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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ALVETT FOBBS, et al.,

Plaintiffs,

No. C 09-2723 PJH

v.

**ORDER DENYING MOTION  
TO CONSOLIDATE CASES**

NEW HAVEN UNIFIED SCHOOL  
DISTRICT, et al.,

Defendants.

\_\_\_\_\_ /

Plaintiffs Alvett Fobbs, as guardian ad litem for Sterling S., a minor, and Teola Coleman, as guardian ad litem for Jalen L., a minor, seek an order pursuant to Federal Rule of Civil Procedure 42(a) consolidating the above-entitled action for all purposes with Paige v. New Haven Unified School Dist., C-09-0687 PJH. The court related these two actions pursuant to Civil Local Rule 3-12 on July 28, 2009.

Defendants New Haven Unified School District and the City of Union City, also defendants in the Paige case, oppose consolidation. Angelique Paige, plaintiff in the Paige case, does not oppose consolidation.

Having read the parties' papers and carefully considered their arguments, and good cause appearing, the court hereby DENIES the motion. Although there may be, as plaintiffs assert, some common questions of law and fact in the two cases, there also appear to be numerous legal and factual issues that are unrelated.

1           The court finds, on balance, that court efficiency would not be enhanced by  
2 consolidation, and that the maintenance of separate actions will not lead to a substantial  
3 risk of inconsistent adjudications, as the cases remain related on the court's docket. The  
4 parties are also free to stipulate to coordinated discovery events, should they find that  
5 advantageous.

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**IT IS SO ORDERED.**

Dated: December 18, 2009



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PHYLLIS J. HAMILTON  
United States District Judge