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7 **IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT**
8 **FOR THE STATE OF IDAHO, IN AND FOR NEZ PERCE COUNTY**

DPW Enterprises LLC and Mountain Prime 2018
LLC,

Plaintiff,

vs.

Jeremy L. Bass, Dwayne Pike, and Current
occupant, and Unknown Parties in
Possession of the real property commonly
known as 1515 21st Avenue, Lewiston,
Idaho 83501

Defendants.

Case No. CV35-24-1063

**MOTION FOR STAY UNTIL FINAL JUDGMENT
AFTER RECONSIDERATION AND APPEAL**

DEMAND FOR JURY

9 COMES NOW the Defendant Jeremy L. Bass, (hereinafter "Defendant Bass"), Perforce Pro Se,
10 and hereby submit to the Honorable Court's a *MOTION FOR STAY UNTIL FINAL JUDGMENT AFTER*
11 *RECONSIDERATION AND APPEAL* and respectfully moves this Court for an order staying the
12 enforcement of its interlocutory order granting summary judgment in favor of the Plaintiffs. This
13 stay is requested until a final judgment is rendered, covering the period necessary for
14 reconsideration and any subsequent appeals. This motion is based on the following grounds:

15 **I. Basis for Stay**

16 **1. Preservation of Rights During Pending Reconsideration and Appeal:**

- 17 • This stay seeks to prevent premature and potentially irreparable harm to Defendant. The
18 Court's ruling raises substantive legal issues that warrant reconsideration and, if
19 necessary, appeal.
- 20 • Defendant's arguments hinge on the controlling question of law regarding the statutory
21 requirements for "good faith for value" under *Idaho Code § 45-1508*. If the current
22 interpretation is found to be in error, the harm incurred by enforcing the current ruling
23 would be substantial and unjust.

1 2. **Irreparable Harm to Defendant:**

- 2 • Without a stay, Defendant will face immediate eviction, risking loss of property and
3 significant financial harm before a complete legal review of the summary judgment order.
4 The need for a stay is underscored by the unfairness of enforcing a judgment based on a
5 misinterpretation of statutory provisions designed to protect both homeowners and
6 purchasers. The stay imposes no meaningful additional injury to the Plaintiff's.

7 3. **Balance of Equities:**

- 8 • A stay will prevent harm to Defendant while causing minimal disruption to Plaintiffs, who
9 have other recourses and remedies that do not require immediate possession. The
10 equities favor preserving the status quo until a comprehensive judicial review is
11 complete.

12 **II. Procedural Grounds for Filing**

13 The ability to request a stay on enforcement of an interlocutory order is provided by *Idaho*

14 *Rule of Civil Procedure 62(b):*

- 15 • *Idaho Rule of Civil Procedure 62(b)* (Stay of Proceedings to Enforce a Judgment):
- 16 ○ Provision: *IRCP 62(b)* allows a party to request a stay on enforcing a judgment or order
17 pending the disposition of a motion, such as a motion for reconsideration.
- 18 ○ Purpose: This stay is intended to prevent enforcement actions, such as eviction or
19 property transfer, that could cause irreparable harm while the court reviews a
20 potentially reversible order.
- 21 ○ Application: Defendant's request for a stay under *IRCP 62(b)* is aimed at maintaining the
22 status quo while the reconsideration process (and any potential appeal) is ongoing. This
23 rule empowers the court to hold off on enforcing its order until all available relief
24 avenues, including reconsideration and appeals, are exhausted.
- 25 • **Supporting Language for Filing:**

- *IRCP 62(b)* ensures that the Defendant is not subjected to potentially premature enforcement, allowing time for complete judicial review. The stay motion is therefore properly based on *IRCP 62(b)*, which authorizes a temporary suspension of enforcement actions under pending motions.

III. Relief Sought

Defendant Jeremy L. Bass respectfully requests that this Court grant a stay of enforcement pending the resolution of the Motion for Reconsideration and any necessary appeals.

Dated this 6th day of November 2024.
Respectfully submitted,
Jeremy L. Bass
Defendant/ Perforce Pro Se

Signature

CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this ***MOTION FOR STAY UNTIL FINAL JUDGMENT AFTER RECONSIDERATION AND APPEAL*** to Plaintiffs and Co-Defendant's counsel on November 6th, 2024, at the following email address and postal address:

Email:	lewis@hwmlawfirm.com	[✓]
Postal:	Lewis N. Stoddard, Bar No. 7766 Halliday, Watkins & Mann, P.C. 376 East 400 South, Suite 300 Salt Lake City, UT 84111	[]

Ken Nagy
Idaho Legal Aid Services, Inc.
Email: kennagy@idaholegalaid.org [✓]
Counsel for Dwayne Pike

Jeremy L. Bass
Defendant/ Perforce Pro Se

Signature

ACKNOWLEDGMENT

STATE OF IDAHO)
 : ss.
County of NEZ PERCE)

On the 6th day of November, 2024, before me, the undersigned Notary Public,
personally appeared Jeremy Bass, known to me to be the person whose name is subscribed
to the foregoing instrument, and acknowledged to me that s/he executed the same.
IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

Notary Public for Idaho

Residing at _____

Commission Expires: _____