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6 **UNITED STATES DISTRICT COURT**

7 **EASTERN DISTRICT OF CALIFORNIA**
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9 PAUL WELDON,

10 Plaintiff,

11 v.

12 JERRY DYER, et al.,

13 Defendants.

Case No. 1:13-cv-00540-LJO-SAB

ORDER CONSOLIDATING CASE

14 PAUL WELDON,

15 Plaintiff,

16 v.

17 ECONOMY TOWING, et al.,

18 Defendants.

Case No. 1:14-cv-00549---SKO

New Case No. 1:14-cv-00549-LJO-SAB

ORDER REASSIGNING AND
CONSOLIDATING CASE

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21 Plaintiff Paul Weldon (“Plaintiff”) filed two actions: the first on April 15, 2013 and the
22 second on April 18, 2014. The complaints in both action are similar in that they both concern an
23 April 18, 2011 incident where Plaintiff was pulled over by police officer John Conlee and
24 Plaintiff’s car was towed.

25 Federal Rule of Civil Procedure 42 provides that “[i]f actions before the court involve a
26 common question of law or fact, the court may . . . consolidate the actions. . . .” Fed. R. Civ. P.
27 42 (a)(2). “The district court has broad discretion under this rule to consolidate cases pending in
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1 the same district.” Investors Research Co. V. U.S. Dist. Court for Cent. Dist. of California, 877
2 F.2d 777 (9th Cir. 1989). In determining whether to consolidate cases, “a court weighs the
3 interest of judicial convenience against the potential for delay, confusion and prejudice caused by
4 consolidation.” Southwest Marine, Inc. v. Triple A Mach. Shop, Inc., 720 F.Supp. 805, 807
5 (N.D. Cal. 1989).

6 These actions contain identical allegations involving the police officer and what is likely
7 to be the same towing company (identified as “Econo Towing” in one action and “Economy
8 Towing” in the other). There is little, if any, danger of delay, confusion or prejudice by
9 consolidating these actions. Further, consolidation will maximize the Court’s scarce resources.
10 Therefore, consolidation of these actions is appropriate.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The Clerk’s Office is directed to reassign the following case to the docket of
13 United States District Judge Lawrence J. O’Neill and United States Magistrate
14 Judge Stanley A. Boone:
 - 15 a. Weldon v. Economy Towing, No. 1:14-cv-00549---SKO, the new case number
16 shall be 1:14-cv-00549-LJO-SAB;
- 17 2. The Clerk’s Office is directed to consolidate Weldon v. Dyer, Case No. 1:13-cv-
18 00540-LJO-SAB and Weldon v. Economy Towing, No. 1:14-cv-00549-LJO-
19 SAB;
- 20 3. Weldon v. Dyer, Case No. 1:13-cv-00540-LJO-SAB shall be designated as the
21 lead case; and
- 22 4. The parties are instructed to file all documents in Case No. 1:13-cv-00540-LJO-
23 SAB

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25 IT IS SO ORDERED.

26 Dated: June 12, 2014

/s/ Lawrence J. O’Neill
UNITED STATES DISTRICT JUDGE