## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: WMN 05 CV 1297
	)	
JOHN BAPTIST KOTMAIR, et al.,	)	
	)	
Defendants.	)	

## UNITED STATES' MOTION FOR AN ORDER LIFTING THE STAY PENDING APPEAL

The United States moves the Court for an Order lifting the stay of the permanent injunction pending the appeal in this matter. (Docket No. 83)

On November 29, 2006, the Court granted the United States' motion for summary judgment and entered a permanent injunction order against defendants. (Docket No. 70) Subsequently, defendants filed a motion to stay the permanent injunction pending appeal, (Docket No. 78), and a Notice of Appeal, (Docket No. 80) On February 22, 2007, the Court granted defendants' motion to stay the permanent injunction pending appeal. (Docket No. 80)

On July 26, 2007, the Fourth Circuit affirmed this Court's Order denying defendants' motion for new trial, and motion to alter and amend the permanent injunction. (Docket No. 85) Since that appeal is no longer pending, the United States moves the Court for an Order requiring defendants to comply with the terms of the permanent injunction within twenty days.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the foregoing MOTION FOR AN ORDER LIFTING THE STAY OF THE PERMANENT INJUNCTION has been made upon the following by depositing a copy in the United States mail, postage prepaid, this 3rd day of August, 2007.

John Baptist Kotmair, Jr. P.O. Box 91 Westminster, MD 21158

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> /s/ Thomas M. Newman THOMAS M. NEWMAN