

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**WO**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Jesse Dupris,

Plaintiff,

vs.

Selanhongva McDonald, et al.,

Defendants.

No. CV-08-8132-PCT-LOA

Jeremy Reed,

Plaintiff,

vs.

Selanhongvea McDonald, et al.,

Defendants.

No. CV-08-8133-PCT-PGR

CONSOLIDATION ORDER

Having considered Defendant United States' Motion to Transfer and Consolidate Cases (doc. #14 in CV-08-8132-PCT-LOA), to which no objection has been timely filed, the Court finds that the two cases are sufficiently related as to merit consolidation for at least pretrial purposes pursuant to Fed.R.Civ.P. 42(a) and LRCiv 42.1(a).<sup>1</sup>

<sup>1</sup>

Although the consolidation motion would normally be heard by the

1 The Court further finds in the interest of judicial economy that the  
2 consolidated cases should be assigned to the undersigned district judge pursuant  
3 to LRCiv 42.1(a)(4). Therefore,


4 IT IS ORDERED that Defendant United States' Motion to Transfer and  
5 Consolidate Cases (doc. #14 in CV-08-8132-PCT-LOA) is granted to the  
6 following extent:

7 (1) Dupris v. McDonald, CV-08-8132-PCT-LOA, is transferred to the  
8 Honorable Paul G. Rosenblatt for all further purposes;

9 (2) Reed v. McDonald, CV-08-8133-PCT-PGR, is consolidated into Dupris  
10 v. McDonald, CV-08-8132-PCT-PGR, for all pretrial purposes.<sup>2</sup>

11 IT IS FURTHER ORDERED that all future documents filed in this action,  
12 until otherwise ordered by the Court, shall be filed in Dupris v. McDonald, CV-08-  
13 8132-PCT-PGR.

14 DATED this 10<sup>th</sup> day of February, 2009.

15  
16  
17   
18 Paul G. Rosenblatt  
United States District Judge

19  
20 \_\_\_\_\_  
21 judge with the lower case number pursuant to LRCiv 42.1(a), who would be  
22 Magistrate Judge Anderson, the Court notes that LRCiv 42.1(a) is currently being  
23 redrafted to require that the district judge decide such a motion when the cases at  
24 issue are assigned to both a district judge and a magistrate judge and the  
25 magistrate judge has the lower case number. In the exercise of the Court's  
26 discretion, and with the concurrence of Magistrate Judge Anderson, the  
undersigned district judge is deciding the consolidation motion. See LRCiv 83.6.

2

No determination is being made at this time as to whether the two  
cases should be consolidated for trial purposes.