

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 13-cv-01700-CMA-BNB

ROBERT O'BRIEN, individually, and on behalf of all others similarly situated,

Plaintiff,

v.

AIRPORT CONCESSIONS, INC., a Colorado corporation d/b/a Connections Made EZ,

Defendant.

ORDER

Currently pending is the **Plaintiff's Motion for Class Certification** [Doc. # 3]. Despite orders requiring it to do so [Doc. ## 24, 27], the defendant has failed to respond to the Motion for Class Certification.

Subsequently, the parties notified the court of a classwide settlement [Doc. # 28, filed 12/16/2013] and, pursuant to a minute order [Doc. # 31], filed a Joint Motion for Preliminary Approval of Class Action Settlement [Doc. # 33, filed 1/17/2014] (the "Motion for Approval"). The parties report in the Motion for Approval that they have "reached an agreement to settle the claims of Plaintiff and the Class. . . ." In addition, the parties state that they "stipulate to the certification of a class . . . for settlement purposes. . . ." The Motion for Approval renders moot the Motion for Class Certification.

IT IS ORDERED that the Motion for Class Certification [Doc. # 3] is DENIED as moot.

Dated January 17, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge