

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 06-cv-00224-CMA-CBS

JAMES MCGRATH,

Plaintiff,

v.

CENTRAL MASONRY CORP.,

Defendant.

ORDER DENYING MOTION TO LIFT STAY AS MOOT

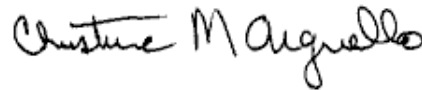
This matter is before the Court on Plaintiff's Motion to Lift Stay (Doc. #129). On July 20, 2009, Defendant filed a Stipulated Motion to Stay Execution of Judgment Pursuant to Fed. R. Civ. P. 62(b) (Doc. # 94). In pertinent part, Defendant sought to stay execution of a judgment granting damages against Defendant, which the Court awarded on July 8, 2009 (Doc. # 91) and for which Judgment was entered on July 10, 2009 (Doc. # 92). Defendant sought the stay in light of its contemporaneously filed Motion for Judgment as a Matter of Law Pursuant to Fed. R. Civ. P. 50(b) (Doc. # 95). In light of the pending post-judgment motion, the Court granted Defendant's Motion to Stay on July 24, 2009 (Doc. # 98). That Order stated, "no efforts to execute on the Judgment entered in this case may be undertaken until post-judgment motions are resolved by Order of this Court." On September 29, 2009, the Court denied Defendant's post-judgment motion and, therefore, the post-judgment motion is resolved.

(Doc. # 108). Pursuant to the Court's July 24, 2009 Order (Doc. # 98), Plaintiff has been able to execute on the Judgment since the entry of the Court's order denying Defendant's post-judgment motion. Accordingly, it is

ORDERED that Plaintiff's Motion to Lift Stay (Doc. # 129) is DENIED AS MOOT.

DATED: January 29, 2010

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge