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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS T. AOKI, M.D., an individual, and AOKI DIABETES RESEARCH INSTITUTE, a California Non-Profit Corporation,

No. 2:11-cv-02797-MCE-CKD

Plaintiffs,

v.

GREGORY FORD GILBERT, an individual, et al.,

Defendants.

RELATED CASE ORDER

KENNETH MURRAY,

No. 2:12-cv-01334-GEB-GGH

Plaintiff,

v.

THOMAS T. AOKI, M.D. and AOKI DIABETES RESEARCH INSTITUTE,

Defendants.

The Court has received the Notice of Related Case filed on May 17, 2012.

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1 Examination of the above-entitled civil actions reveals that
2 these actions are related within the meaning of Local Rule 123(a)
3 (E.D. Cal. 1997). The actions involve many of the same
4 defendants and are based on the same or similar claims, the same
5 property transaction or event, similar questions of fact and the
6 same questions of law, and would therefore entail a substantial
7 duplication of labor if heard by different judges. Accordingly,
8 the assignment of the matters to the same judge is likely to
9 effect a substantial savings of judicial effort and is also
10 likely to be convenient for the parties.

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

17 IT IS THEREFORE ORDERED that the action denominated 2:12-cv-
18 01334-GEB-GGH, Kenneth Murray v. Thomas T. Aoki, M.D. and Aoki
19 Diabetes Research Institute is reassigned to Judge Morrison C.
20 England, Jr. and Magistrate Judge Carolyn K. Delaney for all
21 further proceedings, and any dates currently set in this
22 reassigned case only are hereby VACATED. The Clerk of the Court
23 is to issue an Order Requiring Joint Status Report. Henceforth,
24 the caption on documents filed in the reassigned case shall be
25 shown as 2:12-cv-01334-MCE-CKD.

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

4 IT IS SO ORDERED.

5 Dated: May 25, 2012



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8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE
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