

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 06-cv-02358-CMA-KLM

RAYMOND BONANNO,
ANTHONY BONANNO,
ROBERT PETER,
RAJAN DESAI,
NISHA DESAI,
ELISA WHITEHALL,
DAJIT PARMAR,
MANJIT PARMAR,
IRVING BROTHMAN,
JOANNE KJOLSEN,
KRISTI LEWIS.
MEGAN MAKKI,
MUKAND MALHI,
PREETINDER MALHI,
ALI NAQBI,
ANDRZEJ SLIWOWSKI,
RICHARD VARRADO, and
BARTON CLATT,

Plaintiffs,

v.

THE QUIZNO'S FRANCHISE COMPANY, LLC,
QUIZNO'S FRANCHISING, LLC,
QUIZNO'S FRANCHISING II, LLC,
QFA ROYALTIES, LLC.,
RICHARD E. SCHADEN,
RICHARD F. SCHADEN, and
TQCS LLC,

Defendants.

ORDER GRANTING MOTION TO STAY PROCEEDINGS

The Court, having considered Plaintiffs' Joint Unopposed Motion Seeking Stay Pending Fed. R. Civ. P. 23(F) Appeal (Doc. # 336), and for good cause shown, hereby ORDERS as follows:

(a) This case shall be stayed pending a decision from the United States Court of Appeals for the Tenth Circuit on Plaintiffs' Fed. R. Civ. P. 23(f) Petition for Permission to Appeal the Court's April 20, 2009 Order Denying Plaintiffs' Motion for Class Certification ("Plaintiffs' Petition");

(b) In the event the Court of Appeals grants Plaintiffs' Petition and allows plaintiffs to proceed with an interlocutory appeal, the stay of this action shall remain in effect pending final resolution of that appeal;

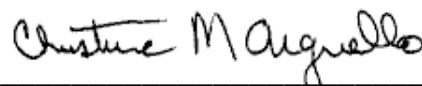
(c) Pending a decision on whether the Plaintiffs' Petition has been granted, the parties' obligations to complete briefing on summary judgment and to provide expert disclosures and discovery as well as the final pretrial order and conference shall be vacated and thereafter rescheduled by the Court if the Tenth Circuit denies the petition seeking interlocutory relief;

(d) In the event the Tenth Circuit grants the Plaintiffs' Petition, all Scheduling Orders in this action shall be vacated and the matters thereof rescheduled once the Court of Appeals has issued a decision; and

(e) Any party may move this Court to lift the Stay at any time for good cause shown.

DATED: May 8, 2009

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge