

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**LINDA GIESEKE, et al., individually and
on behalf of other similarly situated persons,**

Plaintiffs,

v.

**FIRST HORIZON HOME LOAN
CORPORATION, et al.,**

Defendants.

CIVIL ACTION

No. 04-2511-CM

ORDER

In Doc. 880, the parties jointly requested stays and extensions of time for certain deadlines in this case. Magistrate Judge Rushfelt addressed these requests in his November 20, 2007 order and during a telephone conference held on November 27, 2007. He left one issue for the district court to determine: whether to toll the statute of limitations for the Rule 23 claims contained in plaintiffs' proposed Second Amended Complaint for the members of the classes defined therein until the earliest of defendants filing a response to plaintiffs' motion for leave to amend, the parties settling this case, or plaintiffs filing their second amended complaint. In light of recent developments and the parties' mediation scheduled for today, the court determines that tolling as proposed by the parties is appropriate. The parties' jointly-requested relief is granted.

IT IS SO ORDERED.

Dated this 10th day of December 2007, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge