may direct.

27 ¹ The Court notes that the caption of the amended proposed bond correctly spells VDL's name, but misspells Plaintiff's
28 name as "Gulamnabi Hahora" and the other Defendant's name as "Naeem Mujitaba Quarni." (Doc. 182 at 1.) The
correct spelling of Plaintiff's name is Gulamnabi Vahora and the correct spelling of the other Defendant's name is
Naeem Ul Mujtaba Qarni.

1 (*Id.* at 1.) The bond further provides that “[t]he surety expressly subjects itself to all applicable
2 Federal Law” and “is in compliance with the provisions of 31 U.S.C. §§ 9304–06[.]” (*Id.*) Finally,
3 it states that the bond is “posted to secure a stay of enforcement of the judgment until determination
4 of any appeal filed by VDL, or if VDL does not appeal the judgment once it becomes final, until
5 after the time for filing a notice of appeal expires.” (*Id.*)

6 The proposed language in VDL’s amended bond appears to satisfy the requirements of Local
7 Rule 151 and Rule 62 of the Federal Rules of Civil Procedure. Further, the amended bond
8 addresses each of the objections to the form of the bond previously raised by Plaintiff. (*See* Doc.
9 177 at 15–16.) Thus, the Court will approve the bond and stay the execution of the judgment as
10 to VDL pending any appeal of the judgment by VDL.

11 Accordingly, IT IS HEREBY ORDERED:

12
13 1. Defendant Valley Diagnostics Laboratory, Inc.’s amended proposed supersedeas
14 bond, (Doc. 182), is APPROVED.

15 2. Pursuant to Rule 62(b) of the Federal Rules of Civil Procedure, and according to the
16 terms of the supersedeas bond posted on November 19, 2019, bond number 615247986, (Doc.
17 182), proceedings to enforce the judgment and execution of the judgment entered in this case as to
18 Defendant Valley Diagnostics Laboratory, Inc. are hereby STAYED pending any appeal of the
19 judgment by Defendant Valley Diagnostics Laboratory, Inc.

20
21 IT IS SO ORDERED.

22 Dated: November 21, 2019

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE