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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

United States District Court
Northern District of California

BRIAN SCOTT GUIDRY, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE
INTERIOR, et al.,

Defendants.

ALCATRAZ CRUISES, LLC

Cross-Claimant,

v.

GOLDEN GATE NATIONAL PARKS
CONSERVANCY,

Cross-Defendant.

Case No.: 12-cv-5639 JSC

**ORDER GRANTING
ADMINISTRATIVE MOTION TO
RELATE**

Now pending before the Court is Defendant/Cross-Claimant Alcatraz Cruises, LLC's ("Alcatraz") administrative motion to relate cases. (Dkt. No. 91.) Defendant United States of America has joined the motion. (Dkt. No. 92.) An action is related to another when: "(1) The actions

1 concern substantially the same parties, property, transaction or event; and (2) It appears likely that
2 there will be an unduly burdensome duplication of labor and expense or conflicting results if the
3 cases are conducted before different Judges.” N.D. Civ. L.R. 3-12(a). Both this action and the action
4 to be related (*American International Group, Inc. v. Golden Gate National Parks Conservancy*, 13-
5 5568) concern the same underlying personal injury incident, and the resulting dispute as to Golden
6 Gate National Parks Conservancy’s (“the Conservancy”) liability for its alleged failure to name
7 Alcatraz as an additional insured. Thus, both actions concern substantially the same parties, property,
8 transaction, or event. Further, if the cases are conducted before different judges, there will likely be
9 an unduly burdensome duplication of labor and expense given the similarities between the cases.

10 Although the Conservancy filed an opposition to the motion in the 13-5568 action, it did not
11 file the opposition in this action—the lower-numbered action—as required by the Local Rules. *See*
12 N.D. Cal. L.R. 3-12(e) (“Any opposition to or support of a Motion to Consider Whether Cases Should
13 be Related must be filed in the earliest filed case.”) In any event, the objection is unpersuasive as the
14 Conservancy’s argument—that the complaint in the 13-5568 action fails to state a claim—is
15 irrelevant to the standard for related cases under Local Rule 3-12.

16 Alcatraz’s motion to relate cases is accordingly GRANTED.

17
18 IT IS SO ORDERED.

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20 Dated: January 28, 2014

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23 JACQUELINE SCOTT CORLEY
24 UNITED STATES MAGISTRATE JUDGE
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