

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

JESSICA RAMIREZ,

Plaintiff,

v.

CASE NO.: 8:10-cv-1819-T-23TGW

FEDERAL BUREAU OF  
INVESTIGATIONS, HILLSBOROUGH  
COUNTY SHERIFF'S OFFICE, CITY  
OF TAMPA, MATTHEW ZALANSKY,  
and WILLIAM GERGEL,

Defendants.

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**ORDER**

The defendants City of Tampa, Hillsborough County Sheriff's Office, and William Gergel move unopposed (Docs. 8 and 9) under Rule 42, Federal Rules of Civil Procedure, to consolidate with this action the following actions:

8:10-cv-1820-T-23TBM  
8:10-cv-1821-T-23AEP  
8:10-cv-1822-T-23TBM  
8:10-cv-1827-T-23TGW  
8:10-cv-1828-T-23AEP  
8:10-cv-1829-T-23MAP  
8:10-cv-1830-T-23MAP  
8:10-cv-1845-T-23TGW  
8:10-cv-1846-T-23TBM  
8:10-cv-1847-T-23EAJ  
8:10-cv-1848-T-23TGW

Each of the twelve actions (1) involves the same defendants, (2) asserts the same claim against each defendant, (3) arises from the same criminal investigation, and (4) involves common issues of law and fact. Furthermore, each plaintiff retains the same counsel.

Rule 42 aims to "avoid unnecessary costs of delay," and hence the decision to invoke the rule is entirely within the discretion of the district court as it seeks to promote

the administration of justice.” Gentry v. Smith, 487 F.2d 571, 581 (5th Cir. 1973) (quoting Rule 42(a), Federal Rules of Civil Procedure); Young v. City of Augusta, Ga., 59 F.3d 1160, 1169 (11th Cir. 1995) (finding that “[d]istrict court judges in this circuit ‘have been ‘urged to make good use of Rule 42(a) . . . in order to expedite the trial and eliminate unnecessary repetition and confusion[.]’”) (quoting Gentry)).

Upon review, because these actions involve common questions of law and fact and because consolidation promotes the efficient administration of justice, the defendants’ unopposed motions (Docs. 8 and 9) are **GRANTED**. Magistrate Judge Thomas G. Wilson, assigned to the first-filed action, recuses himself in a case involving the City of Tampa police department.

Accordingly, the Clerk is directed to (1) consolidate each of the above-listed actions with this action; (2) designate Magistrate Judge Thomas B. McCoun, III, as the magistrate judge assigned to each action, (3) terminate the motions to dismiss filed by the defendants Hillsborough County Sheriff’s Office and the City of Tampa, and (4) terminate the answer filed by William Gergel. The parties shall identify this action in every paper filed by including in the style of the case the case number **8:10-cv-1819-T-23TGW (Consolidated)**. The defendants Hillsborough County Sheriff’s Office, the City of Tampa, and William Gergel may re-file the motions and the answer in the consolidated action no later than **October 11, 2010**.

ORDERED in Tampa, Florida, on October 1, 2010.



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STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE

