

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

CIVIL ACTION NO. 3:08-CV-401-H

KRISTINA M. FREDERICK

PLAINTIFF

V.

OLDHAM COUNTY AMBULANCE  
TAXING DISTRICT, et al.

DEFENDANTS

**MEMORANDUM OPINION AND ORDER**

Plaintiff has requested to stay execution of an order of this Court awarding costs to Defendant. Plaintiff makes this request under Federal Rule of Civil Procedure 62, but provides no argument or support for the issuance of such a stay. Defendant opposes the stay, arguing that a stay is within the Court's discretion, and Plaintiff has not met, let alone argued, the factors the Court should consider in deciding whether to issue a stay.

The Court assumes Plaintiff has moved for a stay under Federal Rule of Civil Procedure 62(d), which states: "If an appeal is taken, the appellant may obtain a stay by supersedeas bond..." The Court has not found a clear legal standard to be applied to an instance where a party seeks to stay an order granting taxable costs, but notes the rule suggests a court has discretion to enter such a stay. Because Plaintiff has made no argument for such a stay and the Court has already reduced the award of taxable costs for which Plaintiff now seeks to stay, and being otherwise sufficiently advised,

**IT IS HEREBY ORDERED** that Plaintiff's motion to stay execution of the May 4, 2011 order is **DENIED**.

cc: Counsel of Record