

FAYETTE CIRCUIT COURT
CIVIL BRANCH
THIRD DIVISION
CIVIL ACTION NO. 09-CI-5292

FEB 28 2011

AMERICAN SADDLEBRED HORSE
ASSOCIATION, INC.

PLAINTIFF

V.

ORDER

EDWARD R. BENNETT, CARL T.
FISCHER, JR., KRIS KNIGHT, TOM
FERREBEE, SIMON FREDRICKS,
M.D. AND LYNN W. VIA

DEFENDANTS

This matter came on before the Court for hearing on February 18, 2011, at 8:30 a.m., on the motion of Plaintiff to stay enforcement of the Court's final judgment of January 6, 2011, which incorporates in full the Opinion, Order and Judgment of December 2, 2010 ("Final Judgment"), pending the final disposition of Plaintiff's appeal. The Court having reviewed the briefs, heard oral argument of counsel, and being otherwise duly and sufficiently advised;

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff's motion for stay pending the final disposition of Plaintiff's appeal is **DENIED**. The Court exercises its discretion and stays any enforcement of the Final Judgment for forty-five (45) days from its ruling on February 18, 2011, until April 4, 2011, unless a longer stay is granted by an appellate court pursuant to CR 65.08.

ENTERED this 25th day of FEBRUARY, 2011.

/s/ JAMES D. ISHMAEL, JR.
A TRUE COPY
ATTEST: WILMA F. LYNCH, CLERK
FAYETTE CIRCUIT COURT
HON. JAMES D. ISHMAEL, JR. BY *W. Lynch*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Order was served upon the following parties, via First Class Mail, this 28th day of February, 2011:

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MALCOLM J. LYNCH
CLERK, FAYETTE CIRCUIT COURT