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

ENTERED  
CLERK, U.S. DISTRICT COURT  
**AUG 22 2003**  
CENTRAL DISTRICT OF CALIFORNIA  
BY

8 In re: )  
9 REED E. SLATKIN, and )  
10 Substantively )  
11 Consolidated Affiliates )  
12 TOPSIGHT OREGON, INC., )  
13 and REED SLATKIN )  
14 INVESTMENT CLUB, L.P., )  
15 Reorganized Debtors. )

14 JUANITA ADAMINA, et al., )  
15 Appellants, )

16 v. )

17 R. TODD NEILSON, Trustee )  
18 of the "Estate of Reed )  
19 E. Slatkin and )  
20 Substantively )  
21 Consolidated Affiliates )  
22 Topsight Oregon Inc. and )  
23 the Reed Slatkin )  
24 Investment Club, L.P. )  
25 Liquidating Trust," )  
26 Appellee. )

CV 03-4648 RSWL

**ORDER DENYING  
APPELLANTS' MOTION FOR  
STAY OF PENDING  
APPEAL [SIC] OF PLAN  
CONFIRMATION ORDER**

**THIS CONSTITUTES NOTICE OF ENTRY  
AS REQUIRED BY FRCP, RULE 77(d).**

24 Presently before the Court is Appellants' Motion for a  
25 stay of the debtor, Reed E. Slatkin's, Chapter 11 Plan  
26 pending appeal. The Court has considered the papers filed

28

1 in connection with the application.

2  
3 To obtain a stay pending appeal, Appellants must  
4 demonstrate either: (1) a likelihood of success on the merits  
5 and the possibility of irreparable injury; or (2) that there  
6 are serious questions regarding the merits of the action,  
7 and the balance of hardships tips sharply in Appellants'  
8 favor. Cadence Design Sys., Inc. v. Avant! Corp., 125 F.3d  
9 824, 826 (9th Cir. 1997).

10  
11 Here, Appellants have demonstrated that there are  
12 serious questions to be addressed on appeal. However,  
13 Appellants have not demonstrated that they will suffer  
14 irreparable injury if the stay is not granted. Indeed, they  
15 will suffer the injury which they identify, the preclusive  
16 effect of the Bankruptcy Court's Order, regardless of  
17 whether this Court enters a stay pending appeal. See Huron  
18 Holding Corp. v. Lincoln Mine Operating Co., 312 U.S. 183  
19 (1941). Accordingly, this Court **DENIES** Appellants' Motion.

20  
21 **IT IS SO ORDERED.**

22 *RONALD S W LEW*

23 **RONALD S.W. LEW**  
United States District Judge

24 DATED: 8-21-03

25 No. CV 03-4648 RSWL [In re: Slatkin]  
26 (orders\slatkin.stayplan\w)