

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ARTHUR C. WAGNER, JR., individually)	
and for the benefit of his wife,)	
Jean Marie Wagner,)	
)	
Plaintiff,)	
v.)	Case No. 05-2336-JPO
)	
SFX MOTOR SPORTS, INC., et al.,)	
)	
Defendants.)	

**ORDER GRANTING STAY OF EXECUTION
REGARDING THE AMENDED JUDGMENT**

NOW ON THIS 17th day of January, 2008, the above-captioned and numbered case comes before the court upon defendant SFX Motor Sports, Inc. d/b/a Clear Channel Entertainment-Motor Sports' (hereinafter "SFX"), motion for stay of execution (**doc. 183**).

The court, being fully advised in the premises, finds that the amended judgment was entered in this case on November 27, 2007, and on January 16, 2008, SFX filed its motion for stay of execution with a supersedeas appeal bond attached thereto as Exhibit 1 pursuant to Rule 62(d) of the Federal Rules of Civil Procedure and Local Rule 62.2. That counsel for SFX, Paul M. Croker, has contacted counsel for plaintiff, Steve R. Fabert, and plaintiff's counsel has no objection to SFX's motion for stay of execution pending this court's approval of the aforementioned supersedeas appeal bond. Therefore, this court finds that good cause has been shown by SFX to grant its Motion for Stay of Execution.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that execution upon the amended judgment entered in this matter on November 27, 2007, is hereby stayed pending resolution of SFX's appeal and plaintiff's cross-appeal of this case.

IT IS SO ORDERED.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge