

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

COLBY ISTRE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION 16-0328-WS-N
)	
MONTCO OFFSHORE, INC., et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the motion of the remaining parties to consolidate. (Doc. 260). The plaintiff and the remaining defendants (collectively, “Schat-Harding”) ask the Court to consolidate this case with Civil Action No. 17-0193-WS-N. The latter action, in which Schat-Harding sues PT Schneider Electric Manufacturing Batam (“Schneider”), was carved out of this one only a month ago, without objection from the movants; they now seek to reverse the action in which they recently acquiesced. (Docs. 256-57).

The movants state that, when this action was transferred from the Eastern District of Louisiana in June 2016, they had resolved the claims between them, with both parties agreeing to pursue claims against Schneider. The movants note that the plaintiff filed claims against Schneider in December 2015 that mirror those raised by Schat-Harding in its third-party complaint (now Civil Action No. 17-0193). Thus, the movants conclude, the actions should be consolidated to avoid the redundancy of trying “essentially the same claims” in two actions. (Doc. 260 at 1-2).

The plaintiff did indeed add Schneider as a defendant in December 2015. (Doc. 198). However, in March 2016 the Court dismissed those claims without prejudice for want of personal jurisdiction, (Doc. 207), an order later made final

under Rule 54(b). (Doc. 216). The only claims remaining in this action are those of the plaintiff against Schat-Harding. Since there are no overlapping (much less identical) claims between the two actions, the motion to consolidate them is **denied**.

The movants acknowledge that all claims between them in this lawsuit have been resolved by settlement. (Doc. 260 at 1). The movants are therefore **ordered** to show cause, on or before **June 21, 2017**, why this action should not be dismissed.

DONE and ORDERED this 7th day of June, 2017.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE