

1 \*\*E-Filed 3/3/10\*\*

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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**

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12 EVELYN ROSA and ROBERT ROSA,  
13 individually and as the personal representatives of  
14 MICHAEL ROBERT ROSA, deceased,

15 Plaintiffs,

16 v.

17 CITY OF SEASIDE et al.,

18 Defendants.

Case Number C 05-03577 JF

**ORDER<sup>1</sup> VACATING MARCH 2,  
2010, ORDER AND PRESERVING  
STAY OF IMPOSITION OF COSTS**

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20 On February 16, 2010, the Court denied Plaintiffs' motion to preclude TASER  
21 International, Inc. ("TASER") from recovering its bill of costs, but stayed the imposition of costs  
22 on the condition that Plaintiffs provide either a bond or some other form of security ("February 16  
23 order"). On February 22, 2010, Plaintiffs informed the Court and TASER by e-mail of their  
24 intent to post a supersedeas bond for the full amount of the costs within thirty days of the  
25 February 16 order. For reasons that are unclear, the e-mail did not come to the attention of  
26 chambers staff.

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28 <sup>1</sup> This disposition is not designated for publication in the official reports.

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On March 2, 2010, believing that security had not been posted, the Court issued an order lifting the stay (“March 2 order”). Good cause appearing, the March 2 order is hereby vacated. As TASER has not objected to Plaintiffs’ proposal with respect to the bond, the stay will remain in effect pending Plaintiffs’ appeal of the underlying judgment.

**IT IS SO ORDERED.**

DATED: 3/3/10

  
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JEREMY FOGEL  
United States District Judge