United States of America v. Lazare et al Doc. 74

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER B. LAZARE, *et al.*,

Defendants.

Case No. 2:14-cv-01075-APG-VCF

ORDER DENYING DEFENDANTS' MOTION TO STAY

(ECF No. 69)

On April 4, 2016, I entered a Final Judgment in favor of the United States in the amount of $1,572,718. ECF No. 66. Before the automatic stay under Fed. R. Civ. P. 62(a) expired, the clerk of the court inadvertently paid the judgment amount to the United States by disbursing funds that had been deposited by the defendants into the registry of the court. The defendants have filed a motion seeking the re-deposit of those funds into the registry of the court. ECF No. 69.

The defendants have shown no prejudice by the premature release of the funds. There is no likelihood that the United States will dispose of, hide, or otherwise move the funds beyond the reach of this court. If the defendants prevail on their appeal, they may be entitled to the return of the funds. Any delay in the return of those funds can be compensated with a payment of interest. There is no reason to require the United States to return the funds at this time.

DATED this 24th day of May, 2016.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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