

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALLEN WOODS, et al. : **CIVIL ACTION**
:
:
v. : **NO. 17-4443**
:
SEAN MARLER :
:

ORDER

AND NOW, this 8th day of December 2017, upon considering the United States' Motion to strike class action allegations (ECF Doc. No. 6) and finding it is premature and the appropriate method of challenging class action allegations is in response to a motion for certification (if filed), it is **ORDERED** the United States' Motion (ECF Doc. No. 6) is **DENIED**.¹



KEARNEY, J.

¹ Dismissal of class claims before discovery and a motion to certify the class is the exception rather than the rule. *Whitaker v. Herr Foods, Inc.*, 198 F. Supp. 3d 476, 497 (E.D.Pa. 2016). Motions to strike class allegations made before a motion for certification are premature and the proper avenue is to respond if the plaintiff moves for class certification. *Id.*