

1 NO CASINO IN PLYMOUTH, et al.,

2 Plaintiffs,

3 v.

4 RYAN HUNTER, et al.,

5 Defendants.

No. 2:20-cv-01358-MCE-KJN

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8 The Court has reviewed Defendants' Notice of Related Case (ECF No. 5) filed in 2:20-cv-
9 01358-MCE-KJN. Examination of the above-captioned actions reveals that they are related
10 within the meaning of Local Rule 123 (E.D. Cal. 1997). Pursuant to Rule 123 of the Local Rules
11 of the United States District Court for the Eastern District of California, actions are related when
12 they involve the same parties and are based on a same or similar claim; when they involve the
13 same transaction, property, or event; or when they "involve similar questions of fact and the same
14 question of law and their assignment to the same Judge . . . is likely to effect a substantial savings
15 of judicial effort." L.R. 123(a). Further,

16 [i]f the Judge to whom the action with the lower or lowest number
17 has been assigned determines that assignment of the actions to a
18 single Judge is likely to effect a savings of judicial effort or other
economies, that Judge is authorized to enter an order reassigning all
higher numbered related actions to himself or herself.

19 L.R. 123(c).

20 Here, the actions involve similar and sometimes overlapping parties, are based on the
21 same or similar background facts, and involve similar questions of law. At a minimum, it appears
22 the actions involve the review of the same lengthy administrative record. Consequently,
23 assignment to the same judge would "effect a substantial savings of judicial effort." L.R. 123(a),
24 see also L.R. 123(c).

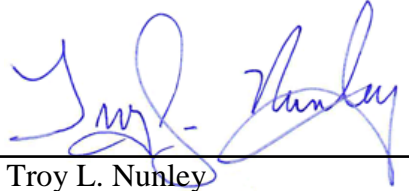
25 Relating the cases under Local Rule 123, however, merely has the result that both actions
26 are assigned to the same judge, it does not consolidate the actions. Under the regular practice of
27 this court, related cases are generally assigned to the judge and magistrate judge to whom the first
28 filed action was assigned.

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IT IS THEREFORE ORDERED that the action denominated 2:20-cv-01358-MCE-KJN is reassigned to District Judge Troy L. Nunley and Magistrate Judge Carolyn K. Delaney, and the caption shall read 2:20-cv-01358-TLN-CKD. Any dates currently set in 2:20-cv-01358-MCE-KJN are hereby VACATED, and the parties are ordered to refile any pending motions before this Court. The Clerk of the Court is to issue the Initial Pretrial Scheduling Order.

IT IS SO ORDERED.

DATED: August 3, 2020



Troy L. Nunley
United States District Judge