

B-7023-1
Designation of “Class Action” in Caption

(a) In any case sought to be maintained as a class action, the complaint shall bear next to its caption the legend “Complaint -- Class Action.” The complaint shall also contain a reference to the portion or portions of Rule 23, Federal Rules of Civil Procedure, under which it is claimed that the suit is properly maintained as a class action.

(b) Unless it is not practicable within the meaning of Rule 23(c)(1) of the Federal Rules of Civil Procedure to do so, a person seeking certification of a class action shall file a motion seeking class certification within ninety (90) days of the filing of a complaint brought as a class action. In ruling upon such a motion, the court may allow the action to be maintained as a class action, may disallow the action to be so maintained, or may order postponement of the determination pending discovery or other such preliminary procedures as appear to be appropriate and necessary in the circumstances. Whenever possible, where it is held that the determination should be postponed, a date will be fixed by the court for renewal of the motion.

(c) The provisions of this Rule shall apply, with appropriate adaptations, to any counterclaim or crossclaim alleged to be brought for or against a class.