

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SA CV 12-0943-DOC(RNBx)
SA CV 12-5654-DOC(RNBx)

Date: August 20, 2012

Title: NATIONAL UNION FIRE INSURANCE COMPANY ET AL. V. MGA ENTERTAINMENT INC. ET AL.; EVANSTON INSURANCE COMPANY V. MGA ENTERTAINMENT INC. ET AL.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Julie Barrera
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

PROCEEDING (IN CHAMBERS): ORDER TO SHOW CAUSE WHY THESE CASES SHOULD NOT BE COMBINED AND SETTING STATUS CONFERENCE

Before the Court are two cases filed against the same Defendants, MGA Entertainment Inc. And Isaac Larian (“Defendants”): (1) *National Fire Insurance Company et al. v. MGA Entertainment Inc. et al.*, SA CV 12-0943-DOC(RNBx) (“12-0943”); and (2) *Evanston Insurance Company v. MGA Entertainment Inc. et al.*, SA CV 12-5654-DOC(RNBx) (“12-5654”).

The Court is intimately familiar with the factual predicate of these cases, which appear to share the: (1) same causes of action for reimbursement and unjust enrichment against Defendants as insureds of Plaintiffs; and (2) some factual allegations against Defendants regarding their activities in the underlying litigation. The Court previously resolved, in a single case, several disputes between Plaintiffs and Defendants regarding the underlying action. *See MGA Entertainment Inc. et al. v Hartford* . , SA CV 08-0457-DOC(RNBx).

Accordingly, the **Court ORDERS Plaintiffs to SHOW CAUSE** why these cases should not be combined. **Plaintiff shall file** a response to this Order of **no more than 4 pages** on or before **August 22, 2012**. Failure to file a response to this Order shall be deemed consent to consolidating these cases.

If any of the Defendants in these three actions wishes to file a response to this Order or a reply to Plaintiff’s response, they must do so in a brief of **no more than 4 pages** on or before **August**

MINUTES FORM 11 DOC
CIVIL - GEN

Initials of Deputy Clerk: jcb
Page 1 of 2

23, 2012. Failure to file shall be deemed consent to consolidating these cases.

The Court also SCHEDULES a status conference at which *all* parties in both cases shall appear before this Court **on August 24, 2012**, at 10:30 a.m.

If no party files a brief opposing consolidation by the deadlines imposed herein, then this Court ORDERS that, after the status conference on **August 24, 2012**:

- The following two cases are consolidated into one: (1) *National Fire Insurance Company et al. v. MGA Entertainment Inc. et al.*, SA CV 12-0943-DOC(RNBx)(“12-0943”); and (2) *Evanston Insurance Company v. MGA Entertainment Inc. et al.*, SA CV 12-5654-DOC(RNBx)(“12-5654”).
- The heading of the consolidated case shall be *National Fire Insurance Company et al. v. MGA Entertainment Inc. et al.*, SA CV 12-0943-DOC(RNBx).
- **On or before August 29, 2012**, Plaintiffs shall file an Amended Complaint in the consolidated case that shall include all defendants that Plaintiffs intend to keep in the consolidated case
- **On or before September 26, 2012**, all defendants in the consolidated case shall file an Answer to the Amended Complaint
- Any motions, pleadings, or answers filed prior to consolidation on August 24, 2012, shall be struck and must be refiled to be considered by this Court.

The Clerk shall serve a copy of this minute order on counsel for all parties in this action.