UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FUNAI ELECTRIC COMPANY, LTD.,

Plaintiff(s),

v.

DAEWOO ELECTRONICS CORP., ET AL.,

Defendant(s).

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Case No. C-04-01830 JCS

ORDER DENYING DEFENDANTS' RENEWED EMERGENCY MOTION TO STAY EXECUTION PURSUANT TO FED. R. CIV. P. 62(D) [Docket No. 924]

On April 30, 2009, Defendants filed a Renewed Emergency Motion to Stay Execution Pursuant to Fed. R. Civ. P. 62(d) ("the Motion"), asking that the Court enter a stay of execution of the judgment in this action and requesting an order directing Funai to cease and desist its garnishment efforts directed at DEAM in all of the districts in which Funai has registered the judgment in this action. The basis for the Motion is the refusal of the court clerk in the Southern District of Florida, where DEAM has initiated proceedings to post a bond in accordance with this Court's previous orders, to accept an additional bond amount for DEAM without an order from the judge in that case. The Motion is DENIED.

As stated in the Court's April 20, 2009 Order, the judgment against DEAM may be stayed when the required bond has been posted. DEAM has posted part of the bond amount with the district court in the Southern District of Florida and has filed an emergency motion in that court to obtain permission to increase the bond and stay execution of the judgment against DEAM,

consistent with this Court's orders of April 20, 2009 and April 24, 2009. The Florida court will address this request. It is neither necessary nor appropriate for this Court to interfere with the proceeding in Florida.

IT IS SO ORDERED.

Dated: May 1, 2009

JOSEPH C. SPERO
United States Magistrate Judge