

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02092-MSK-KLM

MARGARET MARTINEZ, et al.,

Plaintiffs,

v.

NASH FINCH COMPANY, d/b/a Avanza Supermarket,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiffs' **Motion to Strike the Expert Opinions of Professor David Bell** [Docket No. 107; Filed January 14, 2013] (the "Motion"). On March 20, 2013, Defendant filed a motion stating, in part, that it would not utilize the testimony of its rebuttal experts Dr. Gal Zauberman and Dr. David Bell if the District Judge adopted the undersigned's Recommendation to deny class certification. [#123] at 3. On March 29, 2013, the District Judge adopted the Recommendation to deny class certification. [#124]. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#107] is **DENIED as moot**.

Dated: April 1, 2013