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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

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9 Sandra Todd, )

CV 12-00129-PHX-FJM  
CV 12-01643-PHX-NVW

10 Plaintiff, )

**ORDER**

11 vs. )

12 )

13 Chase Manhattan Mortgage Corp.; Chase  
Home Finance LLC; Chase Fulfillment  
Services, )

14 Defendants. )

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16 \_\_\_\_\_ )

17 Sandra Todd, )

18 Plaintiff, )

19 vs. )

20 )

21 JPMorgan Chase Bank N.A.; Cal-Western  
Reconveyance Corp.; United States  
Department of Housing and Urban  
Development, )

22 Defendants. )

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26 The court has before it defendant JPMorgan Chase Bank, N.A.'s ("Chase") motion to  
27 consolidate (doc. 42). The motion is not fully briefed.

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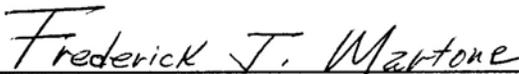
Chase seeks to consolidate a second action recently filed by plaintiff Sandra Todd and

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1 removed to this court. Chase argues that the second action, which also challenges the legality  
2 of the 2010 Trustee's Sale of plaintiff's home, is appropriate for consolidation with this  
3 action. We may consolidate cases when they involve a "common question of law or fact."  
4 Fed. R. Civ. P. 42(a). However, we have granted a motion to dismiss the remaining breach  
5 of contract claim. This action, accordingly, is already at an end. Judicial economy would  
6 not be served by consolidation of a newly-filed action with one that has already reached a  
7 conclusion. Moreover, although both actions revolve around a challenge to the Trustee's  
8 Sale, the newly-filed action asserts claims of fraud and racketeering. These claims will likely  
9 raise new issues of law and fact not previously considered by this Court. In sum, we  
10 conclude that consolidation of these cases is neither judicially efficient nor necessary.

11 **IT IS ORDERED DENYING** defendant JPMorgan Chase Bank, N.A.'s ("Chase")  
12 motion to consolidate (doc. 42).

13 DATED this 23<sup>rd</sup> day of August, 2012.

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16 Frederick J. Martone  
17 United States District Judge  
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