

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

Civil Action No. 12-cv-001538-REB-MEH

EUNICE SCHATZ, individually and on behalf of all others similarly situated,

Plaintiff,

v.

CREDO PETROLEUM CORPORATION,  
FORESTAR GROUP INC.,  
CLARENCE H. BROWN,  
OAKLEY HALL,  
JAMES T. HUFFMAN,  
JOHN A. RIGAS,  
H. LEIGH SEVERANCE,  
WILLIAM F. SKEWES, and  
MARLIS E. SMITH, JR.,

Defendants.

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**ORDER RE: MOTIONS FOR CLASS CERTIFICATION**

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**Blackburn, J.**

The matter is before the court *sua sponte*. In this putative class action, the court recognizes the requirement under Fed. R. Civ. P. 23(c)(1)(A) to determine whether to certify a class before the case properly can proceed to resolution by summary judgment, trial, or otherwise. Therefore, I establish the following briefing schedule to govern resolution of this and related matters.

**IT IS ORDERED** as follows:

1. That no later than thirty (30) days after the first answer or other response, e.g., motion to dismiss, etc., to the complaint is filed by the defendant in this case, the plaintiff **SHALL FILE** a motion for class certification under Fed. R. Civ. P. 23 (a) that

addresses, *inter alia*, (i) the prerequisites at Fed. R. Civ. P. 23(a)(1)-(4), and (ii) the matters at Fed. R. Civ. P. 23(b); (b) that defines the proposed class; and (c) that requests the appointment of class counsel;

2. That any response and subsequent reply **SHALL BE FILED** in the time and manner prescribed by D.C.COLO.LCivR 7.1C.;

3. That an applicant for class counsel **SHALL ADDRESS** the matters at Fed. R. Civ. P. 23(g)(1)(A)(i)-(iv) and any other matter pertinent to the applicant's ability to fairly and adequately represent the interests of the proposed class; and

4. That based on the parties' submissions, the court **MAY RULE** on the papers, order further briefing, convene an evidentiary hearing, or take such further action as the court in its discretion deems proper and necessary.

Dated June 14, 2012, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge