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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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11 KENNETH JOHN MALINOWSKI,

12 Plaintiff,

13 vs.

MISC. NO. 2:09-14 WBS EFB

14 UNKNOWN,

RELATED CASE ORDER

15 Defendants.
16 _____/

17
18 UNITED STATES OF AMERICA,

19 Plaintiff,

20 vs.

CIV. NO. 2:10-2362 WBS JFM

21 KENNETH JOHN MALINOWSKI,

22 Defendant.
23 _____/

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25 Examination of the above-entitled actions reveals that
26 these actions are related within the meaning of Local Rule
27 123(a)(2) because they involve the same U.C.C. Financing
28 Statement. Although the undersigned is the assigned judge for
both cases, different magistrate judges are assigned and the


1 magistrate judge in the earlier case reviewed the documents and
2 issued several orders. Accordingly, the assignment of the
3 matters to the same magistrate judge is likely to effect a
4 substantial saving of judicial effort and is also likely to be
5 convenient for the parties.

6 The parties should be aware that relating the cases
7 under Local Rule 123 merely has the result that both actions are
8 assigned to the same judge; no consolidation of the actions is
9 effected. Under the regular practice of this court, related
10 cases are generally assigned to the judge and magistrate to whom
11 the first filed action was assigned.

12 IT IS THEREFORE ORDERED that the actions denominated
13 Malinowski v. Unknown, Misc. No. 2:09-14 WBS EFB, and United
14 States v. Malinowski, 2:10-2362 WBS JFM be, and the same hereby
15 are, deemed related and the case denominated United States v.
16 Malinowski, Civ. No. 2:10-2362 WBS JFM be shall remain with the
17 undersigned and be reassigned to Magistrate Judge Edmund F.
18 Brennan for all further proceedings. Henceforth, the caption on
19 documents filed in the reassigned case shall be shown as United
20 States v. Malinowski, Civ. No. 2:10-2362 WBS EFB.

21 IT IS FURTHER ORDERED that the Clerk of the Court
22 make appropriated adjustment in the assignment of civil cases to
23 compensate for this reassignment.

24 DATED: September 16, 2010

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26 
27 WILLIAM B. SHUBB
28 UNITED STATES DISTRICT JUDGE