

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

QVC, INC. and QHEALTH, INC.,

Plaintiffs,

v.

Case No. 8:10-mc-27-T-33TBM

YOUR VITAMINS, INC., d/b/a Procaps
Laboratories and ANDREW LESSMAN,

Defendants.

_____ /

QVC, INC. and QHEALTH,

Plaintiffs,

v.

Case No. 8:10-mc-29-T-33TBM

YOUR VITAMINS, INC., d/b/a Procaps
Laboratories and ANDREW LESSMAN,

Defendants.

_____ /

ORDER

This matter is before the Court sua sponte. It appears that the above-captioned cases are nearly identical, arise out of the same alleged incidents, and involve the same parties. Upon due consideration, the Court finds that the cases are substantially related and involve the same questions of fact and law.

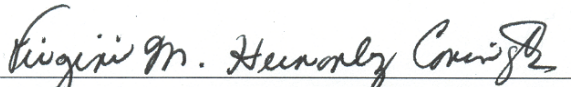
Pursuant to Federal Rule of Civil Procedure 42 and Local Rule 1.04(c), M.D. Fla., the Court may consolidate actions involving a common question of law or fact to avoid unnecessary costs or delay. Such consolidation is appropriate in this instance.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Clerk is directed to consolidate case 8:10-mc-27-T-33TBM and case 8:10-mc-29-T-33TBM for all further proceedings.
- (2) This action shall proceed under the lead case of 8:10-mc-27-T-33TBM, and all future pleadings shall be filed in that case. Case 8:10-mc-29-T-33TBM is administratively closed.
- (3) The Clerk is directed to re-file in the lead case any motions that are currently pending in 8:10-mc-29-T-33TBM as well as corresponding responses thereto.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 21st day of April 2010.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies: All Counsel of Record