

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

Civil Action No. 10-cv-02599-PAB-KMT

LORI L. PARK,

Plaintiff,

v.

TD AMERITRADE TRUST COMPANY, INC.,
TD AMERITRADE ONLINE HOLDINGS CORP.,
TD AMERITRADE HOLDING CORPORATION,
THE TORONTO-DOMINION BANK,
JOSEPH H. MOGLIA,
J. THOMAS BRADLEY, JR.,
TD AMERITRADE SERVICES COMPANY, INC., and
TD AMERITRADE, INC.,

Defendants.

ORDER

This matter is before the Court on the “Motion for Reconsideration and/or Alternative Relief from Order/Judgment” [Docket No. 29] which plaintiff filed on March 28, 2011. In light of plaintiff’s pro se status, the Court construes her filings liberally. See *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).

The Court construes plaintiff’s motion as seeking consolidation of this case with Civil Action No. 10-cv-03136-ZLW. On March 17, 2011, Judge Zita L. Weinshienk dismissed plaintiff’s complaint in that case on the grounds that it was largely duplicative of the present matter. See Docket No. 27. Plaintiff filed a motion in No. 10-cv-03136-ZLW nearly identical to the present motion in which she requested that the Court set

aside the judgment dismissing that case and consolidate the case with this matter. See Docket No. 13 in No. 10-cv-03136-ZLW. Judge Zita L. Weinshienk denied that motion on March 30, 2011. See Docket No. 30. Therefore, there is no active case with which to consolidate the present matter. Furthermore, to the extent plaintiff seeks leave to add allegations from her complaint in Civil Action No. 10-cv-03136-ZLW to her pleadings in this case, her request is now moot. Plaintiff filed a motion for leave to amend her complaint [Docket No. 43], which the magistrate judge granted on May 10, 2011. See Docket No. 50.

For the foregoing reasons, it is

ORDERED that plaintiff's "Motion for Reconsideration and/or Alternative Relief from Order/Judgment" [Docket No. 29] is DENIED.

DATED October 27, 2011.

BY THE COURT:

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