

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABOLFAZL HOSSEINZADEH,

Plaintiff,

v.

BELLEVUE PARK HOMEOWNERS
ASSOCIATION, *et al.*,

Defendants.

CASE NO. C18-1385-JCC

ORDER

This matter comes before the Court on Plaintiff’s counsel’s unopposed motion to stay enforcement of the judgment pending appeal (Dkt. No. 225).

The Court’s previous orders set forth the relevant background for this motion in detail, so the Court addresses only the essential facts here. (*See* Dkt. Nos. 167, 218.) The Court ordered Plaintiff’s counsel to pay Defendant Bellevue Park Homeowners Association \$6,165 to reimburse the Association for the attorney fees it incurred in filing a meritorious motion for a protective order. (*See id.*) Plaintiff’s counsel has since appealed the fee award (Dkt. No. 223) and now moves to stay enforcement of the judgment pending the outcome of the appeal (Dkt. No. 225). Plaintiff’s counsel proposes to deposit \$6,165 into the Court’s registry as security. (*Id.*) The Association does not oppose. (Dkt. No. 226.)

“[A] party taking an appeal from the District Court is entitled to a stay of a money

1 judgment as a matter of right if he posts a bond in accordance with Fed. R. Civ. P. 62[b].”¹ *Am.*
2 *Mfrs. Mut. Ins. Co. v. Am. Broadcasting-Paramount Theatres, Inc.*, 87 S. Ct. 1, 3 (1966). Rule
3 62(b) authorizes a party to post “a bond or other security.” A “monetary deposit equal to the
4 amount of the bond” is a sufficient security. W.D. Wash. Local Civ. R. 65.1(a)(1). Therefore, the
5 Court GRANTS Plaintiff’s counsel’s motion and ORDERS:

- 6 1. Proceedings to enforce the Court’s judgment are STAYED.
- 7 2. Plaintiff’s counsel shall deposit six thousand one hundred sixty-five dollars
8 (\$6,165) into the Court’s registry as security.

9 DATED this 16th day of February 2021.

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13 John C. Coughenour
14 UNITED STATES DISTRICT JUDGE

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¹ The Court cited to Federal Rule of Civil Procedure 62(d), but the substance of that Rule was
26 moved to Rule 62(b) in 2018. *See* Fed. R. Civ. P. 62 advisory committee’s note to 2018
amendment.