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

JACQUELINE C. MELCHER,

Appellant,

v.

JOHN W. RICHARDSON, Trustee in
Bankruptcy,

Appellee.

No. C 16-06123 WHA

No. C 16-05982 WHA

No. C 13-04930 WHA

**ORDER GRANTING IN PART
APPELLANT'S MOTION TO
CONSOLIDATE APPEALS**

Debtor Jacqueline Melcher filed multiple appeals in connection with her bankruptcy (3:16-cv-05851-WHA, 3:16-cv-05852-WHA, 3:16-cv-05853-WHA, 3:16-cv-05982-WHA, and 3:16-cv-06123-WHA). In yet another action (3:13-cv-04930-WHA), the Trustee's motion for sanctions against debtor is pending. These matters were reassigned to the undersigned following Judge Ronald Whyte's retirement. Following debtor's motion and the Trustee's consent thereto, the Court previously consolidated appeals 16-5851, 16-5852, and 16-5853, with 16-5851 as the lead case for all subsequent filings.

Debtor has now filed a new motion to consolidate. Her motion lists three matters — 16-5982, 16-6123, and 13-4930 — on its cover page, but is “not certain which case numbers belong to which fee appeal” (16-5982, Dkt. No. 6 at 5). The motion apparently seeks to combine her appeals from the bankruptcy court's September 26 and September 30 orders (*id.* at 1). These would correspond to appeals 16-5982 and 16-6123, respectively. And, although it is unclear, the motion also seems to request consolidation of 13-4930 on the basis that “the

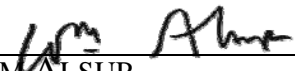
1 Trustee and his attorney's fees are entwined with the Sanctions Case [and] his attorney's fees
2 and expenses have been appealed which included the Bankruptcy Court's September 30, 2016
3 on [sic] ruling on sanctions" (*id.* at 4).

4 The Trustee does not oppose the consolidation of appeals 16-5982 and 16-6123 (16-
5 5982, Dkt. No. 7 at 1). He does, however, oppose the motion as to 13-4930, which remains
6 active because of the Trustee's motion for sanctions against debtor. Debtor failed to timely
7 respond to the Trustee's opposition by December 23.

8 Debtor's motion is **GRANTED IN PART**. Pursuant to FRCP 42, the appeals numbered 16-
9 5982 and 16-6123 are **CONSOLIDATED**. 16-5982 shall be the **LEAD CASE**. 16-6123 is
10 **ADMINISTRATIVELY CLOSED**. All subsequent filings in this matter must be made in the lead
11 case only. Debtor's motion to consolidate is **DENIED** as to 13-4930.

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13 **IT IS SO ORDERED.**

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15 Dated: December 27, 2016.

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18 WILLIAM ALSUP
19 UNITED STATES DISTRICT JUDGE
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