

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Santiago Bravo, Andrew Cruz,)
Johonest Fischer, Theresa) No. 20-cv-1440
Kennedy, Anthony Murdock,)
Brian Neals, and John Plummer,) (*Judge Durkin*)
)
Plaintiffs,)
)
-vs-)
)
City of Chicago,)
)
Defendant.)

**UNOPPOSED MOTION TO STAY PROCEEDINGS
ON BILL OF COSTS PENDING APPEAL**

Plaintiffs, by counsel and without opposition from defendant, respectfully request that the Court stay proceedings on defendant's Bill of Costs pending appeal.

Grounds for this motion are as follows:

1. The Court granted judgment to defendant on November 6, 2024, and plaintiffs filed a notice of appeal on December 2, 2024.
2. Defendant filed its bill of costs on December 6, 2024.
3. Plaintiffs do not dispute that defendant is entitled to costs as the prevailing party; plaintiffs will raise an objection to the total amount requested at the appropriate time.

4. If plaintiffs' appeal is successful, defendant will not be entitled to costs as the prevailing party.

5. This Court has discretion to stay proceedings on defendant's Bill of Costs. *E.g., Kelley-Lomax v. Chicago*, No. 20-cv-4595, ECF No. 153 (November 4, 2024), attached as Exhibit 1; *Ziccarelli v. Dart*, 17-cv-3179, ECF No. 885 (September 3, 2024), attached as Exhibit 2; *Zimmerman v. R & S Trucking*, No. 405CV-00031-DFH-WGH, 2006 WL 3360537, at *2 (S.D. Ind. Nov. 16, 2006).

6. Plaintiffs respectfully request that the Court exercise its discretion and enter a stay pending appeal.

7. Defendant does not oppose plaintiffs' request for a stay.

Respectfully submitted,

/s/ Joel A. Flaxman
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**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.1)
Eastern Division**

Jevarreo Kelley-Lomax

Plaintiff,

v.

Case No.: 1:20-cv-04595

City of Chicago, et al.

Honorable Manish S. Shah

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, November 4, 2024:

MINUTE entry before the Honorable Manish S. Shah: The bill of costs is stayed, by agreement, pending appeal. Notices Mailed. (psm,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division**

Salvatore Ziccarelli

Plaintiff,

v.

Case No.: 1:17-cv-03179

Honorable John J. Tharp Jr.

Thomas J. Dart, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, September 3, 2024:

MINUTE entry before the Honorable John J. Tharp, Jr. The plaintiff's unopposed motion to stay proceedings on the defendants' bill of costs [884] is granted. Proceedings on the bill of costs [883] are stayed pending appeal. Mailed notice(air,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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