IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TERRY R. MCCURTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:11-cv-11-DGW
	)	
LUHR BROS., INC.,	)	
	)	
Defendant.	)	

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court is the Motion for a Stay of the Judgment Pending Appeal filed by Defendant, Luhr Bros., Inc., on April 22, 2013 (Doc. 53). The Motion is **GRANTED IN PART.**

Defendant seeks to stay the Judgment in this matter pending appeal and further seeks approval of a "letter of undertaking from defendant's insurers for the amount of the Judgment in lieu of a supersedeas bond . . ." Federal Rule of Civil Procedure 62(d) provides that this court may stay judgment "by supersedeas bond" pending appeal and that the stay becomes effective upon approval of the bond. While there are certain exceptions to the requirement of a bond, none are applicable to this matter. *See* FED.R.CIV.P. 62(a)(1) and (2). Defendant has offered no explanation or argument as to how a "letter of undertaking" would the equivalent of a supersedeas bond nor has it cited to any authority as to why this Court should deviate from the Federal Rules.

Therefore, Defendant is **ORDERED** to file a supersedeas bond in the amount of the judgment, $669, 564.00, by May 17, 2013, or as soon as practicable. Judgment in this matter will be stayed upon approval of the bond.

IT IS SO ORDERED.

DATED: May 9, 2013

DONALD G. WILKERSON
United States Magistrate Judge