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7 **United States District Court**
8 **Central District of California**
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10 CRAIG ROSS; NATALIE OPERSTEIN,

11 Plaintiffs,

12 v.

13 THE BOARD OF TRUSTEES OF
14 CALIFORNIA STATE UNIVERSITY,

15 Defendant.
16

Case № 2:16-cv-03778-ODW-JC

**ORDER DENYING PLAINTIFFS’
MOTION TO REOPEN CASE [21]**

17 Plaintiffs filed this action as an application for a temporary restraining order on
18 May 31, 2016, and on June 14, 2016, the Court denied the application. (ECF Nos. 1,
19 13.) The Order was made without prejudice as to Plaintiffs’ ability to exhaust their
20 administrative remedies. (Order 5.)

21 Over eleven months later, Plaintiffs filed a motion to reopen the case and file a
22 Complaint therein.¹ However, on the same day, they filed a new case in the Central
23 District of California, styled as Craig Ross et al. v. Timothy P. White et al., case
24 number 2:17-cv-4149.

25 Because Plaintiffs’ newly-filed case appears to be based around the same
26 operative allegations as this case, and because the Defendants in both cases are
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28 ¹ After considering the papers filed in connection with the Motion, the Court deems the matter appropriate for decision without oral argument. Fed. R. Civ. P. 78(b); C.D. Cal. R. 7-15.

1 substantially the same or identical,² the Court will not allow Plaintiffs to reopen this
2 case. Plaintiffs cannot have pending before this Court two simultaneous cases with
3 the same allegations and defendants. As such, Plaintiffs' Motion to Reopen Case is
4 **DENIED AS MOOT**, given that the relief they seek (filing a complaint) has already
5 been obtained in case number 2:17-cv-4149.

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7 **IT IS SO ORDERED.**

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9 July 6, 2017

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12 **OTIS D. WRIGHT, II**
13 **UNITED STATES DISTRICT JUDGE**

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28 ² In the instant case, Plaintiffs name as a singular defendant the Board of Trustees of California State University, and in the 2017-filed case, Plaintiffs name as defendants each of the individual members of the Board of Trustees.