

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE No. 22-14102-CV-MIDDLEBROOKS

DONALD J. TRUMP,

Plaintiff,

v.

HILLARY R. CLINTON, et al.,

Defendants.

**ORDER GRANTING UNOPPOSED MOTION FOR STAY OF FINAL ORDER AND TO
APPROVE BOND TO BE PAID TO REGISTRY OF COURT**

THIS CAUSE comes before the Court upon Plaintiff Donald J. Trump and Plaintiff's attorneys, Alina Habba and Habba Madaio & Associates ("Plaintiffs"), Unopposed Motion for Stay of Final Order and to Approve Bond to be Paid to Registry of Court, filed on February 3, 2023. (DE 307). For the following reasons, the Motion is granted.

On January 19, 2023, I entered an Order Granting Defendants' Motion for Sanctions. (DE 302). The sanctions totaled \$937,989.39. Plaintiffs now move to post a supersedeas bond to stay execution of that Order pending appeal.

"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. 62(b) states, "[a]t any time after judgment is entered, a party may obtain a stay by providing

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.

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.” The Local Rules further specify a party may motion for a “supersedeas bond or other security staying execution of a money judgment . . . in the amount of 110% of the judgment, to provide security for interest, costs, and any award of damages for delay.” S.D. Fla. Local Rule 62.1.

Accordingly, to post a supersedeas bond in this case, Plaintiffs are required to deposit a sum of \$1,031,788.33 into the Court’s Registry. Plaintiffs properly request to do so here. (DE 307 at 1). Plaintiffs further request that this Court grant a stay—upon their deposit of a supersedeas bond—“until the Eleventh Circuit Court of Appeals issues a mandate or the equivalent.” (DE 307 at 2). This request is consistent with the purpose of a supersedeas bond. *See Poplar Grove Planting and Refining Co.*, 600 F.2d at 1190-91.

For the forgoing reasons, it is hereby **ORDERED AND ADJUDGED** that:

1. Plaintiffs’ Unopposed Motion for Stay of Final Order and to Approve Bond to be Paid to Registry of Court (DE 307) is **GRANTED**.
2. Upon Plaintiffs’ deposit of **\$1,031,788.33** into the Court’s Registry, enforcement of this Court’s Order Granting Sanctions (DE 302) is **STAYED** pending a mandate or the equivalent from the Eleventh Circuit Court of Appeals.

SIGNED in chambers at West Palm Beach, Florida this 6 day of February, 2023.


Donald M. Middlebrooks
United States District Judge

cc: Counsel of record