

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

DEANN GRAHAM,

Plaintiff,

v.

ELKHART CITY OF THE,

Defendant.

Case No. 3:21-CV-495 JD

OPINION AND ORDER

On January 25, 2022, this Court entered a judgment dismissing the federal claims of Plaintiff DeAnn Graham, with prejudice, and her state claims without prejudice. (DE 29.)

Following the entry of judgment, Graham has filed two motions to stay. (DE 32; DE 35.)

Graham's motions are difficult to construe, but it appears that Graham is asking the Court to "put in place" a "30 days stay" of the "proceedings to enforce" the judgment pursuant to Federal Rule of Civil Procedure Rule 62(c) and (d). (DE 32 at 1.)

Under Rule 62(d), "[w]hile an appeal is pending from [a] . . . final judgment that grants, continues, modifies, refuses, dissolves, or refuses to dissolve or modify an injunction, the court may suspend, modify, restore, or grant an injunction on terms . . . that secure the opposing party's rights." Fed. R. Civ. P. 62(d). "In other words, Rule 62(d) "allow[s] the district court to modify an injunction to maintain the status quo pending appeal." *GCM Partners, LLC v. Hipaaline Ltd.*, No. 20 C 6401, 2021 WL 1526669, at *5 (N.D. Ill. Apr. 19, 2021) (quoting *Eli Lilly & Co. v. Aria Foods, Inc.*, 893 F.3d 375, 384 (7th Cir. 2018)). In deciding a motion seeking a stay, the Court typically considers four factors: (1) whether the stay applicant has made a strong showing that she is likely to succeed on the merits; (2) whether the applicant will be

