

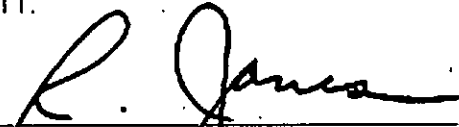
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This matter came before the Court on Defendants and Third Party Plaintiffs Maryland Square Shopping Center, LLC, the Herman Kishner Trust d/b/a Maryland Square Shopping Center and Irwin Kishner, Jerry Engel and Bank of America, as Trustees for The Herman Kishner Trust (collectively hereinafter the "Kishner Defendants") Emergency Motion for Stay of Execution of Judgment Pending Appeal pursuant to Fed R. Civ. P. Rule 62(d) ("Motion") (#503) and Maryland Square, LLC's Joinder to Kishner Defendants' Emergency Motion for Stay of Execution of Judgment Pending Appeal pursuant to Fed R. Civ. P. Rule 62(d) ("Joinder") (#508).

The Court heard oral argument on the foregoing Motion and Joinder on November 5, 2010. As a result, the Court ordered the Kishner Defendants to post a supersedeas bond in the amount of \$226,000. Further, the Court found good cause to issue a stay of execution of the judgment entered for costs in the amount of \$224,932.64 upon the posting of a supersedeas bond in the amount of \$226,000. Accordingly,

IT IS HEREBY ORDERED, that the Kishner Defendants' Motion and Maryland Square, LLC's Joinder is granted. Upon the posting of a supersedeas bond in the amount of \$226,000, pursuant to Federal Rule of Civil Procedure 62(d), a stay of execution of judgment pending appeal is granted as to the judgment entered for costs in the amount of \$224,932.64 (#486) in this action pending final resolution of the appeals of the Kishner Defendants (#500) and Maryland Square, LLC (#502) to the United States Court of Appeals for the Ninth Circuit.

DATED this 3rd day of January, 2011.


ROBERT C. JONES
United States District Judge