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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MURRAY STANFORD,

Petitioner,

No. CIV S-10-438 FCD DAD P

vs.

WARDEN GONZALES,

Respondent.

_____ /

RUDY MAMARIL,

Petitioner,

No. CIV S-10-1431 CMK

vs.

GARY SWARTHOUT,

Respondent.

ORDER

_____ /

The court has received a Notice of Related Cases filed by respondents concerning the above-captioned cases filed August 9, 2010. See Local Rule 123, E.D. Cal. (2010).

Examination of Civil No. S-10-438 FCD DAD and Civil No. S-10-1431 CMK reveals that these two cases are related within the meaning of Local Rule 123(a). Assignment of these cases to the same Magistrate Judge is likely to effect a substantial savings of judicial effort,

1 whereas substantial duplication of labor would result if the actions were heard by different
2 District Judges or Magistrate Judges.

3 The parties should be aware that relating the cases under Local Rule 123(a)
4 merely has the result that the related cases are assigned to the same judge; no consolidation of the
5 actions is effected. Under the regular practice of this court, related cases are generally assigned
6 to the judge and magistrate judge to whom the first filed action was assigned. In Case No. CIV
7 S-10-1431 CMK, the parties have consented to have a United States Magistrate Judge conduct all
8 proceedings in the case. In Case No. CIV S-10-438 FCD DAD, the parties have not so
9 consented.

10 Therefore, IT IS ORDERED that the action denominated as CIV S-10-1431 CMK
11 is reassigned to Magistrate Judge Dale A Drozd for all further proceedings. Henceforth, the
12 caption on documents filed in the reassigned case shall be shown as No. CIV S-10-1431 DAD.
13 The Magistrate Judge and District Judge assigned to case No. CIV S-10-438 FCD DAD will
14 remain the same.

15 IT IS FURTHER ORDERED that the Clerk of the Court make appropriate
16 adjustment in the assignment of civil cases to compensate for this reassignment.

17 DATED: August 25, 2010.

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19 
20 _____
21 DALE A. DROZD
22 UNITED STATES MAGISTRATE JUDGE

21 DAD:8
22 stanford438.relate