

62(a)

"By express provision ~~of~~ in rule 62(a), in the case of a final judgment in an action for an injunction, the judgment is not stayed during the period after its entry and until an appeal is taken or during the pendency of an appeal unless otherwise ordered by the court." See Wright & Miller, Federal Practice and Procedure: Civil § 2902 at 310

62(c)

An application under 62(c) requires that (a) the applicant make a strong showing that he is likely to succeed on the merits of the appeal; (b) the applicant establish that unless a stay is granted he will suffer irreparable injury; (c) no substantial harm will come to the other interested parties, and (d) a stay would do no harm to the public interest. See, e.g., Virginia Petroleum Tobacco Ass'n v. F.P.C., 259 F.2d 921, 925 (D.C. Cir. 1958); Wright & Miller, Federal Practice and Procedure: ~~Civil~~ Civil § 2904 at 316; 7 Moore's Federal Practice ¶ 62.05

Rule 62(c) is merely expressive of a power inherent in the court to preserve the status quo where, in its sound discretion, the court ~~deems~~ deems the circumstances so justify. 7 Moore's Federal Practice ¶ 62.05 at 62-19

The question is whether upon a consideration of all the facts, would harm result to either party as a result of the granting or denial of the stay, and were there probable grounds for an appeal to protect rights which might be prejudiced by a refusal to grant the stay? 7 Moore's Federal Practice ¶ 62.05.

65(d) requires the reasons be set forth if stay issued.