

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 07-cv-00968-REB-CBS
(Consolidated with Civil Action Nos. 07-cv-00971-REB-CBS, 07-cv-01087-REB-CBS,
and 08-cv-02437-REB-CBS)

TRUDIE M. ISKOWITZ, et al.,

Plaintiffs,

v.

CESSNA AIRCRAFT COMPANY, et al.,

Defendants.

Civil Action No. 09-cv-00835-CMA-MEH

JEAN M. WIGHTMAN,
Personal Representative of the Estate of Jeffrey S. Wightman,

Plaintiff,

v.

CESSNA AIRCRAFT COMPANY,

Defendants.

Civil Action No. 09-cv-01145-MSK-MEH

CATHERINE S. WALTON,
Personal Representative of the Estate of Bruce Walton,

Plaintiff,

v.

CESSNA AIRCRAFT COMPANY,

Defendants.

ORDER GRANTING MOTIONS TO CONSOLIDATE

Blackburn, J.

This matter is before me on the following motions: (1) **Cessna Aircraft Company's Motion To Consolidate** [#106] filed May 4, 2009; and (2) **Cessna Aircraft Company's Motion To Consolidate** [#107] filed June 2, 2009. I grant the motions.

Cessna seeks to consolidate two cases with the other cases consolidated under Civil Action No. 07-cv-00968-REB-CBS. The two cases at issue in the present motions are (1) Civil Action No. 09-cv-00835-CMA-MEH, *Jean M. Wightman, personal representative of the estate of Jeffrey M. Wightman v. Cessna Aircraft Company*, and (2) Civil Action No. 09-cv-01145-MSK-MEH, *Catherine S. Walton, personal representative of the estate of Bruce Walton v. Cessna Aircraft Company*. As required by D.C.COLO.LCivR 7.1, counsel for Cessna has contacted the other parties to determine if they oppose the relief sought by Cessna. Except for plaintiff Nina Winston, none of the other parties oppose Cessna's motions. Winston opposes the motion to consolidate 09-cv-00835 for the same reasons she has stated in opposition to previous motions to consolidate. Previously, I have concluded that Winston's stated reasons for her opposition to consolidation are not sufficient to defeat consolidation. *Order Granting Motion To Consolidate* [#40] filed January 3, 2008.

All of the above-captioned cases arise from the crash of a Cessna Citation business jet near Pueblo, Colorado, on February 16, 2005. Two pilots and six passengers were killed in the crash. Under FED. R. CIV. P. 42(a), the court may consolidate cases involving common questions of law or fact. Common questions of law and fact are predominant in the above-captioned cases. To the extent any of these

cases involves issues unique to a particular case, proceedings can be adjusted readily to resolve those unique issues. Thus, the motions to consolidate should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That **Cessna Aircraft Company's Motion To Consolidate** [#106] filed May 4, 2009, is **GRANTED**;

2. That **Cessna Aircraft Company's Motion To Consolidate** [#107] filed June 2, 2009, is **GRANTED**;

3. That under FED. R. CIV. P. 42(a)(2), and D.C.COLO.LCivR 42.1, Civil Action No. 09-cv-00835-CMA-MEH, *Jean M. Wightman, personal representative of the estate of Jeffrey M. Wightman v. Cessna Aircraft Company* is **CONSOLIDATED** with Civil Action No. 07-cv-00968-REB-CBS for all purposes;

4. That under FED. R. CIV. P. 42(a)(2), and D.C.COLO.LCivR 42.1, Civil Action No. 09-cv-01145-MSK-MEH, *Catherine S. Walton, personal representative of the estate of Bruce Walton v. Cessna Aircraft Company* is **CONSOLIDATED** with Civil Action No. 07-cv-00968-REB-CBS for all purposes;

5. That under D.C.COLO.LCivR 42.1, Civil Action No. 09-cv-00835-CMA-MEH **IS REASSIGNED** to this court and to Magistrate Judge Shaffer;

6. That under D.C.COLO.LCivR 42.1, Civil Action No. 09-cv-01145-MSK-MEH **IS REASSIGNED** to this court and to Magistrate Judge Shaffer;

7. That the these consolidated actions **SHALL** be captioned as follows:

Civil Action No. 07-cv-00968-REB-CBS

(Consolidated with Civil Action Nos. 07-cv-00971-REB-CBS, 07-cv-01087-REB-CBS, 08-cv-02298-REB-CBS, 08-cv-02437-REB-CBS, 09-cv-00835-REB-CBS, and 09-cv-01145-REB-CBS)

TRUDIE M. ISKOWITZ, et al.,

Plaintiffs,

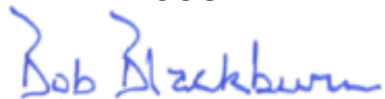
v.

CESSNA AIRCRAFT COMPANY, et al.,

Defendants.

Dated September 16, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge