

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

THE HONORABLE JUDGE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TODD R., SUZANNE R., and  
LILLIAN R. *formerly known as J.R.*,

Plaintiff,

v.

PREMERA BLUE CROSS BLUE  
SHIELD OF ALASKA,

Defendants.

Case No.: 2:17-cv-01041-JLR

**CONSENT ORDER STAYING EXECUTION  
PENDING APPEAL**

**NOTED ON MOTION CALENDAR:  
June 4, 2019**

**CONSENT ORDER STAYING EXECUTION PENDING APPEAL**

Pursuant to Rule 62(b) of the Federal Rules of Civil Procedure, this matter is before the Court on the motion of Defendant Premera Blue Cross Blue Shield of Alaska, with consent of the Plaintiffs, for an order staying execution of the judgment entered on May 10, 2019. Based upon the following findings, the Court hereby grants the motion.

UPON A FINDING THAT,

1. This Court entered judgment in this case on May 10, 2019;
2. Defendant has taken or will take an appeal from the judgment to the United States Circuit Court of Appeals for the Ninth Circuit pursuant to the Federal Rules of

CONSENT ORDER STAYING EXECUTION  
PENDING APPEAL- 1

KILPATRICK TOWNSEND & STOCKTON LLP  
1420 FIFTH AVENUE, SUITE 3700  
SEATTLE, WA 98101  
(206) 626-7713 FAX: (206) 260-8946

1 Appellate Procedure;

2 3. Defendant has obtained, with approval and by agreement of the Plaintiff, and  
3 submitted a Supersedeas Bond to the Court for approval (Supersedeas Bond attached hereto  
4 as Exhibit A);

5 4. The Supersedeas Bond is in proper form, fully executed and  
6 enforceable;

7  
8 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that,

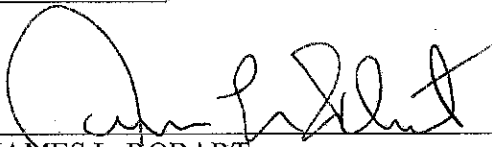
9 5. Defendant's Supersedeas Bond is approved;

10 6. A stay of proceedings to enforce the judgment is hereby entered;

11 7. The stay shall be immediately effective and will remain in effect until final  
12 disposition of all appellate proceedings;

13 **IT IS SO ORDERED.**

14 DATED this <sup>th</sup> 5 day of June, 2019.

15  
16   
17  
18 JAMES L. ROBART  
19 UNITED STATES DISTRICT JUDGE

20 WE CONSENT:

21 **PLAINTIFFS**  
22 BRIAN S KING, PC

23 **DEFENDANT**  
24 KILPATRICK TOWNSEND  
25 & STOCKTON LLP

26 /s/ Brian King  
27 Brian King (Admitted Pro Hac Vice)  
Attorneys for Plaintiff Todd R., Suzanne R.,  
and Lillian R. *formerly known as J.R.*

/s/ Gwendolyn C. Payton  
Gwendolyn C. Payton (WSBA # 26752)  
Attorneys for Defendant Premera Blue Cross  
Blue Shield Of Alaska

CONSENT ORDER STAYING EXECUTION  
PENDING APPEAL- 2

KILPATRICK TOWNSEND & STOCKTON LLP  
1420 FIFTH AVENUE, SUITE 3700  
SEATTLE, WA 98101  
(206) 626-7713 FAX: (206) 260-8946

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 4<sup>th</sup> day of June, 2019, I electronically filed the foregoing **CONSENT ORDER STAYING EXECUTION PENDING APPEAL** with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Brian S. King  
336 S 300 E STE 200  
Salt Lake City, UT 84111  
brian@briansking.com

John Walker Wood  
The Wood Law Firm  
800 5<sup>th</sup> Avenue, STE 4100  
Seattle, WA 98104  
john@woodfirm.com

DATED this 4<sup>th</sup> day of June, 2019.

**Kilpatrick Townsend & Stockton LLP**

By: /s/ Gwendolyn C. Payton  
Gwendolyn C. Payton, WSBA No. 26752  
GPayton@kilpatricktownsend.com  
KILPATRICK TOWNSEND &  
STOCKTON LLP  
1420 5th Ave., Suite 3700  
Seattle, WA 98101  
Telephone: (206) 467-9600  
Facsimile: (206) 260-8946  
*Counsel for Defendant Premera Blue Cross Blue  
Shield Of Alaska*