

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

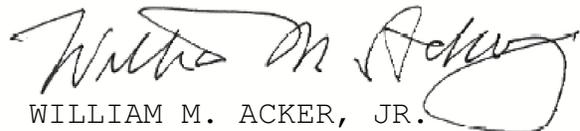
E.A. RENFROE & COMPANY, INC.,	}	
	}	
Plaintiff,	}	
	}	CIVIL ACTION NO.
v.	}	06-AR-1752-S
	}	
CORI RIGSBY, et al.,	}	
	}	
Defendants.	}	

ORDER

The court has under consideration the motion of non-parties, Richard F. Scruggs and The Scruggs Law Firm, P.A., for approval of their deposit with the Clerk of the sum of \$65,000 in lieu of a *supersedeas* bond. Although the motion does not expressly ask for stay of execution on the judgment, it is implicit in the request. Neither does the motion expressly seek the approval of an amount necessary to supersede. Oral argument was held on the motion on June 26, 2008, the date of its filing. Plaintiff, E.A. Renfroe & Company, Inc., did not object to a deposit of cash in lieu of a bond, but did point out that interest will accrue in the judgment pending the appeal so that the cash deposit should be increased to cover the interest that will accrue. As of June 5, 2008, the date of the judgment, the interest rate was 2.15 per cent per annum. Without knowing the time within which a decision will be reached in the Eleventh Circuit, the court fixes the amount necessary to supersede at \$70,000. When Richard F. Scruggs and The Scruggs Law Firm, P.A. increase their deposit

with the Clerk by \$5,000, a stay of execution as against Richard F. Scruggs and The Scruggs Law Firm, P.A. will automatically be in place pending the appeal by Richard F. Scruggs and The Scruggs Law Firm, P.A. With this reservation, the motion for approval of cash in lieu of a supersedeas bond is GRANTED.

DONE this 27th day of June, 2008.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE