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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, for the  
use and benefit of DKB, INC., a  
Washington corporation,

Plaintiff,

v.

TRAVELERS CASUALTY & SURETY  
COMPANY OF AMERICA, a Connecticut  
corporation, KOO CONSTRUCTION,  
INC., a California corporation,

Defendants.

No. 2:17-cv-01425-KJN

**ORDER**

UNITED STATES OF AMERICA, for the  
use and benefit of SHEPARD  
MECHANICAL CONTRACTORS, INC.,  
and SHEPARD MECHANICAL  
CONTRACTORS, INC.,

Plaintiffs,

v.

TRAVELERS CASUALTY & SURETY  
COMPANY OF AMERICA, a Connecticut  
corporation, KOO CONSTRUCTION,  
INC., a California corporation,

Defendants.

No. 2:17-cv-00094-KJN

1 Presently pending before the court are motions to consolidate the above-captioned  
2 matters. (DKB, Inc. v. Travelers Casualty & Surety Company of America, et al., 2:17-cv-01425-  
3 KJN, ECF No. 19; Sheppard Mechanical Contractors, Inc. v. Travelers Casualty & Surety  
4 Company of America, et al., 2:17-cv-00094-KJN, ECF No. 22.) Currently, these motions are set  
5 to be heard before the undersigned on January 25, 2018, at 10:00 a.m., in Courtroom 25.


6 On December 14, 2017, the court was notified that the parties in Sheppard Mechanical,  
7 2:17-cv-00094-KJN, have reached a settlement through the court's Voluntary Dispute Resolution  
8 Program. As a result, it appears that the pending motions to consolidate are now moot.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Parties in Sheppard Mechanical Contractors, Inc. v. Travelers Casualty & Surety  
11 Company of America, et al., 2:17-cv-00094-KJN, shall file dispositional documents  
12 by February 14, 2018.
- 13 2. Within fourteen (14) days of this order, parties in the above-captioned cases shall  
14 show cause as to why the hearing set for January 25, 2018 should not be vacated, and  
15 why the motions to consolidate (DKB, Inc., 2:17-cv-01425-KJN, ECF No. 19;  
16 Sheppard Mechanical, 2:17-cv-00094-KJN, ECF No. 22) should not be denied as  
17 moot.

18 IT IS SO ORDERED.

19 Dated: December 18, 2017

20   
21 KENDALL J. NEWMAN  
22 UNITED STATES MAGISTRATE JUDGE

23 14/17-1425 and 17-94. otc re consolidation hearing  
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