

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 08-cv-02153-CMA-KMT

FRANK BAXTER GENERAL CONTRACTOR, INC.,

Plaintiff,

v.

SPRADDLE CREEK AUTOMOTIVE REAL ESTATE, LLC.,
a Colorado limited liability company,

Defendant.

Civil Action No. 08-cv-02154-RPM

FRANK BAXTER GENERAL CONTRACTOR, INC.,

Plaintiff,

v.

GLENWOOD SPRINGS AUTOMOTIVE REAL ESTATE, LLC,
GMAC BANK CORP., and
PUBLIC TRUSTEE OF GARFIELD COUNTY,

Defendants.

ORDER TO CONSOLIDATE

This matter is before the Court on Defendant's Unopposed Motion To Consolidate (Doc. # 28) and subsequent Request for Ruling on Unopposed Motion for Consolidation (Doc. # 42). Defendant seeks to consolidate the above two cases.

Pursuant to Fed. R. Civ. P. 42(a), the Court finds that the above-captioned actions involve common questions of law or fact, including common parties and common claims before this Court.

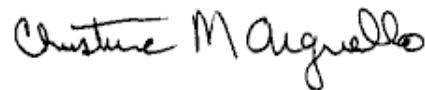
FURTHER, the Court finds that consolidation of these two cases will avoid unnecessary costs and delays.

FURTHER, Judge Matsch has been consulted and does not oppose the consolidation of these cases. Therefore, it is

ORDERED that the two actions are consolidated.

DATED: March 3, 2009

BY THE COURT:

A handwritten signature in black ink, reading "Christine M. Arguello". The signature is written in a cursive, flowing style.

Christine M. Arguello
United States District Judge