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United States District Court,
S.D. Indiana,
Indianapolis Division.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff,
v.
PREFERRED MANAGEMENT, CORP., et al., Defendant.

IP98-1697-C B/S. | Nov. 27, 2002.

Attorneys and Law Firms

Jo Ann Farnsworth, Equal Employment Opportunity Comm, Indianapolis, IN, for Plaintiff.

Daniel C Emerson, Bose McKinney & Evans, Indianapolis, IN, for Defendants.

Opinion

ORDER ON DEFENDANT’S MOTION TO STAY

SARAH EVANS BARKER, Judge.

*1 This matter is before us on defendant’s motion to stay execution of judgment pending appeal and to approve a letter of credit, attached to its motion, as security in lieu of a bond. Preferred’s motion and letter of credit are unopposed. We GRANT Preferred’s motion with the following modifications.

Execution of judgment is stayed pending a decision by the Seventh Circuit Court of Appeals. In the event the Seventh Circuit affirms the jury’s verdict and the decision(s) of this court, Preferred is ordered either to pay the judgment immediately or to make new arrangements to provide security pending further appeal. We order this more limited relief mindful that any payments that may be forthcoming will go to individual complaining parties.

We approve Preferred’s Letter of Credit as security, in the form attached to its motion, with the reminder that Preferred is, as a matter of law, responsible for post-judgment interest at an appropriate rate in the event its appeal is unsuccessful. 28 U.S.C. § 1961; *Transmatic, Inc. v. Gulton Industries, Inc.*, 180 F.3d 1343, 1348-49 (Fed.Cir.1999); *Dunn v. HOVIC*, 13 F.3d 58, 61 (3d Cir.1993).