

AND NOW, THIS 9th DAY OF Sept 10, IT IS HEREBY ORDERED THAT THE WITHIN MOTION IS DENIED.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Gary L. Lancaster
GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

CROWN COAL & COKE COMPANY,)
)
Plaintiff,)
)
v.)
)
COMPASS POINT RESOURCES, LLC,)
JAMES H. HOYT, and)
COURTENAY O. TAPLIN,)
)
Defendants.)

Civil Action No. 2:07-cv-1208

Judge Gary L. Lancaster

DEFENDANTS' MOTION TO STAY PROCEEDINGS TO ENFORCE JUDGMENT PENDING APPEAL

Now come the Defendants, James Hoyt, Courtenay Taplin, and Compass Point Resources, by and through their counsel, and hereby move this Court, pursuant to Rule 62(d) of the Federal Rules of Civil Procedure and Rule 8(a)(1) of the Federal Rules of Appellate Procedure, to stay proceedings to enforce judgment pending the disposition of Defendants' appeal of the Court's orders in this case.

This Court previously entered a Judgment in favor of the Plaintiff and against the Defendants on May 8, 2010 (Dkt. # 171). Thereafter, on June 24, 2010, Defendants filed their Renewed Motion for Judgment as a Matter of Law, or in the Alternative, for a New Trial or Remittitur (Dkt. # 175). In an order filed on August 24, 2010 (Dkt. # 207), this Court denied that Motion.

While the foregoing post-trial motion was pending, Defendants filed a Motion to Stay Proceedings to Enforce Judgment Pending Disposition of its Post-Trial Motions (Dkt. # 172). This Court initially granted that Motion to Stay subject to Defendants' posting a bond for the full amount of the judgment (Dkt. # 174). Thereafter, Defendants filed a Motion seeking to eliminate or reduce the amount of the bond needed to support the stay (Dkt. # 182). In an order filed on August 6, 2010, the Court reduced the amount of the bond to \$1,000,000 (Dkt. # 197).