

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PRIME HEALTHCARE SERVICES –  
SHASTA, LLC,

Plaintiff,

v.

SYLVIA MATHEWS BURWELL,  
Secretary of the Department of Health and  
Human Services,

Defendant.

No. 2:14-cv-02791-TLN-KJN;  
No. 2:15-cv-00154-TLN-KJN;  
No. 2:15-cv-00324-TLN-KJN;  
No. 2:15-cv-00400-TLN-KJN;  
No. 2:15-cv-00450-TLN-KJN;  
No. 2:15-cv-00473-TLN-KJN;  
No. 2:15-cv-00474-TLN-KJN;  
No. 2:15-cv-00709-TLN-KJN;  
No. 2:15-cv-01120-TLN-KJN;  
No. 2:16-cv-00230-TLN-KJN;  
No. 2:16-cv-02278-TLN-KJN;  
No. 2:16-cv-02521-TLN-KJN

**ORDER**

Plaintiff and Defendant are the sole parties to twelve related cases, which are identified in the caption (collectively, “Related Cases”). The parties have filed a Joint Motion to Consolidate Related Actions and Extend Time for Filing Amended Complaint. (ECF No. 74)<sup>1</sup> The parties have twice attempted to have the Related Cases consolidated. In the Court’s most recent Order on this subject, the Court denied this request without prejudice and instructed the parties to include a proposed amended complaint as an exhibit should they file another motion to

<sup>1</sup> The instant motion has been docketed in each of the Related Cases. For ease of reference, docket entries cited or referenced in this Order are taken from 2:14-cv-02791-TLN-KJN.

1 consolidate. (ECF No. 71.) As requested, the instant motion attaches a proposed consolidated  
2 amended complaint (“the Proposed Consolidated Complaint”) as an exhibit. (ECF No. 74 at 16–  
3 51.)

4 “The district court, in exercising its broad discretion to order consolidation of actions  
5 presenting a common issue of law or fact under Rule 42(a), weighs the saving of time and effort  
6 consolidation would produce against any inconvenience, delay, or expense that it would cause.”

7 *Huene v. United States*, 743 F.2d 703, 704 (9th Cir. 1984). Having carefully reviewed the  
8 parties’ submissions, including the Proposed Consolidated Complaint, the Court determines that  
9 consolidation is appropriate. Accordingly, the Court hereby GRANTS the Joint Motion to  
10 Consolidate Related Actions and Extend Time for Filing Amended Complaint.

11 IT IS HEREBY ORDERED that:

12 1. The following actions are consolidated before this Court for all purposes,  
13 including trial and all pretrial matters:

- 14 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
15 No. 2:14-cv-02791-TLN-KJN;
- 16 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
17 No. 2:15-cv-00154-TLN-KJN;
- 18 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
19 No. 2:15-cv-00324-TLN-KJN;
- 20 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
21 No. 2:15-cv-00400-TLN-KJN;
- 22 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
23 No. 2:15-cv-00450-TLN-KJN;
- 24 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
25 No. 2:15-cv-00473-TLN-KJN;
- 26 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case  
27 No. 2:15-cv-00474-TLN-KJN;
- 28 • *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

No. 2:15-cv-00709-TLN-KJN;

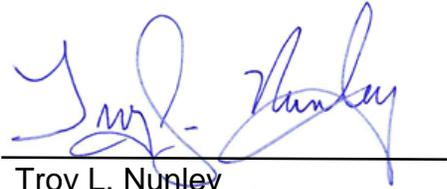
- *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case No. 2:15-cv-01120-TLN-KJN;
- *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case No. 2:16-cv-00230-TLN-KJN;
- *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case No. 2:16-cv-02278-TLN-KJN; and
- *Prime Healthcare Services – Shasta, LLC v. Sylvia Mathews Burwell*, Case No. 2:16-cv-02521-TLN-KJN.

2. Plaintiff shall have seven (7) days from the date this Order is entered to file the Proposed Consolidated Complaint. That filing shall be docketed solely on the docket for Case No. 2:14-cv-02791-TLN-KJN. Going forward no filing should be made under any of the other case numbers listed in the preceding paragraph.

3. Defendant shall have forty-five (45) days after service of the Proposed Consolidated Complaint to file an answer.

IT IS SO ORDERED.

Dated: January 9, 2018

  
\_\_\_\_\_  
Troy L. Nunley  
United States District Judge