IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello

Civil Action No. 13-cv-01131-CMA-KLM

MARK G. GLAZIER LIVING TRUST, and
GLAZIER FAMILY 2004 IRREVOCABLE TRUST,

Plaintiffs,

v.

MOUNT YALE INVESTMENT ADVISORS, LLC,
MOUNT YALE PRIVATE EQUITY FUND, L.P.,
MOUNT YALE PRIVATE EQUITY PARTNERS, LLC,
MOUNT YALE CAPITAL GROUP, LLC,
MOUNT YALE ASSET MANAGEMENT, LLC, and
MOUNT YALE GUARDIAN FUND, A SERIES OF
MOUNT YALE MASTER PORTFOLIOS, L.P.,

Defendants.

ORDER GRANTING UNOPPOSED MOTION TO CONSOLIDATE CASES

This matter is before the Court on Plaintiff's Unopposed Motion to Consolidated Cases (Doc. #18).

The determination whether to consolidate cases is governed by Rule 42(a) of the Federal Rules of Civil Procedure, which provides, pertinently:

> When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

Fed. R. Civ. P. 42(a).[1] This rule allows the court "to decide how cases on its docket are to be tried so that the business of the court may be dispatched with expedition and economy while providing justice to the parties." *Breaux v. American Family Mutual Insurance Co.*, 220 F.R.D. 366, 367 (D. Colo. 2004) (quoting 9 C. WRIGHT & A. MILLER, FEDERAL PRACTICE AND PROCEDURE § 2381 at 427 (2nd ed. 1995)). The decision whether to consolidate cases is committed to my sound discretion. *Shump v. Balka*, 574 F.2d 1341, 1344 (10th Cir. 1978).

It is clear that common questions of law and fact predominate in these two cases such that consolidation will be appropriate and efficacious.

THEREFORE, IT IS ORDERED as follows:

1. That Plaintiff's Unopposed Motion To Consolidate (Doc. #18) filed June 14, 2013, is GRANTED;

2. That pursuant to D.C.COLO.LCivR 42.1, Civil Action No. 13-cv-01133-PAB-KMT is REASSIGNED to Judge Christine M. Arguello and Magistrate Judge Kristen L. Mix, and shall bear Civil Action No. 13-cv-01133-CMA-KLM;

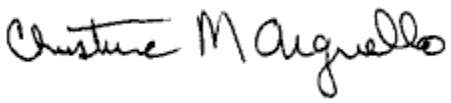
3. That pursuant to Fed. R. Civ. P. 42(a)(2) and D.C.COLO.LCivR 42.1, Civil Action No. 13-cv-01131-CMA-KLM is CONSOLIDATED with Civil Action No. 13-cv-01133-CMA-KLM for all purposes;

[1] The district judge to whom the oldest numbered case involved in the proposed consolidation is assigned determines whether consolidation is proper. *See* D.C.COLO.LCivR 42.1.

4. That all future filings in these consolidated actions shall be captioned as set forth above.

DATED: July 03, 2013

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge