

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ROLAND A. ALONSO, ET AL.

CIVIL ACTION

VERSUS

WESTCOAST CORPORATION

NO.: 13-00563-BAJ-RLB

ORDER

Defendant Westcoast Corporation filed a **Motion for Stay of Judgment and Approval of Supersedas Bond (Doc. 132)** and a **Motion for Leave to File Supersedeas Bond for \$601,867.92 (Doc. 133)**. Plaintiffs did not file an opposition. On October 13, 2017, the Court entered an Amended Final Judgment in the amount of \$501,556.60 against the Defendant. (Doc. 130). On November 3, 2017, the Defendant filed a notice of appeal. (Doc. 131).

Federal Rule of Civil Procedure 62(d) permits a party seeking to stay the execution of a judgment pending appeal to post a supersedeas bond to secure the payment of the judgment to the judgment creditor. Local Rule 64(b) further specifies that “[a] supersedeas bond staying execution of a money judgment shall be in the amount of the judgment plus 20% of the amount to cover interest, costs, and any award of damages for delay, unless the Court directs otherwise.” A supersedeas bond protects the prevailing plaintiff from the risk of a later uncollectible judgment and compensates a party for delay in the entry of final judgment. *Hebert v. Exxon Corp.*, 953 F.2d 936, 938 (5th Cir. 1992). A party is entitled to “an automatic stay upon posting a supersedeas bond.” *Hebert v. Exxon Corp.*, 953 F.2d 936, 938 (5th Cir. 1992).

Here, the Defendant has filed a supersedeas bond in the amount of \$601,867.92, which is the total amount of the Amended Judgment the Court entered against it plus 20%, as required by the Local Rules. Therefore, the Court stays the Judgment of the Court pending appeal.

Accordingly,

IT IS ORDERED that the **Motion for Stay of Judgment and Approval of Supersedas Bond (Doc. 132)** is **GRANTED**.

IT IS FURTHER ORDERED that the **Motion for Leave to File Supersedeas Bond for \$601,867.92 (Doc. 133)** is **GRANTED**.

IT IS FURTHER ORDERED that the Amended Judgment (Doc. 130) is **STAYED** pending Defendant's appeal.

Baton Rouge, Louisiana, this 29th day of November, 2017.



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**