

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 16-cv-00671-RM-MJW

ISABEL VALVERDE, *et al.*,

Plaintiffs,

v.

XCLUSIVE STAFFING, INC., *et al.*,

Defendants.

ORDER TO CONSOLIDATE FOR PRETRIAL DISCOVERY

Upon the filing of the Joint Motion for Status Conference regarding Related Case (ECF No. 179), the Court held a status conference on August 18, 2017. During that conference, among other things, the Court discussed with the parties the transfer of Civil Action No. 17-cv-01602-CMA-KMT to this Court and the consolidation of that case with the above-captioned case for purposes of discovery. Since that time, Civil Action No. 17-cv-01602 has been transferred to this Court, and the Objection to a Report and Recommendation on certain Defendants' Motion to Dismiss in the above-captioned case has been addressed. Thus, the stay of discovery in the above-captioned case may be lifted. Therefore, in accordance with the Court's advisement to the parties during the status conference, and pursuant to Rule 42(a) of the Federal Rules of Civil Procedure (allowing actions which involve "a common question of law or fact" to be consolidated), applicable case law, e.g., *American Employers' Ins. Co. v. King Resources Co.*, 545 F.2d 1265, 1269 (10th Cir. 1976) (whether to consolidate vested in broad discretion of the

district court), and D.C.COLO.LCivR 42.1 (“[a] motion to consolidate shall be decided by the district judge to whom the lowest numbered case included in the proposed consolidation is assigned”), Civil Action No. 17-cv-01602-RM-MJW is consolidated with Civil Action No. 16-cv-00671-RM-MJW for the purposes of pretrial discovery only. The Court may consider whether the cases should be consolidated for trial upon the completion of discovery.

Accordingly, it is **ORDERED**

- (1) That Civil Action No. 17-cv-01602-RM-MJW is consolidated with Civil Action No. 16-cv-00671-RM-MJW for the purposes of pretrial discovery only;
- (2) That all motions, notices, and other filings related to pretrial discovery shall be filed in the lowest case number, No. 16-cv-00671-RM-MJW;
- (3) That all pleadings, motions, briefs, or other documents unrelated to discovery shall be filed in the appropriate case file; and
- (4) That this Order shall also be filed in Civil Action No. 17-cv-01602-RM-MJW.

DATED this 6th day of September, 2017.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge