

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

BURNETTE AVAKIAN

PLAINTIFF

V.

CIVIL ACTION NO. 1:12-CV-00139-SA-DAS

CITIBANK N.A.

DEFENDANT

**ORDER**

This cause comes before the Court on the parties' Joint Motion for Approval of Appeal Bond and for Order [115]. Following a bench trial, Defendant filed a Notice of Appeal [101] and thereafter moved this Court to stay its judgment pending disposition of that appeal. This Court denied Defendant's Motion to Stay [104]. Defendant then filed a similar motion requesting a stay in the Court of Appeals. The Fifth Circuit granted Defendant's motion, subject to two conditions: 1) Defendant must post a sufficient bond; and 2) Defendant must be expressly prohibited from attempting to foreclose on the property at issue during the pendency of the appeal.

The parties now submit to this Court that they have agreed to the posting of an initial bond by Defendant in the amount of \$10,000.00, with Plaintiff reserving her right "to request a change in the bond should her circumstances change," and request that the Court enter an order approving this proposed bond and precluding Defendant from foreclosing on the property at issue pending the outcome of Defendant's appeal. Pursuant to the Fifth Circuit's Order, and in light of the agreement of the parties, the Court hereby approves the proposed bond and expressly prohibits Defendant from engaging in any activities related to or in the furtherance of any attempt to foreclose on the property at issue pending the outcome of appeal.

SO ORDERED on this, the 24th day of June, 2014.

/s/ Sharion Aycock  
**UNITED STATES DISTRICT JUDGE**