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PRESS RELEASE

FOR IMMEDIATE RELEASE – December 6, 2024 – Yesterday, the Supreme Court of Guam issued an opinion resolving an appeal filed by several homeowners in the Gill-Baza Subdivision in the case of *Waathdad v. Cyfred, Ltd.*, 2024 Guam 6. The homeowners sought review of the Superior Court's denial of their motion to stay execution of a judgment against the homeowners and in favor of Cyfred, Ltd. The homeowners had asked the Superior Court to stay the enforcement of a judgment of attorney's fees for the earlier period of either one year or until a final judgment is rendered in a separate case involving Cyfred and Attorney Wayson Wong, counsel for the homeowners. The grounds for the request were that Attorney Wong intended to use the money judgment he believes he will be awarded in the separate action to pay the fees owed by the homeowners in this case.

The Supreme Court affirmed the decision of the Superior Court. The high court found that although the Superior Court has broad discretion to stay its judgments, this discretion does not extend to granting a stay of execution pending the outcome of a separate case with different parties. Since Attorney Wong is the sole plaintiff in the separate action and the homeowners are not parties to that action, the Supreme Court held that the Superior Court did not have the power to stay the execution of judgment in this case to await the outcome of the separate case; thus, denial of the stay was proper. The Supreme Court affirmed the Superior Court's order denying the stay of execution and awarded Cyfred reasonable attorney's fees and court costs in connection with this appeal, the amount of which to be determined by the Superior Court on remand.

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