

means for asserting the rights of those who would not have a realistic day in court if the class action were not available . . . ; and (3) to deter inconsistent results, assuring a uniform, singular determination of rights and liabilities." *Buford v. H&R Block, Inc.*, 168 F.R.D. 340, 345 (S.D.Ga. 1996) (citing *American Pipe and Constr. Co. v. Utah*, 414 U.S. 538, 550 (1974); *Phillips Petroleum Co. v. Shutts*, 472 U.S. 797, 809 (1985); and *First Federal of Michigan v. Barrow*, 878 F.2d 912, 919 (6th Cir. 1989)).

Schneider filed an amended complaint seeking certification of a class:

consisting of all persons who are residents of the State of Nebraska who own an interest in land in the State of Nebraska constituting part of a railroad corridor on which a railroad company had a right to operate a railroad, and which corridor is now or has been occupied or controlled for trail use by reason of Trail Use Orders issued by the Interstate Commerce Commission or the Surface Transportation Board pursuant to the National Trails System Act, 16 U.S.C. § 1241 et seq., and who have been damaged in the amount of \$10,000 or less by being deprived of their rights to possession, control, and enjoyment of their land as a result of such Trail Use Orders, or who waive claims exceeding \$10,000 for such damages.

Schneider's Amended Class Action Complaint at ¶ 8 (Filing No. 62 in 8:99CV0315). Under the federal rules, an action may be certified as a class action if (1) the class is so numerous that joinder of all the members is impracticable, (2) there are common