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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

MCKIMMEY ELECTRIC, INC.,
a Nevada corporation,

Plaintiff,

vs.

FLAMINGO/TC, LLC, a Nevada
limited liability company, et al,

Defendants.

AND RELATED INTERVENTION ACTIONS

2:10-CV-00382-PMP-RJJ

ORDER

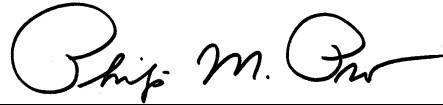
Before the Court for consideration is Defendant Iota Indigo, LLC’s Motion for Stay Pending Appeal (Doc. #148), filed on November 12, 2010. On November 18, 2010, Plaintiffs McKimmey Electric, Inc., and Lien Claimants, LDI Mechanical, Inc., Chaparral Contracting, Inc., and San Gabriel Construction, Inc., filed an Opposition thereto (Doc. #151). Joinder’s in that Opposition were subsequently filed by Intervenor’s AC Houston Lumber Co., (Doc. #155), Dean and Dean Roofing, LLC (Doc. #156) and Norpac Constructions (Doc. #157). On November 24, 2010, Defendant Iota Indigo, LLC filed a Reply Memorandum (Doc. #158).

On November 12, 2010, Defendant Iota Indigo, LLC filed a Notice of Appeal (Doc. #149) of this Court’s Order (Doc. #139) entered October 13, 2010, which granted Plaintiff McKimmey Electric, Inc., and Lien Claimants’ Motion for

1 Order of Sale of Lien's Property (Doc. #126). By the instant motion, Defendant Iota
2 Indigo, LLC seeks a stay of this Court's Order (Doc. #139) pending appeal. The
3 Court finds that any stay of this Court's Order (Doc. #139) entered October 13, 2010,
4 should be conditioned upon the filing of a supersedeas bond pursuant to
5 Rule 8(a)(1)(B) of the Federal Rules of Appellate Procedure.

6 **IT IS THEREFORE ORDERED** that Defendant Iota Indigo, LLC's
7 Motion for Stay Pending Appeal (Doc. #148) is GRANTED conditioned upon
8 Defendant Iota Indigo, LLC's filing within (30) days of the date of this Order, a
9 supersedeas bond in the amount of \$4,000,000.

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11 DATED: November 29, 2010.

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14 PHILIP M. PRO
15 United States District Judge
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