



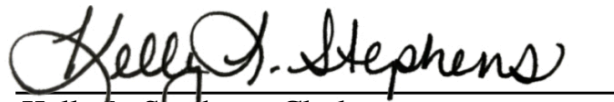
Nos. 23-0303/0304/0305/0306/0307

-2-

definitive test for granting permission to appeal, but factors we consider include: (1) whether the petitioner is likely to succeed on appeal under the deferential abuse-of-discretion standard; (2) whether the cost of continuing the litigation for either party presents such a barrier that subsequent review is hampered; (3) whether the case presents a novel or unsettled question of law; and (4) the procedural posture of the case before the district court. *Delta Air Lines*, 310 F.3d 960. Having considered the parties' pleadings, the amicus briefs, and the record, we conclude that interlocutory review of the district court's order certifying a class action is appropriate.

Accordingly, the petitions for permission to appeal and the motions for leave to file a reply brief and to file an amicus brief are **GRANTED**.

ENTERED BY ORDER OF THE COURT

  
\_\_\_\_\_  
Kelly L. Stephens, Clerk