

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

Chambers of
Richard D. Bennett
United States District Judge
Northern Division

U.S.Courthouse - Chambers 5D
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January 24, 2007

LETTER ORDER

TO COUNSEL OF RECORD

Re: Snyder v. Phelps, et al.
Civil No. RDB 06-1389

Dear Counsel:

The Court conducted a telephonic hearing this date on the record with respect to the Motion to Stay this Court's Order with respect to attorneys' fees (Paper #37). This Court had previously ordered that the Defendants Fred W. Phelps, Sr. and Westboro Baptist Church, Inc., jointly and severally are ordered and directed to pay the Plaintiff, Alfred Snyder, the sum of \$3,150 on account of fees and costs incurred to effect service of the summons and complaint in this case in light of the Defendants' failure to waive service of process pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. The Defendants have filed a notice of appeal from that Order with the United States Court of Appeals for the Fourth Circuit.

Pursuant to Rule 62(d) of the Federal Rules of Civil Procedure, this Court may enter a stay. For the reasons set forth on the record at the telephone hearing, **the Defendants' Motion to Stay (Paper #37), is granted in part and denied in part.** Specifically, this Court denies a stay, but grants the Defendants' Motion to have the \$3,150 payment made to the Clerk of Court, to be maintained by the Clerk in an interest-bearing account, pending the appeal of this Court's Order of December 11, 2006 awarding said fees and costs (Paper #33).

Although informal in format, this letter nonetheless constitutes an order of court and the Clerk is directed to docket it as such.

Sincerely,

/s/

Richard D. Bennett
United States District Judge

RDB/skp