

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

Civil Case No. 11-cv-00165-REB-KMT

JOHN WOLFE, individually and on behalf of all others similarly situated,

Plaintiff,

v.

ASPENBIO PHARMA, INC.,
RICHARD G. DONNELLY,
DAVID FAULKER,
STEVE LUNDY,
GREGORY PUSEY,
JEFFREY G. McGONEGAL,
DR. MARK J. RATAIN,
DR. ROBERT CASPARI,
MARK COLGIN, and
GAIL S. SCHOETTLER,

Defendants.

ORDER RE SCHEDULE

Blackburn, J.

The matter is before me on the **Joint Motion Regarding a Proposed Schedule and Joint Status Report** [#12] filed January 31, 2011. After reviewing the motion and file, I conclude that the motion should be granted and a new class certification schedule should be followed.

THEREFORE, IT IS ORDERED as follows:


1. That the **Joint Motion Regarding a Proposed Schedule and Joint Status Report** [#12] filed January 31, 2011, is **GRANTED**;

2. That the Lead Plaintiff shall file an amended complaint no later than 30 days after the entry of an order appointing Lead Plaintiff;

3. That the defendants shall have 45 days from the filing of the amended complaint to answer, or otherwise respond to the amended complaint;
4. That if the defendants move to dismiss the amended complaint, the Lead Plaintiff shall have 45 days to file and serve his papers in response;
5. That the defendants shall have 21 days to file their reply papers in further support of their motion to dismiss; and
6. That the Lead Plaintiff shall file his motion for class certification within 30 days of any order denying the defendants' motion to dismiss, or the date that defendants file an answer, whichever is later in time.

Dated February 1, 2011, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge