

The document below is hereby signed.

Dated: August 7, 2011.



S. Martin Teel Jr.

**S. Martin Teel, Jr.
U.S. Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
GB HERNDON AND ASSOCIATES,)	Case No. 10-00945
INC.,)	(Chapter 11)
)	
Debtor.)	
_____)	
)	
ADAMS NATIONAL BANK,)	
)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No.
)	10-10052
GB HERNDON AND ASSOCIATES,)	
INC., <i>et al.</i> ,)	
)	
Defendants.)	Not for publication in West's Bankruptcy Reporter

MEMORANDUM DECISION AND ORDER RE DEFENDANTS' MOTION TO
TEMPORARILY LIFT FINAL JUDGMENT PENDING RESOLUTION OF THE
MOTION FOR RELIEF FROM JUDGMENT AND TO ALTER OR AMEND JUDGMENT

The defendants have filed with the court a Motion to Temporarily Lift Final Judgment Pending Resolution of the Motion for Relief from Judgment and to Alter or Amend Judgment (Dkt. No. 62, filed July 7, 2011). To the extent the defendants' motion asks the court to temporarily stay its decision lifting the automatic stay in the main bankruptcy case underlying this

adversary proceeding, I will deny the motion. Even if the final judgment were vacated based on the Supreme Court's recent decision in *Stern v. Marshall*, 2011 WL 2472792 (2011), this court had constitutional authority to address the impact of the counterclaims against Adams National Bank on the propriety of granting Adams National Bank relief from the automatic stay. To the extent the motion asks the court to stay the final judgment in this adversary proceeding awarding the plaintiff the sum \$8,532,253.74 plus costs (Dkt. No. 59), I will grant the motion.

Accordingly, it is

ORDERED that the Defendants' Motion to Temporarily Lift Final Judgment Pending Resolution of the Motion for Relief from Judgment and to Alter or Amend Judgment (Dkt. No. 62) is DENIED to the extent it requests a stay of the court's order lifting the automatic stay in the main bankruptcy case and is GRANTED to the extent it requests a stay of the court's June 23, 2011, Judgment (Dkt. No. 59). It is further

ORDERED that the court's June 23, 2011, Judgment (Dkt. No. 59) is STAYED until further order of the court.

[Signed and dated above.]

Copies to: All counsel of record.