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

DPW ENTERPRISES LLC and MOUNTAIN PRIME
2018 LLC,

Plaintiff -Respondents,

v.

JEREMY L. BASS,

Defendant-Appellant,

and

DWAYNE PIKE, and CURRENT OCCUPANT, and
Unknown Parties in Possession of the real
property commonly known as 1515 21st Avenue,
Lewiston, Idaho 83501

Defendants,

Docket No. 52552-2024

Case No. CV35-24-1063

**[PROPOSED] ORDER GRANTING
MOTION TO STAY**

THIS MATTER having come before the Court on Defendant-Appellant's *Motion to Stay Judgment Pending Appeal*, and the Court having reviewed the motion, supporting memoranda, and affidavit, and being fully advised in the premises, hereby finds and ORDERS as follows:

I. FINDINGS OF FACT

1. On December 16th, 2024, this Court entered judgment against Defendant-Appellant Jeremy L. Bass regarding the property commonly known as 1515 21st Avenue, Lewiston, Idaho 83501.
2. Defendant-Appellant has filed a timely *Notice of Appeal* and seeks a stay of enforcement pending appellate review.
3. The Court finds that:
 - a. Substantial questions are raised on appeal regarding the validity of the foreclosure sale and compliance with *Idaho Code §45-1508*,

- b. Defendant-Appellant faces irreparable harm absent a stay, including loss of his primary residence and substantial equity;
- c. Plaintiffs-Respondents face minimal risk of harm during the pendency of the appeal;
- d. The public interest favors granting a stay to ensure meaningful appellate review.

II. CONCLUSIONS OF LAW

1. Pursuant to *Idaho Rule of Civil Procedure 62(d)* and *Idaho Appellate Rule 13(b)*, this Court has authority to stay enforcement of the judgment pending appeal.
2. The circumstances of this case warrant the Court's discretion to grant a stay to preserve the status quo during appellate proceedings.

III. ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Defendant-Appellant's Motion to Stay Judgment Pending Appeal is GRANTED.
2. Enforcement of the Judgment entered December 16th, 2024, is STAYED pending resolution of the appeal.
3. This Stay shall remain in effect until further order of this Court or final disposition of the appeal.

IT IS SO ORDERED.

Dated this ____ day of January 2025.

BY: _____

HONORABLE MICHELLE M. EVANS
DISTRICT COURT JUDGE

Signature

CERTIFICATE OF MAILING

I certify that I have sent by email and/or first-class mail this *[PROPOSED] ORDER GRANTING MOTION TO STAY* to Plaintiffs and Co-Defendant's counsel on January____, 2025, at the following email address and postal address:

Lewis N. Stoddard, Bar No. 7766 Email: lewis@hwmlawfirm.com [✓] Postal: Halliday, Watkins & Mann, P.C. [] 376 E 400 S, STE 300 Salt Lake City, UT 84111-2906	Ken Nagy - Idaho Legal Aid Services, Inc. <i>Counsel for Dwayne Pike</i> Email: kennagy@idaholegalaid.org [✓]
Jeremy L. Bass Email: quantum.j.l.bass@rawdeal.io [✓] Postal: 1515 21 st ave. [] Lewiston, Idaho 83501	

Deputy Clerk

Signature