

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

SABAL TRAIL TRANSMISSION, LLC,	*		
Plaintiff,	*	CASE NOS.	
		4:16-cv-00097	4:16-cv-00113
vs.	*	4:16-cv-00098	4:16-cv-00114
		4:16-cv-00099	4:16-cv-00115
REAL ESTATE, <i>et al.</i> ,	*	4:16-cv-00100	4:16-cv-00116
		4:16-cv-00101	4:16-cv-00117
Defendants.	*	4:16-cv-00102	4:16-cv-00118
		4:16-cv-00103	4:16-cv-00119
	*	4:16-cv-00104	4:16-cv-00121
		4:16-cv-00105	4:16-cv-00122
	*	4:16-cv-00106	4:16-cv-00123
		4:16-cv-00107	4:16-cv-00124
	*	4:16-cv-00108	4:16-cv-00125
		4:16-cv-00109	4:16-cv-00126
	*	4:16-cv-00110	4:16-cv-00127
		4:16-cv-00112	4:16-cv-00128

O R D E R

Plaintiff Sabal Trail Transmission, LLC is an interstate natural gas pipeline company. Sabal Trail alleges that it received authorization from the Federal Energy Regulatory Commission to build an interstate natural gas pipeline that will extend approximately 516.2 miles through Alabama, Georgia, and Florida. To complete construction of the pipeline, Sabal Trail must acquire easements across each parcel of land along the pipeline's path. Sabal Trail represents that it has acquired 90% of the easements it needs in Georgia but has been unable to acquire the remaining necessary easements by agreement with the property owners.

Sabal Trail filed thirty condemnation actions in this Court seeking to acquire the remaining necessary easements in Georgia through eminent domain pursuant to the Natural Gas Act, 15 U.S.C. § 717f(h).¹ In each action, Sabal Trail filed a motion for partial summary judgment to establish its right to condemn easements across the affected properties and a motion for preliminary injunction to grant Sabal Trail immediate possession of the easements. Sabal Trail filed motions to consolidate all but one of the actions for a joint hearing on the partial summary judgment and preliminary injunction motions.² Because the pending motions in all thirty cases present nearly identical questions of fact and law, the Court finds that all thirty actions should be consolidated for a joint hearing on the pending motions. See Fed. R. Civ. P. 42(a) (permitting consolidation for joint hearing if multiple actions before a court "involve a common question of law or fact"); see also Fed. R. Civ. 71.1(b) (permitting joinder of "separate pieces of property in a single action, no matter whether they are owned by the same persons or sought for the same use"). Accordingly, the

¹ Sabal Trail initially filed thirty-two actions, but two of them (4:16-cv-00111 and 4:16-cv-00120) have been resolved.

² Sabal Trail did not seek to consolidate 4:16-cv-00127 with the other cases. The property owner in that action is Georgia Power Company. The Court finds that there are common issues of law and fact in that case, as well, and that it should be consolidated with the other actions for purposes of the hearing on Sabal Trail's partial summary judgment and preliminary injunction motions. If a party wishes to sever 4:16-cv-00127, the party may file a motion to sever.

Court grants Sabal Trail's motions to consolidate (ECF No. 5 in 4:16-cv-00097; ECF No. 7 in 4:16-cv-00098; ECF No. 8 in 4:16-cv-00099; ECF No. 5 in 4:16-cv-00100; ECF No. 8 in 4:16-cv-00101; ECF No. 5 in 4:16-cv-00102; ECF No. 8 in 4:16-cv-00103; ECF No. 5 in 4:16-cv-00104; ECF No. 5 in 4:16-cv-00105; ECF No. 6 in 4:16-cv-00106; ECF No. 5 in 4:16-cv-00107; ECF No. 5 in 4:16-cv-00108; ECF No. 5 in 4:16-cv-00109; ECF No.7 in 4:16-cv-00110; ECF No. 5 in 4:16-cv-00112; ECF No. 5 in 4:16-cv-00113; ECF No. 5 in 4:16-cv-00114; ECF No. 5 in 4:16-cv-00115; ECF No. 5 in 4:16-cv-00116; ECF No. 5 in 4:16-cv-00117; ECF No. 5 in 4:16-cv-00118; ECF No. 5 in 4:16-cv-00119; ECF No. 5 in 4:16-cv-00121; ECF No. 5 in 4:16-cv-00122; ECF No. 5 in 4:16-cv-00123; ECF No. 8 in 4:16-cv-00124; ECF No. 5 in 4:16-cv-00125; ECF No. 5 in 4:16-cv-00126; and ECF No. 5 in 4:16-cv-00128). The Court also consolidates 4:16-cv-00127 with the other actions for a joint hearing on the pending motions. If the parties seek to have the actions severed for purposes of a trial or hearing on the amount of damages, the parties shall be permitted to file a motion to sever.

The Clerk shall consolidate all of these cases, and the master case number going forward shall be the case number assigned to the case that was first filed.

Sabal Trail shall serve Defendants (or Defendants' representatives) with a copy of this Order and shall file a certificate of service via CM/ECF once service is complete.

IT IS SO ORDERED, this 24th day of March, 2016.

S/Clay D. Land

CLAY D. LAND
CHIEF U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA