

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

COLIN N. GELFORD, MATTHEW
L. BEARDIN and LORENZO WINFORD,

Plaintiffs,

v.

ORDER
07-C-258-S

MATTHEW J. FRANKS, STEVE CASPERSON,
JEFFREY P. ENDICOTT, TIMOTHY LUNDQUIST, MICHAEL
REIGH, LEO CAMPBELL and MARK TESLIK,

Defendants.

Presently before the Court are plaintiffs' motion for class certification and for appointment of class counsel. Plaintiffs were allowed to proceed on their First Amendment and RLUIPA claims. Plaintiffs Gelford and Beardin were also allowed to proceed on their invasion of privacy claim.

A class may be certified under Rule 23, Federal Rules of Civil Procedure where the class is so numerous that joinder of all members is impracticable; there are questions of law or fact common to the class; the claims or defenses of the representative parties are typical of the claims or defenses of the class and the representative parties will fairly and adequately protect the interests of the class. Plaintiffs have not met their burden of showing the class is so numerous that joinder of all members is impracticable or that their claims are typical of the claims of a

class. Plaintiffs' motion for class certification will be denied and their motion for appointment of class counsel will be denied as moot.

ORDER

IT IS ORDERED that plaintiffs' motion for class certification is DENIED.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of class counsel is DENIED as moot.

Entered this 27th day of June, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge