

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

Civil Case No. 09-cv-00397-REB-MEH

(Consolidated with Civil Action Nos. 09-cv-00398-REB-MEH, 09-cv-00399-REB-MEH, 09-cv-00400-REB-MEH, 09-cv-1064-REB-MEH, 09-cv-1065-REB-MEH, 09-cv-01066-REB-MEH, 09-cv-01067-REB-MEH, 09-cv-02208-REB-MEH, 09-cv-02209-REB-MEH, 09-cv-02210-REB-MEH, and 09-cv-02412-REB-MEH)

JULIE HART,

Plaintiff,

v.

THE BOEING COMPANY, INC.,

Defendant.

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Civil Case No. 10-cv-00400-PAB-MJW

ROBERT P. MALLOY,

Plaintiff,

v.

THE BOEING COMPANY, INC.,

Defendant.

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**ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION TO CONSOLIDATE**

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**Blackburn, J.**

The matter before me is **Defendant's Notice of Related Case and Unopposed Motion To Consolidate** [#77] filed March 2, 2010. I grant the motion.

As I found in previous orders granting consolidation in this matter, the newly instituted action, Civil Case No. 10-cv-00400-PAB-MJW, ***Malloy v. The Boeing Company, Inc.***, implicates questions of law and fact common to those arising in the

cases previously consolidated. (**See Order Granting Motion To Consolidate and Denying Motions To Dismiss Without Prejudice** [#32] entered June 15, 2009; **Order Granting Defendant's Unopposed Motion To Consolidate Related Actions** [#49] entered September 28, 2009; **Order Granting Defendant's Unopposed Motion To Consolidate Related Actions** [#52] entered October 15, 2009.) Consolidation of this action into Civil Case No. 09-cv-00397-REB-MEH, therefore, will be appropriate and efficacious. **See FED.R.CIV.P. 42(a); *Breaux v. American Family Mutual Insurance Co.***, 220 F.R.D. 366, 367 (D. Colo. 2004).

**THEREFORE, IT IS ORDERED** as follows:

1. That **Defendant's Notice of Related Case and Unopposed Motion To Consolidate** [#77] filed March 2, 2010, is **GRANTED**;
2. That pursuant to Fed.R.Civ.P. 42(a) and D.C.COLO.LCivR 42.1, Civil Case No. 10-cv-00400-PAB-MJW is **CONSOLIDATED** with Civil Case No. 09-cv-00397-REB-MEH for all purposes;
3. That pursuant to D.C.COLO.LCivR 42.1, Civil Case No. 10-cv-00400-PAB-MJW is **REASSIGNED** to Magistrate Judge Michael Hegarty;
4. That all future filings in these consolidated actions shall be captioned as shown below:

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Civil Case No. 09-cv-00397-REB-MEH

(Consolidated with Civil Action Nos. 09-cv-00398-REB-MEH, 09-cv-00399-REB-MEH, 09-cv-00400-REB-MEH, 09-cv-1064-REB-MEH, 09-cv-1065-REB-MEH, 09-cv-01066-REB-MEH, 09-cv-01067-REB-MEH, 09-cv-02208-REB-MEH, 09-cv-02209-REB-MEH, 09-cv-02210-REB-MEH, 09-cv-02412-REB-MEH, and 10-cv-00400-REB-MEH)

JULIE HART,

Plaintiff,

v.

THE BOEING COMPANY, INC.,

Defendant.

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and;

5. That by **March 10, 2010**, plaintiff in Civil Case No. 10-cv-00400 **SHALL FILE** either a written notice of joinder in **Plaintiffs' Opposition to The Boeing Company's Motion To Certify Order Denying Motion To Dismiss for Interlocutory Appeal (Dkt. No. 56)** [#70] filed December 14, 2009, or, alternatively, a separate response to the motion; provided, furthermore, if plaintiff files a separate response, defendant may file a reply within the time permitted by D.C.COLO.LCivR 7.1C.

Dated March 3, 2010, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge