

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 06-cv-02272-REB-MJW

P. CHRISTOPHER SWANSON, and
GERALDINE SCHMIDT, individually and on behalf of all persons similarly situated,

Plaintiffs,

v.

THE TOWN OF MOUNTAIN VIEW, COLORADO,
POLICE CHIEF ERIC GOMEZ, in his individual and official capacity,
POLICE OFFICER DAVID GROFF, in his individual and official capacity,
POLICE OFFICER HERNANDEZ, in his individual and official capacity, and
POLICE OFFICER PEREZ, in his individual and official capacity,

Defendants.

MINUTE ORDER¹

The plaintiffs' **Second Motion For Class Certification** [#79], filed March 21, 2008, is **DENIED** without prejudice. Shortly after the motion was filed, the court entered an order [#86] staying this case pending resolution of the defendants' appeal concerning the issue of qualified immunity. Following resolution of the appeal, and if appropriate in light of the Tenth Circuit's resolution of the appeal, the plaintiffs may file with the court a brief notice stating that they wish to renew their **Second Motion For Class Certification** [#79], filed March 21, 2008. The filing of such a notice shall trigger the response and reply deadlines specified in D.C.COLO.LCivR 7.1.

Dated: March 12, 2009

¹This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.