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28***E-FILED: February 13, 2012***

NOT FOR CITATION
 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

PIOTR J. GARDIAS,
 Plaintiff,

Nos. C09-05291 HRL
 C09-05611 HRL
 C10-03437 HRL
 C10-05637 HRL
 C11-03196 HRL

v.

THE CALIFORNIA STATE UNIVERSITY;
 SAN JOSE STATE UNIVERSITY,
 Defendant.

**ORDER (1) GRANTING DEFENDANT'S
 MOTION TO CONSOLIDATE CASES;
 (2) GRANTING PLAINTIFF'S MOTION
 TO AMEND COMPLAINTS; AND (3)
 SETTING CASE MANAGEMENT
 CONFERENCE**

[Re: Docket Nos. 19, 26]

Defendant moves for an order consolidating plaintiff's pending actions for all purposes, including trial. The court finds that consolidation will promote economy and efficiency, and that no party will be prejudiced. Accordingly, defendant's motion for consolidation is granted. Fed. R. Civ. P. 42(a). **The above-captioned actions shall be consolidated under the common case number, C09-05291HRL, and all future filings shall be made exclusively in that case.**

Gardias' request for a separate bench trial in Case No. C09-05291 is denied. In view of the consolidation, the clerk shall administratively terminate Case Nos. C09-05611HRL, C10-03437 HRL, C10-05637 HRL, and C11-03196 HRL.

Plaintiff moves for leave to amend the complaints filed in Case Nos. C10-03437HRL

1 and C10-05637HRL. Specifically, he wishes to delete the following claims and allegations
2 from his complaint in Case No. C10-03437HRL: (1) claims based on race, color, and national
3 origin; (2) allegations that Anton Kashiri made an offensive remark about Jesus Christ;
4 (3) allegations that plaintiff suffered an anxiety attack on June 30, 2010 because of Adam
5 Bayer's behavior; and (4) allegations concerning a July 2010 suspension and a denial of
6 medical benefits for Gardias and his wife. As for Case No. C10-05637HRL, plaintiff wishes to
7 delete the following allegations that, in July 2010, Adam Bayer accused him of poor work
8 performance. The court will treat Gardias' motion to amend as a request for voluntary
9 dismissal. His motion is granted, and the above-described claims and allegations are dismissed.

10 The parties shall appear for a case management conference on **April 3, 2012, 1:30 p.m.**
11 in Courtroom 2 to discuss, among other things, setting a deadline for hearing dispositive
12 motions in the now consolidated action. A joint case management statement shall be filed no
13 later than **March 27, 2012.**

14 SO ORDERED.
15 Dated: February 13, 2012



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 Notice has been electronically mailed to:

2 Mary Susan Cain-Simon Mary.CainSimon@doj.ca.gov, ECFCoordinator@doj.ca.gov,
3 Leticia.MartinezCarter@doj.ca.gov

4 Notice sent by U.S. Mail to:

5 Piotr J. Gardias
6 72 Floyd St.
7 San Jose, CA 95110

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Pro Se Plaintiff