

STATE OF INDIANA      )      IN THE LAKE SUPERIOR COURT  
                            ) ss:      CIVIL DIVISION, ROOM FIVE  
COUNTY OF LAKE      )      SITTING IN HAMMOND, INDIANA

LAKE COUNTY SHERIFF OSCAR MARTINEZ, JR., ) Case No. 45D05-2201-PL-000072  
in his official capacity,                      )  
    )  
    )

Plaintiff,                                      ) Transferred from:  
    ) 45C01-2201-PL-0000712

v.    )  
    )

LAKE COUNTY BOARD OF COMMISSIONERS,      )  
et al.,                                      )  
    )

Defendants.                                      )  
    )

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LAKE COUNTY BOARD OF COMMISSIONERS,      )  
on its own behalf and in the name of the STATE      )  
OF INDIANA,                                      )  
    )

Counterclaim Plaintiff,                      )  
    )

v.    )  
    )

OSCAR MARTINEZ, JR., in both his official and      )  
individual capacities,                              )  
    )

Counterclaim Defendant.                      )

#### MOTION TO STAY ORDER PENDING APPEAL

Pursuant to Trial Rule 62, Defendants respectfully request a stay of the Court's June 30, 2022 "Declaratory Judgment and Order on Cross-Motions for Summary Judgment" pending appeal. The Court's Order addresses fundamental functions of multiple county officers (the Board of Commissioners, Auditor, and Sheriff), and provides for a system of contracting and payments with respect jail-related vendors that heretofore has not been

how the parties have operated. Before the parties move forward in reliance on this Court's conclusions, Defendants request that the Court allow them to seek appellate review. Defendants intend to do so immediately and to ask the Court of Appeals for expedited review.

While the case is pending on appeal, Defendants represent and agree that they will pay, under protest, invoices submitted by CHI, or on its behalf, at the 2022 rate requested by the Sheriff as well as the difference between the 2022 and 2021 rates from the beginning of this year—reserving all rights to recover from the Sheriff and/or CHI the difference between the 2022 and 2021 contract rates depending on the outcome of appeal.

The undersigned contacted counsel for the Sheriff. At this point, the Sheriff does not agree to the requested stay.

Respectfully submitted,

/s/ Michael R. Limrick

Michael R. Limrick (23047-49)

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## CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing document using the Indiana E-filing System (IEFS) and that the foregoing document was served upon all counsel of record via IEFS on July 1, 2022.

*/s/ Michael R. Limrick*