

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:10-CV-102-FL

ANTONIO ABAD RODRIGUEZ, for)
himself and all others similarly situated,)
)
Plaintiffs,)
)
)
v.)
)
)
KLEE IRWIN, et al.,)
)
Defendants.)

ORDER

This matter is before the Court *sua sponte* on plaintiffs’ motion to certify a class, filed on August 25, 2010. Since that date dispositive motions have been filed as well as a motion to set aside entry of default. In order to promote judicial economy, the court will elect to address the motion to certify a class after the disposition of these pending motions, and so the motion to certify class is denied without prejudice. The plaintiff may refile the class certification motion no later than twenty-one (21) days from date of entry of the order(s) deciding the motion to dismiss the amended complaint and the motion to set aside default and to dismiss. The plaintiff may incorporate the previously filed memorandum in support of the motion to certify a class, in lieu of filing another supporting memorandum. The defendants shall have 30 days from the date of the refiled class certification motion to file a response brief.

SO ORDERED, this 31st day of March, 2011.


LOUISE W. FLANAGAN