

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**JERRY BEACHLER, Jr., et al,**

Plaintiffs,

v.

**CIVIL ACTION NO. 3:06-CV-80  
(BAILEY)**

**RYAN'S FAMILY STEAK  
HOUSES et al,**

Defendants.

**ORDER GRANTING JOINT MOTION**

Before this Court is the parties' Joint Motion to Extend Deadline to File for Class Certification [Doc. No. 79], filed on January 15, 2008. In support of the motion, the parties state that they have been cooperating in resolving discovery but more discovery must still be completed, and they have agreed that all parties need further discovery before the class certification issue can be resolved. The parties cite *Gariety v. Grant Thornton, LLP*, 368 F.3d 356, 365 (4th Cir. 2004), wherein the Fourth Circuit stated, "it is appropriate to conduct controlled discovery into the 'merits,' limited to those aspects relevant to making the certification decision on an informed basis."

After careful review, the Court finds good cause to **GRANT** the Motion. Accordingly, the Joint Motion for Extension of Time for Class Certification is hereby **GRANTED**. Plaintiffs shall move for class certification on or before **April 15, 2008**.

It is so **ORDERED**.

The Clerk is hereby directed to transmit copies of this Order to counsel of record herein.

**DATED:** January 22, 2008



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**