

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
OKLAHOMA

Ernest James Young, through Surviving Spouse, Michell Young; and
Daughter and Heir, Amanda Fries v. Sequoyah Fuels Corp. and
Quivira Mining Corp.

Young · No. 6:22-cv-00280-EFM-GLJ · Decided January 27, 2026

SUMMARY

The United States District Court for the Eastern District of Oklahoma denied Plaintiffs’ motion to stay taxation and enforcement of costs and proceedings to enforce judgment pending appeal. The court held that Plaintiffs failed to show a likelihood of success on appeal, irreparable harm, or sufficient grounds to defer or reduce a supersedeas bond. The underlying action concerned alleged pancreatic cancer resulting from exposure to radioactive contaminants from a uranium processing plant.

CASE DETAILS

COURT	United States District Court for the Eastern District of Oklahoma
WRITING FOR THE COURT	Gerald L. Jackson
JURISDICTION	United States District Court for the Eastern District of Oklahoma
DECIDED	January 27, 2026
DOCKET	6:22-cv-00280-EFM-GLJ
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiffs appealed the underlying summary judgment and sought to stay taxation and enforcement of costs, as well as proceedings to enforce any costs judgment, pending appeal. They also sought to defer determination of or limit any supersedeas bond.
STANDARD OF REVIEW	A stay pending appeal is discretionary. The moving party bears the burden of showing that a stay is warranted under the four-factor test addressing likelihood of success on the merits, irreparable injury, injury to other interested parties, and the public interest. The first two factors are the most critical.
PRECEDENTIAL VALUE	Unknown
PARTIES	Ernest James Young, through Surviving Spouse, Michell Young; and Daughter and Heir, Amanda Fries v. Sequoyah Fuels Corp., Quivira

TOPICS

appellate procedure costs civil procedure injunctions standard of review

PRACTICE AREAS

civil procedure appellate procedure costs remedies torts

QUESTIONS PRESENTED

1. Whether plaintiffs established grounds for a stay of consideration or enforcement of taxation of costs pending appeal.
2. Whether plaintiffs established grounds to defer determination of a supersedeas bond or limit the bond to an amount proportionate to any future costs award.

HOLDINGS

1. Plaintiffs were not entitled to a stay because they failed to make a strong showing that they were likely to succeed on appeal, failed to demonstrate irreparable harm absent a stay, and failed to establish that the remaining stay factors favored relief.
2. The court declined to defer determination of or limit any supersedeas bond because plaintiffs did not objectively demonstrate that posting a full bond would be impossible or impractical or that unusual circumstances justified departing from the general rule.

KEY QUOTATIONS

“A stay is an intrusion into the ordinary processes of administration and judicial review, and accordingly is not a matter of right, even if irreparable injury might otherwise result to the appellant.” (Analysis § I)

“Rather, the moving party must show that it is likely to succeed on the merits of its claim.” (Analysis § I)

“The purpose of a supersedeas bond is to protect the successful litigant by securing the full amount of a money judgment while a case is on appeal.” (Analysis § II)

FACTUAL BACKGROUND

The underlying action alleged that Ernest James Young's pancreatic cancer and death resulted from exposure to radioactive contaminants released through defendants' negligent operation of a uranium processing plant in Gore, Oklahoma. The court previously excluded plaintiffs' expert witnesses and granted summary judgment to defendants. Defendants then sought taxation of allowable litigation costs, while plaintiffs appealed and sought to stay consideration and enforcement of any costs award.

PROCEDURAL HISTORY

Plaintiffs brought a wrongful-death and negligence action alleging that Ernest James Young died of pancreatic cancer caused by exposure to radioactive contaminants released from defendants' uranium processing plant. On

December 1, 2025, the court excluded plaintiffs' expert testimony and granted defendants' joint motion for summary judgment. Defendants sought taxation of costs, plaintiffs objected, and plaintiffs filed a notice of appeal on December 30, 2025. The motion to stay was referred to Magistrate Judge Gerald L. Jackson for final disposition under 28 U.S.C. § 636(b)(1).

DISPOSITION

denied

CASES CITED

- *Nken v. Holder*, 556 U.S. 418, 427, 433-34 (2009)
- *Phillips v. U.S. Army Corps of Engineers*, 2023 WL 7474408, at *2 (10th Cir. June 27, 2023)
- *Virginian Railway Co. v. United States*, 272 U.S. 658, 672-73 (1926)
- *Rodriguez v. Whiting Farms, Inc.*, 360 F.3d 1180, 1190 (10th Cir. 2004)
- *Zeran v. Diamond Broadcasting, Inc.*, 203 F.3d 714, 722 (10th Cir. 2000)
- *Hilton v. Braunskill*, 481 U.S. 770 (1987)
- *First Western Capital Management Co. v. Malamed*, 874 F.3d 1136, 1141 (10th Cir. 2017)
- *Beyer v. United States*, 2023 WL 8761678, at *3 (D. Kan. Dec. 19, 2023)
- *Minshall v. McGraw Hill Broadcasting Co.*, 323 F.3d 1273, 1288 (10th Cir. 2003)
- *Reedy v. Werholtz*, 660 F.3d 1270, 1274 (10th Cir. 2011)
- *Brent Electric Co., Inc. v. International Brotherhood of Electrical Workers Local Union No. 584*, 2024 WL 66039, at *2-3 (N.D. Okla. Jan. 5, 2024)
- *Dine Citizens Against Ruining Our Environment v. Jewell*, 839 F.3d 1276, 1282 (10th Cir. 2016)
- *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 24 (2008)
- *United States v. Various Tracts of Land in Muskogee & Cherokee Counties*, 74 F.3d 197, 198 (10th Cir. 1996)
- *Dominion Video Satellite, Inc. v. Echostar Satellite Corp.*, 356 F.3d 1256, 1262-63 (10th Cir. 2004)
- *Sampson v. Murray*, 415 U.S. 61, 90 (1974)
- *DTC Energy Group, Inc. v. Hirschfeld*, 912 F.3d 1263, 1270 (10th Cir. 2019)
- *Tilgham v. Kirby*, 2016 WL 11473558, at *3 (W.D. Okla. June 21, 2016)
- *Holley v. Giles County, Tennessee*, 2005 WL 2230081, at *2 (M.D. Tenn. Sept. 12, 2005)
- *Metz v. United States*, 130 F.R.D. 458, 459 (D. Kan. 1990)
- *Dutton v. Johnson County Board of County Commissioners*, 884 F. Supp. 431, 435 (D. Kan. 1995)
- *Miami International Realty Co. v. Paynter*, 807 F.2d 871, 873 (10th Cir. 1986)
- *Farm Bureau Life Insurance Co. v. American National Insurance Co.*, 2009 WL 961171, at *1 (D. Utah Apr. 8, 2009)
- *Strong v. Laubach*, 443 F.3d 1297, 1299 (10th Cir. 2006)
- *Olcott v. Delaware Flood Co.*, 76 F.3d 1538, 1559 (10th Cir. 1996)

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