

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00223-MSK-MJW

PAUL METZGER, an individual,,

Plaintiff,

v.

LEVEL 3 COMMUNICATIONS, INC., a Colorado corporation,

Defendant.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that plaintiff's Request for Joinder: Under the Guidelines of Federal Rule of Civil Procedure [sic] Numbers 18(a), 19 and 20 (Docket No. 21) is DENIED for the following reasons.

Plaintiff lists three individuals he seeks to join to this matter as additional plaintiffs. Plaintiff states that these individuals "have indicated verbal[ly] and/or [in] written statements . . . that they want to be a party to the litigation." Accordingly, it appears to the court that plaintiff is seeking a permissive joinder of plaintiffs under Fed. R. Civ. P. 20(a)(1).

Fed. R. Civ. P. 20(a)(1) allows for joinder of plaintiffs in a single action "if they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and any question of law or fact common to all Plaintiffs will arise in the action."

Plaintiff states that the additional individuals have claims for age discrimination, sexual harassment, and retaliation. Plaintiff provides no details as to these claims. Regardless, it is clear to the court that, given the nature of plaintiff's complaint, the additional individuals' claims necessarily involve separate transactions/occurrences and separate factual circumstances. Their claims may be similar in nature to plaintiff's claims, however, similarity is not enough to allow for permissive joinder. Accordingly, plaintiff's motion must be denied.

Date: June 19, 2013

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