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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MT. HAWLEY INSURANCE COMPANY,
an Illinois corporation,

Plaintiff,

v.

JDS BUILDERS GROUP, INC., a
California corporation,

Defendant.

No. 2:13-cv-02228-GEB-AC

RELATED CASE ORDER

SCOTTSDALE INSURANCE COMPANY,
an Arizona corporation,

Plaintiff,

v.

JDS Builders Group, Inc., a
California corporation,

Defendant.

No. 2:13-cv-02495-JAM-AC

Scottsdale Insurance Company filed a "Notice of Related Cases" in which it states:

This case is related to Scottsdale Insurance Company v. JDS Builders Group, Inc., Case No. 2:13-cv-02495-JAM-AC, which was filed in this District on December 2, 2013 (the "Scottsdale Matter").

In the Scottsdale Matter, Scottsdale Insurance Company ("Scottsdale") filed a declaratory relief suit against its insured, JDS Builders Group, Inc. ("JDS"). Scottsdale alleges, *inter alia*, that JDS has no right to

1 Cumis Counsel or right to refuse an insurer
2 controlled defense in the underlying action
3 styled Doe v. Siracusa, California Superior
4 Court, Yolo County, Case No. P013-182 (the
5 "Underlying Action"). The Scottsdale Matter
6 is assigned to the Honorable John A. Mendez.

7 The current suit involves the same
8 defendant, JDS, as well as issues concerning
9 Cumis Counsel and an insurer-controlled
10 defense of that defendant in the Underlying
11 Action. Because the instant matter and the
12 Scottsdale Matter arise out of the same
13 Underlying Action, involve the same
14 defendant, JDS, and involve similar facts
15 and/or issues, Scottsdale believes that
16 reassignment of the Scottsdale Matter to
17 Judge Burrell (who is presiding over the
18 instant matter) would conserve judicial
19 resources and otherwise further the goal of
20 judicial economy.

21 (Notice of Related Case 2:3-23, ECF No. 11.)

22 Examination of the above-entitled actions reveals that
23 they are related within the meaning of Local Rule 123. Under the
24 regular practice of this Court, related cases are generally
25 assigned to the judge and magistrate judge to whom the first
26 filed action was assigned. Therefore, Case No. 2:13-cv-02495 is
27 reassigned to Judge Garland E. Burrell, Jr., and Magistrate Judge
28 Allison Claire for all further proceedings, and any date
29 currently set in the reassigned case is VACATED. Henceforth the
30 caption on documents filed in the reassigned case shall show the
31 initials "GEB-AC."

32 Further, a Status Conference is scheduled in Case No.
33 2:13-cv-02495 before the undersigned judge on March 3, 2014, at
34 9:00 a.m. A joint status report shall be filed no later than
35 fourteen (14) days prior.¹

36 ¹ The failure of one or more of the parties to participate in the
37 preparation of the Joint Status Report does not excuse the other parties from
38 their obligation to timely file a status report in accordance with this Order.

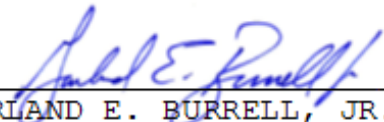
1 The Clerk of the Court shall make appropriate
2 adjustment in the assignment of civil cases to compensate for
3 this reassignment.

4 Dated: January 28, 2014

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GARIAND E. BURRELL, JR.
Senior United States District Judge

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In the event a party fails to participate as ordered, the party timely submitting the status report shall include a declaration explaining why it was unable to obtain the cooperation of the other party or parties.