

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

ANTHONY NOLL,
on behalf himself and class members,

Plaintiff,

v.

WELTMAN WEINBERG & REIS CO. LPA
and U.S. BANK NATIONAL ASSOCIATION ND,

Defendants.

ORDER

13-cv-551-bbc

In this lawsuit brought under the Federal Debt Collection Practices Act and state law, plaintiff Anthony Noll is alleging that defendants Weltman Weinberg & Reis Co. LPA and U.S. Bank National Association ND has been attempting to collect a debt that was discharged in bankruptcy. Plaintiff filed the lawsuit on August 2, 2013, along with a motion to certify a class under Fed. R. Civ. P. 23. Dkt. #5. On August 22, 2013, the parties filed a joint motion in which they asked that the motion for class certification be “continued to the date the court sets for the parties’ initial status conference.” Dkt. #12. I granted the motion, dkt. #17, and, after the preliminary pretrial conference, Magistrate Judge Stephen Crocker set a new briefing schedule. Dkt. #21. On January 10, 2014, the day plaintiff’s brief was due, he filed an unopposed motion for an extension of time until January 24, 2014. Dkt. #24. Magistrate Judge Peter Oppeneer granted the motion. Dkt. #25.

Plaintiff's January 24 deadline has long since passed, but plaintiff has neither filed any new materials in support his motion for class certification nor requested another extension of time. I construe plaintiff's silence as an indication that he wishes to withdraw his motion. Accordingly, the motion for class certification, dkt. #5, is DENIED as moot.

Entered this 4th day of March, 2014.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge