

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 10-cv-02528-PAB

In re Application of

RODRIGO PÉREZ PALLARES, an Ecuadorian citizen, and
RICARDO REIS VEIGA, an American citizen,

for an Order to Conduct Discovery for Use in Foreign
Proceedings.

ORDER

This matter is before the Court on the Respondents' and Interested Parties' Motion to Transfer Case to District Judge Marcia Krieger [Docket No. 15]. The movants, invoking Local Rule 40.1.C.4, request that this Court "transfer" this case to United States District Judge Marcia S. Krieger, who is presiding over a related matter, *Chevron Corp. v. Stratus Consulting, Inc., et al.*, No. 10-cv-00047-MSK. The provisions of Local Rule 40.1.C.4 provide three ways for a new case to be assigned to the same judicial officer, none of which empower me to reassign this matter to another judge on this Court. See D.C.COLO.LCivR 40.1.C.4 (permitting assignment of related cases to the same judicial officers "by special reassignment on a majority vote of the active judges under D.C.COLO.LCivR 40.1A," "by transfer with approval of the Chief Judge under D.C.COLO.LCivR 40.1A," or "by entry of an order granting a motion to consolidate pursuant to Fed. R. Civ. P. 42(a) and D.C.COLO.LCivR 42.1"). To the extent movants seek "an order granting a motion to consolidate pursuant to Fed. R. Civ. P. 42(a) and D.C.COLO.LCivR 42.1," they must direct that request to Judge Krieger.

See D.C.COLO.LCivR 42.1 (“A motion to consolidate shall be decided by the district judge to whom the oldest numbered case involved in the proposed consolidation is assigned for trial.”) Consequently, it is

ORDERED that Respondents’ and Interested Parties’ Motion to Transfer Case to District Judge Marcia Krieger [Docket No. 15] is DENIED.

DATED October 25, 2010.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge