

United States Court of Appeals For the First Circuit

No. 12-8033

CECIL BARRETT, JR., ET AL.,

Plaintiffs, Petitioners,

ANGELIQUE BASTIEN,

Plaintiff,

v.

OPTION ONE MORTGAGE CORPORATION, ET AL.,

Defendants, Respondents.

H & R BLOCK, INC., ET AL.,

Defendants.

Before

Howard, Stahl and Thompson,
Circuit Judges.

JUDGMENT

Entered: February 7, 2013

Plaintiff-Petitioners, pursuant to Fed. R. Civ. P. 23(f), seek leave from this court to appeal the district court's recent decertification of a class in a suit brought pursuant to the Equal Credit Opportunity Act, 15 U.S.C. §§ 1691-1691f, and the Fair Housing Act, 42 U.S.C. §§ 3601-3619. The requirements for interlocutory review of class action determinations are stringent, and, in our view, they have not been met here. See Waste Mgmt. Holdings, Inc. v. Mowbray, 208 F.3d 288, 293-94 (1st Cir. 2000) (setting out factors to be considered when deciding whether to allow review pursuant

to Rule 23(f)). Accordingly, the petition for leave to appeal is **DENIED**.

By the Court:

/s/ Margaret Carter, Clerk.

cc:

Kevin M. Costello

Wendy J. Harrison

Shennan Kavanagh

Gary Klein

Stuart T. Rossman

Samuel Howard Rudman

Kathleen Marie Guilfoyle

Elizabeth Lemond McKeen