

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDGAR MITCHELL, <i>et al.</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
MG INDUSTRIES, INC., <i>et al.</i>	:	NO. 05-4073

O R D E R

AND NOW this 9th day of June 2009, upon consideration of the motions relating to class certification and the responses thereto, and for the reasons stated in the accompanying memorandum, it is ORDERED that:

1. Plaintiffs' Motions to Certify Class (Document Nos. 60 and 61) and Renewed Motion to Certify (Document No. 168) are DENIED.

2. Defendants' Motion to Strike Plaintiffs' Consolidated Declarations and Opt-In Consent Forms (Document No. 69) is DISMISSED AS MOOT.

3. Defendants' Motion to Sever (Document No. 140) is GRANTED to the extent that it seeks denial of class-action certification, DENIED to the extent it seeks to sever the named plaintiffs' claims into three separate actions, and DENIED WITHOUT PREJUDICE to the extent it seeks three separate trials.

BY THE COURT:

/s/ John P. Fullam
Fullam, Sr. J.