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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT *KCM* DEPUTY
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

OTAY LAND COMPANY, a Delaware)	Case No.: 03 CV 02488 BEN (POR)
limited liability company, and FLAT)	
ROCK LAND COMPANY, a Delaware)	ORDER VACATING ORDER
limited liability company,)	APPROVING SUPERSEDEAS
)	BONDS, AND DISCHARGING
Plaintiffs,)	BOND TO PLAINTIFFS AND
)	EXONERATING THE
v.)	SURETIES THEREON
)	
U.E. LIMITED, L.P., a California limited)	Hon. Roger T. Benitez
partnership; UNITED ENTERPRISES,)	
LTD., a California limited partnership;)	
UNITED ENTERPRISES, INC., a)	
Delaware corporation; JOHN T. KNOX;)	
THE OTAY RANCH, L.P., a California)	
limited partnership; BALDWIN)	
BUILDERS, a California corporation; SKY)	
COMMUNITIES, INC., a California)	
corporation; SKY VISTA, INC., a)	
California corporation; OLIN)	
CORPORATION, a Virginia corporation;)	
PHIL G. SCOTT; RAY M. ENNISS; and)	
PATRICK J. PATEK,)	
)	
Defendants.)	

This matter came before the Court upon an unopposed motion by Plaintiffs Otay Land Company and Flat Rock Land Company ("Plaintiffs") for an order vacating entirely this Court's Order, dated May 6, 2010, entitled "Order Approving

Supersedeas Bonds and Staying Execution of Judgment Pending Appeal" (document 415).

Following appellate proceedings and remand to this Court, the Court awarded costs to Defendant Baldwin Builders, *et al.* in the amount of \$116,430.85. Judgment was entered on March 29, 2010 (document 406). On April 9, 2010, Plaintiffs filed their "Motion For Order To Post Supersedeas Bonds And For Stay Of Execution On Judgment Re Award Of Costs Pending Appeal" (document 407). The motion was unopposed. On May 6, 2010, this Court issued its order approving the supersedeas bond and staying execution of judgment pending appeal (document 415). On May 17, 2010, Plaintiffs posted a supersedeas bonds in the amount of \$55,677.03; \$10,823.92; \$89,772.52; and \$38,176.19 (documents 418, 419, 421, and 422).

Defendants have since executed an acknowledgment of satisfaction of judgment, by which Defendants acknowledged Plaintiffs' full payment of the judgment, and released all claims against the supersedeas bond securing same, as well as released the Principal and Sureties named therein.

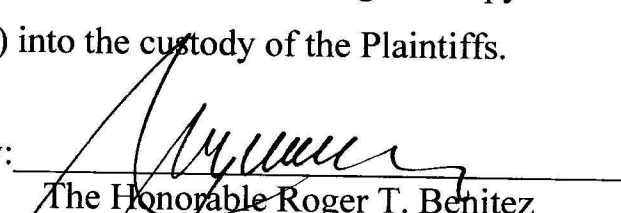
Based thereon, and finding that good cause has been shown, IT IS HEREBY ORDERED that:

1. The Order dated May 6, 2010, entitled "Order Approving Supersedeas Bonds and Staying Execution of Judgment Pending Appeal" is entirely vacated, so as to discharge the supersedeas bonds in the amount of: \$55,677.03; \$10,823.92; \$89,772.52; and \$38,176.19, and exonerate the sureties thereon;

2. The Clerk of the Court shall release the original copy of the bonds (documents 418, 419, 421, and 422) into the custody of the Plaintiffs.

IT IS SO ORDERED.

Dated: 11/28/13

By: 
The Honorable Roger T. Behitez
United States District Judge