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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CATAPHORA INC.,)	
)	
Plaintiff(s),)	No. C09-5749 BZ
)	
v.)	
)	ORDER GRANTING REQUEST TO
JERROLD SETH PARKER, et al.,)	STAY EXECUTION OF JUDGMENT
)	WITH BOND
Defendant(s).)	
_____)	

Under Federal Rule of Civil Procedure 62(a), the execution or enforcement of a judgment is automatically stayed for fourteen days after entry of the judgment. Subdivision (d) of that Rule provides that, subject to certain exceptions, when an appeal is taken, the appellant may obtain a stay of execution by posting a supersedeas bond. "The purpose of a supersedeas bond is to secure the appellees from a loss resulting from the stay of execution and a full supersedeas bond should therefore be required." Rachel v. Banana Republic, Inc., 831 F.2d 1503, 1505 n.1 (9th Cir. 1987). Given the agreement of all parties that a stay with bond is appropriate, **IT IS ORDERED** execution shall be stayed if

1 Defendants post a supersedeas bond in the amount of
2 \$1,335,967.20, that is, 125% of the judgment amount. See
3 Funai Elec. Co. v. Daewoo Elecs. Corp., Case No. 04-01830,
4 2009 U.S. Dist. LEXIS 35371, 2009 WL 975787 (N.D. Cal. Apr. 9,
5 2009). The court will increase the amount of the bond if
6 plaintiff is awarded any additional amount for attorneys' fees
7 and costs.

8 Dated: January 11, 2012

9 
10 _____
11 Bernard Zimmerman
12 United States Magistrate Judge

13 G:\BZALL\BZCASES\CATAPHORA V. PARKER\ORDER GRANTING STAY REQUES WITH BOND.
14 FINAL RULING.wpd

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