

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 08-cv-01565-PAB-BNB

SOLA SALON STUDIOS, LLC,
a Colorado limited liability corporation,

Plaintiff and Counterclaim-Defendant,

v.

CECELIA HELLER, as successor trustee for the David H. Simon 1971 Trust,
CECELIA HELLER, as successor trustee for the Peter N. Simon 1971 Trust, and
CECELIA HELLER, as successor trustee for the Michael B. Simon 1971 Trust,

Defendants and Counterclaimants.

ORDER

This matter is before the Court on defendants' unopposed motion to stay execution of judgment pending appeal [Docket No. 129]. Judgment entered in this case against defendants in the amount of \$68,665 on March 7, 2011 [Docket No. 122] and, on March 29, 2011, the clerk taxed costs in the amount of \$10,661.35 against defendants [Docket No. 131]. Defendants now request that enforcement of the monetary judgment be stayed pending their appeal pursuant to Fed. R. Civ. P. 62(d). Defendants obtained a supersedeas bond in the amount of \$118,990. Plaintiff does not oppose the stay or the amount of the bond.

Accordingly, it is

ORDERED that defendants' Unopposed Motion for Stay of Execution Pending Appeal [Docket No. 129] is **GRANTED**. It is further

ORDERED that the execution of the judgment entered March 7, 2011 [Docket

No. 122] is stayed during the pendency of this appeal of the judgment to the Tenth Circuit Court of Appeals. It is further

ORDERED that the supersedeas bond is approved pursuant to Fed. R. Civ. P. 62(d). It is further

ORDERED that the stay shall terminate automatically when the United States Court of Appeals issues its mandate or when defendants dismiss their appeal.

DATED April 1, 2011.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge