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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

<b>EFRAIN MUNOZ, LEONA LOVETTE</b>	)	<b>1:08-CV-0759 AWI DLB</b>
<b>and STEPHANIE MELANI, individually</b>	)	
<b>and on behalf of all others similarly ,</b>	)	<b>ORDER REGARDING</b>
	)	<b>MOTION FOR CLASS</b>
<b>Plaintiffs,</b>	)	<b>CERTIFICATION</b>
	)	
<b>v.</b>	)	<b>(Document #67)</b>
	)	
<b>PHH CORP., PHH MORTGAGE</b>	)	
<b>CORP., PHH HOME LOANS, LLC,</b>	)	
<b>and ATRIUM INSURANCE CORP.,</b>	)	
	)	
<b>Defendants.</b>	)	

On February 1, 2010, Plaintiffs filed a motion for class certification. This motion was originally set to be heard on May 10, 2010. The parties stipulated to continue the hearing numerous times. Pursuant to the parties’ stipulation the motion is currently set to be heard on December 6, 2010.

An administrative review of the docket in this action reveals that Plaintiffs’ February 1, 2010 motion has been administratively termed as an outstanding motion. Pursuant to the Civil Justice Reform Act, this court is not to delay ruling on a pending motion for more than six months. Because the motion for class certification has been pending for over six months, the court finds that in the interests of efficient case management Plaintiffs’ motion should be denied without prejudice.

1           Accordingly, the court ORDERS that Plaintiffs' motion for class certification is  
2 DENIED without prejudice.

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4 IT IS SO ORDERED.

5 Dated: September 15, 2010

  
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CHIEF UNITED STATES DISTRICT JUDGE

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