

orders concerning proceedings therein as may tend to avoid unnecessary costs or delay."

FED.R.CIV.P. 42(a).

Both cases present common issues of law and fact. Neither the co-defendants nor the plaintiffs in either case have voice objections to consolidation.

It is hereby **ORDERED** that:

1. Civil Action No. 08-0704-CG-N and Civil Action No. 09-0432-WS-M should be and hereby are **CONSOLIDATED**. Such consolidation shall not preclude entry of a new scheduling order in the consolidated matter.

2. The clerk of the court is hereby **DIRECTED** to extract documents 1 through 32 from Civil Action No. 09-0432-WS-M and make those documents a part of Civil Action No. 08-0704-CG-N.

3. The court finds that no present reason exists to maintain Civil Action No. 09-0432-WS-M as an open file. Therefore, the clerk is **DIRECTED** to submit a form JS-6 to the Administrative Office which indicates that such file is statistically closed and thus removed from the pending docket of this court. The clerk shall thereafter maintain Civil Action No. 09-0432-WS-M as a closed file.

This matter is referred to Magistrate Nelson for entry of an amended scheduling order.

DONE and ORDERED this the 28th day of September, 2009.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE