

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 04-5448

September Term, 2005

GUADALUPE L. GARCIA FOR HIMSELF AND ON BEHALF OF G.A. GARCIA AND SONS FARM,
ET AL.,

APPELLANTS

v.

MICHAEL JOHANNIS, SECRETARY, UNITED STATES DEPARTMENT OF AGRICULTURE,
APPELLEE

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT
FILED
MAR 31 2006
CLERK

Consolidated with 05-5002

Appeals from the United States District Court
for the District of Columbia
(No. 00cv02445)

Before: SENTELLE and HENDERSON, *Circuit Judges*, and EDWARDS, *Senior Circuit Judge*.

JUDGMENT

These causes came on to be heard on the record on appeal from the United States District Court for the District of Columbia and were argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the District Court's denial of class certification and dismissal of the failure-to-investigate claim asserted under ECOA be affirmed. The appeal of the APA's failure-to-investigate claim be dismissed and the case remanded to the district court for further proceedings, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY:

[Signature]
Michael C. McGrail
Deputy Clerk

MANDATE
Pursuant to the provisions of Fed. R. App. Pro. 41(a)
ISSUED: 5, 30, 06
BY: *[Signature]*, Deputy Clerk
ATTACHED: Appending Order
 Opinion
 Order on Costs

Date: March 31, 2006

Opinion for the court filed by Circuit Judge Henderson.

A True copy:

United States Court of Appeals
for the District of Columbia Circuit
By: *[Signature]* Deputy Clerk