

1 IT IS FURTHER ORDERED that if Plaintiff Don A. Nelson timely appeals the Court's
2 Order Granting Defendants' Special Motion to Strike and Final Judgment, and assuming the
3 Court's order(s) are affirmed, that Defendants shall also be entitled to attorneys' fees and costs
4 associated with the appeal and their motion seeking reimbursement of same in an amount to be
5 determined by the Court;
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7 IT IS FURTHER ORDERED that Defendants shall not seek to enforce the Court's
8 judgment of \$71,224.78 in attorneys' fees and costs until after the time for an appeal of the
9 Court's Order Granting Defendants' Special Motion to Strike and Final Judgment to the Ninth
10 Circuit Court of Appeals has passed or until after a timely appeal to the Ninth Circuit Court of
11 Appeals and the U.S. Supreme Court is final, assuming the Court's order(s) are affirmed;
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13 IT IS FURTHER ORDERED that Plaintiff Don A. Nelson shall not be required to post a
14 supersedeas bond in order to stay the enforcement of the Court's judgment of \$71,224.78 under
15 Federal Rule of Civil Procedure 62(d) if he timely appeals the Court's Order Granting
16 Defendants' Special Motion to Strike and Final Judgment. The August 26, 2009 hearing on
17 Defendant's Motion for Attorneys' Fees is hereby VACATED and the motion is withdrawn.

18 DATED: 8/17/09

