


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

<b>ROBERT HURWITZ</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	<b>NO. 15-711</b>
<b>LRR ENERGY L.P., et al</b>	:	

**ORDER**

**AND NOW**, this 29th day of December 2017, upon considering Defendants’ Motions for summary judgment (ECF Doc. Nos. 81, 89), Plaintiff’s Opposition (ECF Doc. No. 108), Defendants’ Reply (ECF Doc. Nos. 114), following oral argument and finding, after overcoming Defendants’ motions to dismiss (ECF Doc. No. 37), Plaintiff is entitled to complete discovery on the claims common to the Class he seeks to represent before finding no genuine issues of material fact as to a material omission or misrepresentation in the Proxy or Registration Statement<sup>1</sup>, it is **ORDERED** Defendants’ Motions (ECF Doc. No. 81, 89) are **DENIED without prejudice** to be renewed consistent with Paragraph 8 of our August 2, 2017 Order (ECF Doc. No. 66) if discovery shows there are no genuine issues of material fact precluding judgment as a matter of law in Defendants’ favor.

  
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**KEARNEY, J.**

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<sup>1</sup> In putative class actions and consistent with Fed.R.Civ.P. 1, we specifically allow parties to move for summary judgment on the Plaintiff’s individual claims contemporaneous with a motion for class certification should the Plaintiff allege claims unique to him or the parties have completed discovery on dispositive issues. In response to Defendants’ motions which partially seek untimely reconsideration of the March 13, 2017 Order denying their motions to dismiss, Plaintiff has shown good cause with specified reasons under Fed.R.Civ.P. 56(d) for his present inability to fully marshal facts essential to justify his Opposition to Defendants’ several arguments which rely in some part on alleged undisputed disclosures and accounting treatment.