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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FDIC as Receiver for Netbank, FSB,  
Plaintiff,

v.

Safeco Insurance Company of America,  
Defendant.

CASE NO. 2:02-cv-01051-KJD-LRL

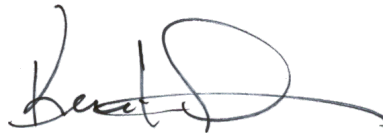
**ORDER**

Before the Court is Defendant Safeco Insurance Company of America (“Safeco”)’s Motion to Stay Judgment Pursuant to Federal Rule of Civil Procedure 62(b) (ECF No. 292), requesting a stay of execution of, or any proceedings to execute, the final judgment on liability and compensatory damages (ECF No. 291) until resolution of Safeco’s Motion for New Trial (ECF No. 278). Plaintiff FDIC, as receiver for Netbank, filed a statement of Non-Opposition to Safeco’s Motion to Stay Judgment (ECF No. 297). Having considered the Motion to Stay Judgment and the file in this matter,

**IT IS HEREBY ORDERED** that Safeco’s Motion to Stay Judgment Pursuant to Federal Rule of Civil Procedure 62(b), to stay execution of, or any proceedings to execute, the final judgment on liability and compensatory damages until resolution of Safeco’s Motion for New Trial, is **GRANTED**.

1           **IT IS FURTHER ORDERED** that Safeco need not post any bond to stay execution of the  
2 judgment while its Motion for New Trial is pending. If Safeco does not obtain favorable relief on its  
3 Motion for New Trial, Safeco has stated that it will take an appeal and post bond pursuant to Federal  
4 Rule of Civil Procedure 62(d) in order to further stay execution of the judgment. In light of that  
5 commitment, the Court finds that the FDIC's security is adequately protected. Fed. R. Civ. P. 62(b).

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7 Dated: December 17, 2012

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12 Kent J. Dawson  
13 United States District Judge  
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