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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

INGENUITY 13 LLC,

 Plaintiff,

 v.

JOHN DOE,

 Defendant.

Case Nos. 2:12-cv-8333-ODW(JCx)
AMENDED ORDER DENYING IN PART AND CONDITIONALLY GRANTING IN PART PAUL DUFFY’S MOTION FOR APPROVAL OF BOND AND ORDER STAYING ENFORCEMENT OF MAY 6 AND MAY 21 ORDERS IMPOSING SANCTIONS AND PENALTIES [170, 171, 173, 174, 175]

The Court has duly considered Paul Duffy’s Motion for Approval of Bond and Order Staying Enforcement of May 6 and May 21 Orders Imposing Sanctions and Penalties (“Bond Motion”) manually-filed May 23, 2013 (ECF No. 170), and the response thereto filed by the putative John Doe in 12-cv-8333 and his counsel and hereby **ORDERS** as follows:

1. The bond already posted with the Court is conditionally approved as security for this Court’s Sanctions Order (ECF No. 130) subject to the following conditions, each of which shall be deemed a part of the bond itself:
 - a. The bond shall be payable to and enforceable by “John Doe or The Pietz Law Firm.”

1 b. The bond is made joint and several and may be executed upon if
2 any of the parties to the bond fails to reverse the monetary portion
3 of this Court's Sanctions Order (ECF No. 130) on appeal as to him
4 or it. In other words, if the fee award survives as against any party,
5 the bond may be executed upon even if other parties prevail on
6 appeal.

7 c. The Prenda parties, as well as the surety, are estopped from
8 arguing in any Court other than this one that execution on the bond
9 should be stayed, avoided or otherwise forestalled. This expressly
10 includes an attempt to circumvent execution of the bond through
11 bankruptcy proceedings. The only valid reason to prohibit
12 executing on the instant bond (as amended) should be if all of the
13 Prenda parties prevail on the monetary portion of all of their
14 appeals, as determined by this Court.

15 d. The surety, and each Prenda party relying upon the bond for
16 security shall execute and acknowledgment recognizing the
17 validity of these conditions. Any party who fails to execute and
18 file such an acknowledgment on the docket within 7 days shall be
19 deemed in violation of this Court's order.

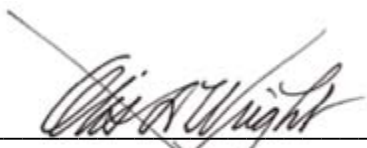
20 2. Further, the Prenda parties shall be required to post an additional bond in
21 the amount of \$135,933.66 (which is the \$237,583.66 total, minus the
22 \$101,650.00 bond that the Prenda parties other than Mr. Gibbs have
23 already posted) to cover costs on appeal, which includes attorney's fees
24 since the underlying case is a copyright case. *Azizian v. Federated Dep't*
25 *Stores, Inc.*, 499 F.3d 950, 958 (9th Cir. 2007). The additional bond shall
26 be subject to all the same conditions as the bond noted above. Failure to
27 post the additional bond within 14 days shall result in the imposition of
28 additional sanctions.

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Due to the unique circumstances of this action, which include the fact that underlying order below is a sanctions award for fraudulent conduct and the web of mysterious offshore entities controlled by the Prenda parties, the above conditions are necessary to effect justice.

IT IS SO ORDERED.

June 11, 2013



OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE