

United States District Court
Southern District of Texas
Houston Division

MM Steel, LP,

Plaintiff,

v.

Reliance Steel & Aluminum Co.,
Chapel Steel Corp., American Alloy
Steel, Inc., Arthur J. Moore,
JSW Steel (USA) Inc., & Nucor Corp.,

Defendants.

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Case No. 4:12-CV-01227

**MOTION TO APPROVE SUPERSEDEAS BOND
AND REQUEST FOR EXPEDITED RELIEF**

Pursuant to Federal Rule of Civil Procedure 62(d), Defendant JSW Steel (USA) Inc. (“JSW”) moves this Court to approve its Supersedeas Bond to stay enforcement of the judgment entered on May 27, 2014, and in support thereof would respectfully show the Court the following:

1. This Court entered its Amended Final Judgment on May 27, 2014, and awarded judgment in favor of Plaintiff MM Steel, LP.
2. JSW has filed its appeal to the United States Court of Appeals for the Fifth Circuit, and, pursuant to Fed. R. Civ. P. 62(d) and the Court’s October 28, 2014 order (Dkt. No. 715), is posting this bond to suspend execution on the judgment.
3. By order entered October 28, 2014, the Court set the amount of the supersedeas bond required by Defendant JSW Steel (USA) Inc. to stay execution of the judgment in this matter pending appeal at \$80 million.
4. JSW has filed a Supersedeas Bond, attached as Exhibit A, in the total amount of \$80

million, as ordered by this Court. The Supersedeas Bond is duly executed by JSW, as principal, and North American Specialty Insurance Company and Westport Insurance Corporation, as Surety.

5. Because the Supersedeas Bond submitted by JSW complies with the Court's prior order regarding the necessary Supersedeas Bond and because the stay of execution on the judgment ends after the day of this filing, December 5, 2014, JSW requests expedited relief on this Motion to Approve Supersedeas Bond.

WHEREFORE, JSW hereby moves the Court to grant its Motion to Approve Supersedeas Bond, approve the Supersedeas Bond attached as Exhibit A, and grant all other appropriate relief. Alternatively, JSW requests that the Court order an expedited response to this Motion to Approve Supersedeas Bond and stay execution of the judgment, and any proceedings to enforce the judgment, as to JSW, without bond while this Motion is pending, and, if additional action is required by JSW for a reasonable time to allow JSW to take such action.

By executing and filing this Motion and Supersedeas Bond, JSW does not waive any of the rights it may have pursuant to any of Plaintiff MM Steel's settlement agreements, including but not limited to those with Defendants American Alloy Steel, Inc., Arthur J. Moore, Reliance Steel & Aluminum Co., and Chapel Steel Corp., or otherwise.

Dated: December 5, 2014

Respectfully submitted,

/s/ Hunter M. Barrow

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Attorney for Defendants JSW Steel (USA) Inc.

CERTIFICATE OF CONFERENCE

I hereby certify that on December 5, 2014, counsel for Defendant JSW Steel (USA) Inc. spoke by telephone with counsel for Plaintiff, who stated that Plaintiff opposes the relief requested in this Motion.

/s/Hunter M. Barrow

Hunter M. Barrow

CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2014, the foregoing document was electronically transmitted to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to all registered counsel of record.

/s/Hunter M. Barrow

Hunter M. Barrow