

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TIMOTHY SHEA; MARY)	CV. NO. 09-00480 DAE-LEK
JACQUELINE LEE; and DON E.)	
MURDOCK, each individually and)	
on behalf of those persons similarly)	
situated,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
KAHUKU HOUSING)	
FOUNDATION, INC.; and)	
HAWAIIAN PROPERTIES, LTD.,)	
)	
Defendants.)	
_____)	

ORDER DENYING AS MOOT WITHOUT PREJUDICE PLAINTIFFS’
MOTION FOR CLASS CERTIFICATION

Pursuant to Local Rule 7.2(d), the Court finds this matter suitable for disposition without a hearing.

On February 23, 2010, Plaintiffs filed a Motion for Class Certification. (Doc. # 27.) Counsel for plaintiffs and defendants have repeatedly informed this Court that they will submit a stipulation to certify class.


Accordingly, in light of the fact that the parties will shortly file a stipulation to certify class, the Court **DENIES AS MOOT WITHOUT PREJUDICE** Plaintiffs’

motion to certify class. Should the parties ultimately decline to stipulate to class certification, Plaintiffs may re-file their motion to certify class.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, May 28, 2010.





David Alan Ezra
United States District Judge

Shea et al. v. Kahuku Housing Foundation, Inc. et al., CV No. 09-00480 DAE-LEK; ORDER DENYING AS MOOT WITHOUT PREJUDICE PLAINTIFFS' MOTION FOR CLASS CERTIFICATION