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EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

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NATIONAL RAILROAD PASSENGER 7 CORPORATION,

1:12-cv-775 AWI-BAM

ORDER DIRECTING PLAINTIFFS TO

RETURN CONSENT FORMS

8 9

v.

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CAMARGO TRUCKING, et al.,

Defendants.

Plaintiff,

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On January 7, 2012, the Court granted National Railroad Passenger Corporation and BNSF Railway Company's Motions to Consolidate action numbers 1:12-cv-775 AWI-BAM, with action numbers 1:12-cv-1234 AWI-BAM, 1:12-cv-1359 AWI-BAM, 1:12-cv-1554 AWI-BAM, 1:12-cv-1576 AWI-BAM, and 1:12-cv-1923 AWI-BAM, all arising from the same train accident. Prior to that date, parties National Railroad Passenger Corporation, BNSF Railway Company, Luis Camargo, and Joyce Soriano-McDowell filed a consent to jurisdiction of the United States Magistrate Judge Barbara A. McAuliffe for all purposes, including trial. Plaintiffs Marc Alexander Bennett, Billy Gene Olveda, Sabrina Combs and Rubiela Behrens ("Remaining Passenger Plaintiffs") have not yet affirmatively indicated whether they consent to or decline magistrate judge jurisdiction. Accordingly, the Remaining Passenger Plaintiffs are **ORDERED** to affirmatively indicate whether they consent to or decline the jurisdiction of the U.S. Magistrate Judge pursuant to 28 U.S.C. § 636 (C) by completing and filing the consent form attached at 1:12-cv-775 AWI-BAM, Docket Entry 6, with the Clerk's Office no later than **January 21, 2013.**

division—more than twice the national average for District Judges—Plaintiffs are strongly encouraged

Due to the overwhelming caseload already assigned to the two U.S. District Judges in this

to consider consenting to the jurisdiction of the U.S. Magistrate Judge pursuant to 28 U.S.C. § 636(C) for all purposes including trial and entry of Judgment. Consent to a Magistrate Judge does not, in any way, affect a party's legal rights, including the right to a jury trial. Plaintiffs are advised that there will be no adverse substantive consequences if they choose not to consent as provided by FED.R.CIV.P. 73(b)(2). IT IS SO ORDERED. **Dated: January 8, 2013** /s/ Barbara A. McAuliffe UNITED STATES MAGISTRATE JUDGE