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

TOMMIE EWING,  
Plaintiff, No. CIV 10cv0452-GEB-JFM (PS)

vs.

PATRICK R. DONAHUE<sup>1</sup>, *Postmaster  
General, United States Postal Service,*  
Defendant.

TOMMIE EWING,  
Plaintiff, No. CIV 11cv2568-MCE-GGH (PS)

vs.

PATRICK R. DONAHUE, *Postmaster  
General, United States Postal Service,*  
Defendant.

RELATED CASE ORDER

The court has received the Notice of Related Cases filed September 29, 2011.  
Examination of the above-entitled actions reveals that the actions are related within the meaning  
of Local Rule 123(a). The actions involve the same parties, and are based on the same or similar  
claims, the same property, transaction or event, similar questions of fact and the same question

<sup>1</sup> Plaintiff complaint was brought against John E. Potter as the Postmaster General. On  
October 25, 2010, however, Patrick R. Donahue was appointed as the new Postmaster General.

1 of law. Accordingly, the assignment of the matters to the same judge and magistrate judge is  
2 likely to effect a substantial savings of judicial effort and is also likely to be convenient for the  
3 parties.

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

8 Accordingly, IT IS ORDERED that:

9 1. The action denominated 2:11-cv-2568-MCE-GGH, Ewing v. Donahue, be  
10 reassigned to Judge Garland E. Burrell, Jr., and Magistrate Judge John F. Moulds for all further  
11 proceedings;

12 2. Any dates currently set in this reassigned case only are hereby VACATED.  
13 Defendant in the reassigned case shall contact Judge Moulds's courtroom deputy, Jonathan  
14 Anderson, to reschedule the motion to dismiss before the undersigned;

15 3. An initial scheduling conference will be scheduled, as appropriate, following  
16 disposition of defendant's pending motion to dismiss for lack of jurisdiction;

17 4. Henceforth, the caption on documents filed in the reassigned case shall be  
18 shown as 2:11-cv-2568-GEB-JFM; and

19 5. The Clerk of the Court shall make appropriate adjustment in the assignment of  
20 civil cases to compensate for this reassignment.

21 DATED: November 7, 2011.

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24 UNITED STATES MAGISTRATE JUDGE

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