



Eric Williams and Harold Williams to waive appeal bond and for stay pending appeal [doc.#100]. Having considered the matter, the Court denies the motion of Ellen Buckley for order authorizing Clerk to release interpleaded funds to Ellen Buckley and grants the motion of Eric Williams and Harold Williams to waive appeal bond and for stay pending appeal. As the funds in dispute are already in the Registry of the Court and interest is being earned on the funds and will continue to be earned pending appeal, the security of the judgment and the ability of Ellen Buckley to recover the same if the judgment is affirmed is beyond dispute. Accordingly, an inflexible requirement of a bond would be inappropriate in this case where ability to pay the judgment is so plain that the cost of a bond would be a waste of money. *Olympia Equipment Leasing Co. v. Western Union Telegraph Co.*, 786 F.2d 794, 796 (7<sup>th</sup> Cir. 1986).

IT IS THEREFORE ORDERED that the motion of Ellen Buckley for order authorizing Clerk to release interpleaded funds to Ellen Buckley [doc.#95] be and it hereby is denied.

IT IS FURTHER ORDERED that the motion of Eric Williams and Harold Williams to waive appeal bond and for stay pending appeal [doc.#100] be and it hereby is granted.

Dated this 26<sup>th</sup> day of August 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE