

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

ROXIE GARNER, ROY GARNER, JASON  
FOSTER, MIGUEL ANGUIANO ARAUGO,  
CHRISTOPHER SMITH, JOHN SNARR, and  
JAMES ROLLINS, on behalf of themselves and  
others similarly situated

PLAINTIFFS

v.

No. 4:10CV01025 JLH

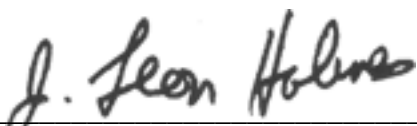
BUTTERBALL, LLC; and  
GARY R. LENAGHAN

DEFENDANTS

**ORDER**

The plaintiffs previously filed a motion for Rule 23 class certification, and the defendants filed a motion to stay with respect to that motion. The plaintiffs have now filed a notice that they are withdrawing the Rule 23 certification motion. Therefore, the motion for class certification pursuant to Rule 23 is denied without prejudice because the motion is moot. Document #33. The motion for stay is also denied as moot. Document #41.

IT IS SO ORDERED this 8th day of June, 2011.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE