

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**DANNY THOMAS and IRMA
THOMAS, individually and on behalf
of a class of similarly situated person**

PLAINTIFFS

v.

3:09CV00120-WRW

**SOUTHERN PIONEER LIFE
INSURANCE COMPANY**

DEFENDANT

ORDER

Pending are Plaintiffs' Motion to Certify Class (Doc. No. 3), Unopposed Motion for Leave to Conduct Jurisdictional Discovery (Doc. No. 13), and Motion to Remand (Doc. No. 14).

Plaintiffs' Unopposed Motion for Leave to Conduct Jurisdictional Discovery¹ is GRANTED. Plaintiffs may issue not more than 5 interrogatories to Defendant within 5 days of the date of this Order, and Defendant will have forty-five days to respond to the interrogatories.

Plaintiffs' Motion to Remand² is DENIED without prejudice, pending the completion of the limited jurisdictional discovery. If Plaintiffs wish to refile their Motion to Remand, they must do so within 7 days of receiving Defendant's responses to Plaintiffs' interrogatories. If Plaintiffs do not intend to refile the Motion to Remand, they are directed to inform the Court of that decision also within 7 days of receiving Defendant's responses to Plaintiffs' interrogatories. Defendant will have twenty days from the date the Court rules on any refiled Motion to Remand, or from the date Plaintiffs inform the Court they do not intend to refile the motion, to file its responsive pleading.³

¹Doc. No. 13.

²Doc. No. 14.

Plaintiffs' Motion to Certify Class⁴ is also DENIED without prejudice. If Plaintiffs wish to refile their Motion to Certify Class, they may do so after the Court has ruled on the refiled Motion to Remand, or at the time Plaintiffs inform the Court they will not file a renewed motion.

IT IS SO ORDERED this 22nd day of September, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

⁴Doc. No. 3.