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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 MORGAN HILL CONCERNED PARENTS
11 ASSOCIATION,

12 Plaintiff,

No. 11-cv-03471- KJM-AC

13 vs.

14 CALIFORNIA DEPARTMENT OF EDUCATION,
et al.,15 Defendants.
16 _____/17 EVERETT H., *et al.*,

18 Plaintiffs,

No. 13-cv-00889-MCE-DAD

19 vs.

20 DRY CREEK JOINT ELEMENTARY SCHOOL
DISTRICT, *et al.*,ORDER ON RELATED
CASE REQUEST21 Defendants.
22 _____/23
24 Examination of the above-captioned actions reveals that they are not related
25 within the meaning of Local Rule 123(a). Under Local Rule 123(a), two actions are related
26 when:

- 1 (1) [B]oth actions involve the same parties and are based on the same
or a similar claim;
2 (2) both actions involve the same property, transaction, or event;
3 (3) both actions involve similar questions of fact and the same question
of law and their assignment to the same Judge or Magistrate Judge is likely to
4 effect a substantial savings of judicial effort, either because the same result should
follow in both actions or otherwise; or
5 (4) for any other reasons, it would entail substantial duplication of labor
if the actions were heard by different Judges or Magistrate Judges.

6 Local Rule 123(a)(3).

7 Although both cases name the California Department of Education (CDE) as a
8 defendant, *Morgan Hill* focuses on CDE's alleged deficiencies throughout the state, whereas the
9 facts alleged in the *Everett H* complaint concern only one particular school. Thus, assigning
10 both cases to the same judge would not result in a substantial savings of judicial effort. The
11 court declines to reassign *Everett H* under Local Rule 123(c).

12 IT IS SO ORDERED.

13 DATED: July 31, 2013.

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16 UNITED STATES DISTRICT JUDGE
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