

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

D.G., by Next Friend G., Gail Stricklin, et
al.,

Plaintiffs,

vs.

C. BRAD HENRY, in his official capacity
as Governor of the State of Oklahoma,
et al.,

Defendants.

Case No. 08-CV-74-GKF-FHM

OPINION AND ORDER

Plaintiffs' Motion to Compel [Dkt. 314] is before the Court for decision. Defendants have filed a response [Dkt. 319] and Plaintiffs have filed a reply [Dkt. 323].

The motion focuses to a large extent on the permissible scope of discovery in light of the Court's stay of class wide discovery pending a decision by the Tenth Circuit Court of Appeals regarding the order certifying this case as a class action.

On February 8, 2010, the Tenth Circuit affirmed the order certifying the case as a class action. Given the changed posture of the case, the Court DENIES Plaintiffs' Motion to Compel [Dkt. 314] without prejudice to refiling if necessary after the parties have met and conferred in light of the decision by the Tenth Circuit.

SO ORDERED this 24th day of March, 2010.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE