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SOUTHERN DISTRICT OF CALIFORNIA

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MERRILL CAHN, M.D. an individual,

Plaintiff,

v.

UNITED HEALTHCARE
INSURANCE COMPANY, a
Connecticut corporation, and DOES 1
through 10, inclusive

Defendants.

Civil No. 09 CV 2514 IEG (WMc)

**ORDER GRANTING JOINT MOTION
TO CONSOLIDATE CASES AND
DISMISS CONSOLIDATED ACTION
IN FAVOR OF BINDING
ARBITRATION**

[Doc. No. 14]

Plaintiff Merrill Cahn, M.D. and the plaintiffs in the below-listed related actions (collectively, "Plaintiffs") and Defendant United HealthCare Insurance Company ("United") have filed a joint motion to Consolidate Cases and Dismiss Consolidated Action in Favor of Binding Arbitration. (Doc. No. 14.)

Good cause appearing, the Court GRANTS the joint motion, pursuant to Federal Rule of Civil Procedure 42(a). It is HEREBY ORDERED that:

(1) The following actions shall be consolidated with the above-captioned action (collectively, the "Consolidated Action"):

- Casey v. United HealthCare Insurance Company, 09-CV-02516 H

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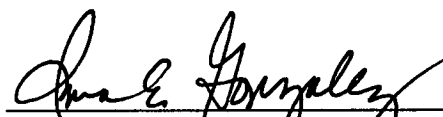
(WMC)

- Goldberg v. United HealthCare Insurance Company, 09-CV-02821
JLS (WVG)
- Hake v. United HealthCare Insurance Company, 09-CV-02819 DMS
(CAB)
- Plascencia v. United HealthCare Insurance Company, 09-CV-02907
W (WMC)
- Anand v. United HealthCare Insurance Company, 09-CV-02908 W
(JMA)

- (2) Plaintiffs and United shall submit all matters asserted in the Consolidated Action to binding arbitration before Judge H. Lee Sarokin (Ret.);
- (3) Plaintiffs shall collectively bear 50 percent of the arbitration fees and United shall bear 50 percent of the arbitration fees;
- (4) The prevailing party or parties in the arbitration shall be entitled to recover their portion of the arbitration fees at the discretion of the arbitrator;
- (5) The Consolidated Action shall be dismissed without prejudice, with the Court retaining jurisdiction to vacate the dismissal upon a showing of good cause to hear a petition to confirm or vacate the arbitrator's award.

IT IS SO ORDERED.

DATED: May 26, 2010


IRMA E. GONZALEZ, Chief Judge
United States District Court