

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TCP PRINTING CO., LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:15-CV-178 JAR
	)	
ENTERPRISE BANK & TRUST,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Enterprise Bank & Trust’s Motion to Lift Stay (Doc. No. 107).

On September 29, 2017, after conducting a bench trial on April 24 and 25, 2017, this Court granted judgment in favor of Defendant Enterprise Bank & Trust and against Plaintiff TCP Printing Co., LLC. (Doc. No. 95.) On October 20, 2017, Enterprise Bank & Trust filed its motion for Bill of Costs in the amount of \$13,018.17. TCP Printing filed no objection to the Bill of Costs, but appealed the judgment on October 31, 2017. (Doc. No. 98.) Because E.D. Mo. L.R. 54-8.03(3) requires the Clerk to tax costs, and makes no exception for cases in which an appeal is pending, the Court directed the Clerk to tax costs as claimed in the Bill and ordered that execution on this Bill of Costs award be stayed pending the resolution of TCP Printing’s appeal. (Doc. No. 103.)

On December 27, 2017, TCP Printing moved to dismiss its appeal and the Eighth Circuit issued its formal mandate dismissing the appeal. (Doc. Nos. 105, 106.) Enterprise Bank & Trust moved to lift the stay on January 8, 2018. On January 12, 2018, this Court ordered TCP Printing to show cause why the motion to lift the stay should not be granted and the Bill of Costs award


executed. (Doc. No. 108.) In response to the Court's order, TCP Printing takes no position on whether the stay should be lifted. (Doc. No. 109.) Enterprise Bank & Trust's motion to lift the stay will therefore be granted as unopposed.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant Enterprise Bank & Trust's Motion to Lift Stay [107] is **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk of Court shall tax costs against Plaintiff TCP Printing Co., LLC and in favor of Defendant Enterprise Bank & Trust in the amount of **\$13,018.17.**

Dated this 22<sup>nd</sup> day of January, 2018.

  
AUDREY G. FLEISSIG for  
JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE