

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>KORY MAZUR, on behalf of himself</b>	)	
<b>and all others similarly situated,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:14CV84</b>
	)	
<b>V.</b>	)	
	)	
<b>NATIONAL ACCOUNT SYSTEMS</b>	)	<b>ORDER</b>
<b>OF OMAHA, LLC, and THOMAS C.</b>	)	
<b>UNDERWOOD,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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This case was filed on March 14, 2014. ([Filing 1.](#)) Defendants recently filed answers to the Complaint. A planning conference has not been scheduled in this case, and discovery has not yet begun.

On April 8, 2014, Plaintiff filed a motion for class certification. ([Filing 8.](#)) Plaintiff claims that he filed this motion at this early stage of the case to avoid any attempt by Defendants to “pick off” Plaintiff with an offer of judgment. See [Keim v. ADF Midatlantic, LLC, No. 37177372013 WL 399222, \\*9 \(S.D. Fla. July 15, 2013\)](#) (“Defendants’ Rule 68 offer of judgment provides Plaintiff full relief in this case. Because Plaintiff had not moved for class certification at the time that offer was made, this case is consequently moot”). Plaintiff seemingly recognizes that given the early stage of this case, and absence of discovery, Plaintiff’s request for class certification is premature. Thus, he has requested that briefing on the motion be stayed until the parties have engaged in discovery and developed an adequate record.

Having considered the matter, Plaintiff’s request that briefing be stayed on his motion for class certification will be granted, and Plaintiff’s motion for class certification will be held in abeyance pending further development of the case. However, Plaintiff’s motion for class certification will be terminated for statistical purposes, and the motion shall be renewed by Plaintiff at a later date. At that time, a briefing schedule will be established in accordance

with the rules of this Court.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion for Class Certification shall be held in abeyance pending further development of the record in this case. The motion shall be terminated by the Clerk of Court for statistical purposes, and Plaintiff shall renew the motion at a later date in order to establish a briefing schedule.

**DATED May 9, 2014.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**