

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Big Thyme Enterprises, Inc.,	)	
individually and as the representative	)	
of a class of similarly situated persons,	)	C/A No.: 3:12-cv-00822-JFA
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER STAYING MOTION FOR
	)	CLASS CERTIFICATION
David A. Crotts & Associates, Inc.,	)	
David A. Crotts, and John Does 1 - 10,	)	
	)	
Defendants.	)	
_____	)	

The court, of its own accord, raises the matter of the plaintiff’s Motion to Certify Class. (ECF No. 4). Plaintiff originally filed this action on November 10, 2011 in the Court of Common Pleas for Richland County, South Carolina. On that same day, the plaintiff filed its Motion for Class Certification. The motion was not accompanied by a memorandum at the time of filing, but the motion states that “[p]laintiff will file a supporting Memorandum of Law in due course.” (ECF No. 4) On March 21, 2012, Defendants David A. Crotts & Associates, Inc. and David A. Crotts (“Defendants”) removed this case.

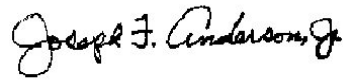
Rule 23 of the Federal Rules of Civil Procedure prescribes the rules for class actions and provides that “[a]t an early practicable time after a person sues or is sued as a class representative, the court must determine by order whether to certify the action as a class action.” In order to make a decision on whether to certify this action as a class action, this court requires a memorandum of law. Because this action is in an early stage,

this court does not believe that it is practicable for the plaintiff to provide the court with a memorandum of law at this time. As such, this court will stay the Motion for Class Certification to be renewed by the plaintiff when it wishes to proceed with the motion.

Accordingly, this court hereby stays the plaintiff's Motion for Class Certification, *sua sponte*. The plaintiff may renew its motion for class certification by refiling its Motion for Class Certification and a Memorandum in support of the motion.

IT IS SO ORDERED.

March 30, 2012  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge