

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

Civil Action No. 15-cv-00656-REB-MEH

ANTERO RESOURCES CORPORATION,

Plaintiff,

v.

SOUTH JERSEY RESOURCES GROUP LLC and
SOUTH JERSEY GAS COMPANY,

Defendants.

Civil Action No. 16-cv-00167-PAB-CBS

SOUTH JERSEY RESOURCES GROUP, LLC,

Plaintiff,

v.

ANTERO RESOURCES APPALACHIAN CORP.,

Defendant.

Civil Action No. 16-cv-00179-WYD-NYW

SOUTH JERSEY GAS COMPANY,

Plaintiff,

v.

ANTERO RESOURCES APPALACHIAN CORPORATION,

Defendant.

ORDER GRANTING MOTION TO CONSOLIDATE

Blackburn, J.

This matter is before me on the **Motion To Consolidate** [#58]¹ filed in Civil Action No. 15-cv-00656 on March 1, 2016. Recently, two closely related cases, Civil Action Nos. 16-cv-00167 and 16-cv-00179, were transferred to this court from the United States District Court for the District of New Jersey. There is no dispute that these three cases all involve the same parties and the same questions of law and fact, namely the interpretation and performance under two contracts for the sale of natural gas and a determination of the amount owed under these contracts. The defendants in 15-cv-00656 consent to the consolidation of the three cases. *Response* [#59], filed in 15-cv-00656.

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).² 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,

¹ “[#58]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

² As the district judge to whom the oldest numbered case involved in the proposed consolidation is assigned for trial, the question whether to consolidate these matters falls to me for determination. **See D.C.COLO.LCivR 42.1.**

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).

The cases addressed in the motion to consolidate, and shown in the caption of this order, all present the same questions of law and fact, namely the interpretation and performance under two contracts for the sale of natural gas and a determination of the amount owed under these contracts. Common questions of law and fact predominate in these three cases such that consolidation is appropriate and efficacious.

THEREFORE, IT IS ORDERED as follows:

1. That the **Motion To Consolidate** [#58] filed in Civil Action No. 15-cv-00656 on March 1, 2016, is granted;

2. That under Fed. R. Civ. P. 42(a)(2) and D.C.COLO.LCivR 42.1, ***South Jersey Resources Group, Llc v. Antero Resources Appalachian Corp.***, Civil Action No. 16-cv-00167-PAB-CBS, and ***South Jersey Gas Company V. Antero Resources Appalachian Corporation***, Civil Action No. 16-cv-00179-WYD-NYW are consolidated with ***Antero Resources Corporation v. South Jersey Resources Group Llc and South Jersey Gas Company***, Civil Action No. 15-cv-00656-REB-MEH for all purposes; and

3. That all future filings in these consolidated actions shall be captioned as follows:

Civil Action No. 15-cv-00656-REB-MEH
(consolidated with Civil Action No. 16-cv-00167-REB-MEH and Civil Action No.
16-cv-00179-REB-MEH)

ANTERO RESOURCES CORPORATION,

Plaintiff,

v.

SOUTH JERSEY RESOURCES GROUP LLC and
SOUTH JERSEY GAS COMPANY,

Defendants.

4. That in all three cases, the Honorable Michael E. Hegarty, United States
Magistrate Judge for the District of Colorado, shall act as the magistrate judge.

Dated March 21, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge