

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BEATRICE BOYER, LARRY TRUDO,
BARBARA A. BRUCE, MICHAEL COLLINS,
BARB COLLINS, JOYCE DAVIS,
MARDYNE DAVIS, MARK DILLEY,
MELINDA DILLEY, ELWYN ECKER,
MARY ECKER, CAROL EVERETT,
JAMES GERRISH, RITA GERRISH,
BILL HAFEFLE, TANYA HAFEFLE,
JEAN IRISH, KENNETH R. IRISH,
BRIAN N. JAMES, MR. & MRS. JEIDY,
JOANNE F. KIELER, MR. KIELER,
MR. & MRS. THERESA KLEMA,
DIANE KUMAN, MR. & MRS. LARKIN,
MR & MRS. DARLENE MAAHS,
DENISE K. FULLER, GLENN E. MARSHALL,
DAN MARTIN, MARY MARTIN,
DOUGLAS & MARIAN MILLER,
HOLLIE MOORE, WESLEY C. MORSE,
KATHRYN S. PETERS, PAMELA PETERS,
DONALD & EILEEN SCHIFFMAN,
JOAN SEDLMAYR, MARCIA STILWELL,
MICHAEL & CAROL STONER, LAWRENCE TAFT,
LOIS TIMMERMAN, SUSAN HOLLENBECK,
GORDON TROWBRIDGE, MARY LOU TROWBRIDGE,
DON WALZ, MARY WALZ, ARNOLD WELLS,
ELAINE WELLS, PAUL JACKLEY, RUTH JACKLEY,
ROBERT PETERSON, JEFFREY R. MEZERA
and JULIE MEZERA,

Plaintiffs,

v.

BNSF RAILWAY COMPANY,

Defendant.

ORDER

14-cv-260-bbc

The question before the court is whether Christopher Stombaugh (counsel for plaintiffs) is entitled to a stay of an order by the Court of Appeals for the Seventh Circuit to pay a sanction of \$34,575.80 for litigation misconduct. Dkt. #78. Although Stombaugh cites various authorities for the proposition that a district court has the power to stay its own proceedings, he cites no authority for the view that a district court can stay an order of the court of appeals and he identifies no reason why he failed to seek relief from that court before the mandate issued. Even if I had discretion to stay the order, I would decline to do so. Stombaugh says that he wants a stay while he seeks review of the sanction in the Supreme Court, but the chances of the Court granting Stombaugh's petition for a writ of certiorari are so slim that they do not justify any further delay.

ORDER

IT IS ORDERED that Christopher Stombaugh's motion to stay, dkt. #78, is DENIED.

Entered this 27th day of September, 2016.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge