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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS, AIRLINES DIVISION;  
AIRLINE PROFESSIONALS  
ASSOCIATION OF THE IBT, LOCAL  
UNION NO. 1224,

Plaintiffs,

v.

ALLEGIANT AIR, LLC; ALLEGIANT  
TRAVEL COMPANY,

Defendants.

Case No. 2:14-cv-00043-APG-GWF

**ORDER TEMPORARILY STAYING  
PRELIMINARY INJUNCTION**

(Dkt. # 81)

12 Defendants Allegiant Air, LLC and Allegiant Travel Company (collectively, "Allegiant")  
13 have filed a motion (Dkt. #81) seeking a stay of the Preliminary Injunction (Dkt. #79) that I  
14 entered on July 22, 2014 while they appeal that injunction to the Ninth Circuit. Allegiant also  
15 requests that I order plaintiffs International Brotherhood of Teamsters, Airlines Division and  
16 Airline Professionals Association of the IBT, Local Union No. 1224 (collectively, the "IBT") to  
17 post a bond in support of the Preliminary Injunction under Section 7 of the Norris-LaGuardia Act,  
18 29 U.S.C. § 107 and Federal Rule of Civil Procedure 65(c). (Dkt. #80.)

19 I see no reason to stay the Preliminary Injunction under Federal Rule of Civil Procedure  
20 62(c). I do not believe that Allegiant is likely to succeed on the merits of its appeal, Allegiant  
21 will not be irreparably harmed absent a stay, issuance of the stay likely will substantially injure  
22 the IBT, and (as set forth in the Preliminary Injunction) the public interest supports the  
23 Preliminary Injunction's entry and enforcement. *Nken v. Holder*, 556 U.S. 418, 434 (2009).  
24 Thus, I will not stay the Preliminary Injunction pending completion of Allegiant's appeal to the  
25 Ninth Circuit.

26 However, it appears that Allegiant is correct that I neglected to require the IBT to post a  
27 bond in connection with the Preliminary Injunction. Therefore, I will stay the injunction until the  
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1 bond is posted. Pursuant to Local Rule 7-2(b), the IBT has until August 11, 2014 to oppose the  
2 motion for bond. Of course, the IBT may file its brief sooner than that, thereby shortening the  
3 length of time the Preliminary Injunction is stayed. The IBT should, in its brief, address the  
4 amount of the bond that may be required. Accordingly,

5 IT IS HEREBY ORDERED that the Order Granting Motion for Preliminary Injunction is  
6 stayed and held in abeyance pending further order of the Court.

7 DATED this 25th day of July, 2014.



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9 ANDREW P. GORDON  
10 UNITED STATES DISTRICT JUDGE  
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