

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **09-cv-00938-JLK**

JAMES P. TENNILLE, on behalf of himself and all others similarly situated,

Plaintiff,

v.

THE WESTERN UNION COMPANY, a Delaware corporation,

Defendant.

Civil Action No. **10-cv-765-JLK**

ROBERT P. SMET, individually and on behalf of all others similarly situated,

Plaintiff,

v.

THE WESTERN UNION COMPANY, a Delaware corporation,

Defendant.

AMENDED ORDER RE CONSOLIDATION ETC.

Kane, J.

Upon review of Plaintiff's Response to the Court's Order to Show Cause (Doc. 8),

I issue the following rulings:

1. The Order to Show Cause (Doc. 6) is DISCHARGED.
2. Defendant's Unopposed Motion for Extension of Time to Respond to Complaint and Proposed Briefing Schedule (Doc. 9) is GRANTED. Western Union shall have to May 28, 2010 to file a Motion to Dismiss or other response to the Complaint in 10-cv-765.

Plaintiff's Response to any Motion to Dismiss so filed is due on or before June 28, 2010 and Western Union's Reply in support of any Motion to Dismiss is due on or before July 12, 2010.

3. These actions are hereby CONSOLIDATED. The earlier-filed action – No. 09-cv-938-JLK – is designated Lead Case and all filings, in both cases, shall be filed in that case. The proper form of caption appears below, and the parties should indicate, at the bottom, whether a particular filing relates to one or both of the consolidated cases.

Civil Action No. 09-cv-938-JLK (consolidated with 10-cv-765-JLK)

JAMES P. TENNILLE, individually and on behalf of all others similarly situated,

Plaintiff,

v.

THE WESTERN UNION COMPANY, a Delaware corporation,

Defendant.

Civil Action No. 10-cv-765-JLK

ROBERT P. SMET, individually and on behalf of all others similarly situated,

Plaintiff,

v.

THE WESTERN UNION COMPANY, a Delaware corporation,

Defendant.

This filing relates to [09-cv-938-JLK/10-cv-765-JLK ONLY] or [BOTH CASES]

Dated April 12, 2010

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE