

In the United States Court of Federal Claims

No. 12-780 C

(Filed June 10, 2013)

KELLOGG BROWN & ROOT SERVICES, INC., *

Plaintiff, *

v. *

THE UNITED STATES, *

Defendant. *

ORDER

The court has before it defendant’s motion to dismiss, filed March 18, 2013, which has been fully briefed. In its opposition to defendant’s motion, filed April 9, 2013, plaintiff requests oral argument. Plaintiff also “suggests that the Court consider consolidating” this case with a directly related case filed by plaintiff on March 5, 2013. Pl.’s Opp. at 10. Defendant opposes plaintiff’s suggestion that this case be consolidated with the related case, *Kellogg Brown & Root Services, Inc. v. United States*, Case No. 13-169C. Def.’s Reply at 6.

The court notes that dispositive briefing is underway in the later-filed related case. Inasmuch as controlling issues of claim certification, sum certain requirements and jurisdiction appear to be present in both cases and to arise from the same contract and operative facts, in the interests of case management efficiency the court believes that a brief stay of proceedings in the earlier-filed related case would permit the court to review the parties’ briefing regarding defendant’s dispositive motions in both cases. Once that review is completed, the court will determine the scope of the oral argument requested by plaintiff. At this time, the court’s preliminary review suggests that oral argument should probably address both cases and both dispositive motions filed by defendant.

As to plaintiff's suggestion regarding consolidation, the stay imposed by this order creates case management efficiencies that, in the court's view, obviate any need for consolidation of the related cases. Accordingly, it is hereby **ORDERED** that the proceedings in this case are **STAYED** until further order of the court.

s/Lynn J. Bush
LYNN J. BUSH
Judge