

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**WILLIAM MATHIS and KENNEDY
DAVIS**, *individually and on behalf of all
others similarly situated*,

Plaintiffs,

v.

**UNITED STATES PAROLE
COMMISSION**, *et al.*,

Defendants.

Case No. 1:24-cv-01312 (TNM)

MEMORANDUM ORDER

In tandem with their Motion for Preliminary Injunction (ECF No. 3), Plaintiffs William Mathis and Kennedy Davis (together, “the Parolees”) also filed a Motion for Class Certification and Appointment of Counsel (ECF No. 2). In that motion, the Parolees seek to represent this proposed class:

All people with a disability who are, or will be, on parole or supervised release in the District of Columbia under the Commission’s and CSOSA’s supervision, and who need accommodations in order to have an equal opportunity to succeed on parole or supervised release.

Compl. ¶ 129, ECF No. 1; *see also* Pls.’ Mot. Class Cert. at 1,¹ ECF No. 2-1. The Government has not responded to this motion; instead, it filed a Motion to Stay Class Certification Proceedings pending resolution of its Motion to Dismiss. *See* Defs.’ Mot. Stay Class Cert. Proceedings, ECF No. 20.

¹ The Court’s page citations refer to the pagination generated by CM/ECF.

The Court will deny without prejudice the Parolees’ class certification motion because they failed to consult with the Government before filing their nondispositive motion, in violation of Local Civil Rule 7(m). *See* Defs.’ Mot. Stay Class Cert. Proceedings at 3 n.1; Pls.’ Opp’n to Defs.’ Mot. Stay at 5 n.2, ECF No. 23; *see also Scott v. District of Columbia*, 87 F. Supp. 3d 291, 294 (D.D.C. 2015) (denying without prejudice motion for class certification “due to [a] pending Motion to Dismiss and Plaintiffs’ failure to comply with Local Civil Rule 7(m)”). Although the Court recognizes that no defense counsel had been assigned at the time of the motion’s filing, the Court finds that it will further the purposes of the rule to allow the parties to meet and confer before proceeding further.

For these reasons, it is hereby

ORDERED that Plaintiffs’ [2] Motion for Class Certification and Appointment of Class Counsel is DENIED WITHOUT PREJUDICE for failure to comply with Local Rule 7(m). It is further

ORDERED that Defendants’ [20] Motion to Stay Class Certification Proceedings is DENIED AS MOOT. It is further

ORDERED that the parties meet and confer regarding Plaintiffs’ [2] Motion for Class Certification and Appointment of Class Counsel and, within two weeks of the date of this Order, jointly submit a proposed schedule for further proceedings.

SO ORDERED.

Dated: September 5, 2024

TREVOR N. McFADDEN, U.S.D.J.