

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

DONALD J. TRUMP,

Plaintiff,

v.

HILLARY R. CLINTON, et al.,

Defendants.

CASE NO. 2:22-cv-14102-DMM

**PLAINTIFF AND PLAINTIFF'S ATTORNEYS' UNOPPOSED MOTION
FOR STAY OF FINAL ORDER AND TO APPROVE BOND
TO BE PAID TO REGISTRY OF COURT**

Plaintiff Donald J. Trump and Plaintiff's Attorneys, Alina Habba and Habba Madaio & Associates ("Plaintiffs"), by and through their undersigned attorneys, hereby move this Court for a Stay of the Final Order Granting Motion for Sanctions which was rendered on January 19, 2023, and to Approve a Bond to be Paid to the Registry of the Court, and states as follows:

Plaintiffs request this Court to Stay any collections including executions on the Final Judgment of this Court upon the filing of a Supersedeas Bond of 110% of the \$937,989.39 which is the total amount of sanctions ordered, for a product of \$1,031,788.33.

Plaintiffs ask that this Court permit the deposit of a sum total of \$1,031,788.33 into the Court Registry as a Supersedeas Bond in accordance with Local Rule 62.1 requiring a Supersedeas Bond to be in the amount of 110% of the judgment. The Final Judgment [D.E. 302] entered the amount of final judgment at \$937,989.39. An Order

is required in order to post the amount for the Supersedeas Bond into the Court Registry.

"The purpose of a supersedeas bond is to preserve the status quo while protecting the non-appealing party's rights pending appeal." *See Poplar Grove Planting and Refining Co., Inc. v. Bache Halsey Stuart, Inc.*, 600 F.2d 1189, 1190-91 (5th Cir. 1979).¹ Fed. R. Civ. P. 63(a) states, "[a]t any time after judgment is entered, a party may obtain a stay by providing a bond or other security. The stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security."

Accordingly, the duration of the stay should be until the Eleventh Circuit Court of Appeals issues a mandate or the equivalent. The stay shall only be effective in regard to collection of the Final Judgment and shall not apply to any subsequent orders for fees and/or costs.

WHEREFORE, Plaintiffs request that this Honorable Court enter an Order Granting a Stay of the Final Judgment upon the depositing of \$1,031,788.33 into the registry of this Court until the Eleventh Circuit Court of Appeals issues a mandate or the equivalent and such further and other relief as this Honorable Court may deem just and proper.

¹ In *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981) (*en banc*), the Eleventh Circuit adopted as binding precedent all decisions of the former Fifth Circuit handed down prior to October 1, 1981.

CERTIFICATE OF CONFERRAL 7.1(a)(3)(A)

The undersigned counsel conferred with opposing counsel, none of whom stated any objection to the granting of the subject Motion.

Dated: February 3, 2023

Respectfully submitted,

/s/ Jared Roberts
Jared J. Roberts (FL Bar #1036550)
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*Counsel for Donald J. Trump, Alina
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Associates*

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2023, a copy of the foregoing was filed with the Clerk of the Court using the Court's CM/ECF system, which will send a copy to all counsel of record.

Dated: February 3, 2023

/s/ Jared Roberts
Jared J. Roberts

*Counsel for Donald J. Trump, Alina
Habba, and Habba Madaio &
Associates*