

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

TINA VARNER and WILLIAM VARNER, \*  
*as administrators of the Estate* \*  
*of W.V., deceased,* \*

Plaintiffs, \*

vs. \* CASE NO. 4:17-CV-231 (CDL)

THE UNITED STATES OF AMERICA, \*

Defendant. \*

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WILLIAM VARNER, \*

Plaintiff, \*

vs. \* CASE NO. 4:18-CV-211 (CDL)

THE UNITED STATES OF AMERICA, \*

Defendant. \*

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O R D E R

Plaintiffs filed a motion to consolidate these two actions under Federal Rule of Civil Procedure 42 because the actions involve common questions of law and fact. The Government agrees that the actions should be consolidated. Thus, Plaintiffs' motion (ECF No. 27 in 4:17-cv-231) is granted. The above captioned actions are consolidated for all pretrial proceedings and for trial. All future filings shall be made in Case No. 4:17-cv-231, the first opened case. This consolidation shall not prevent the Government from asserting any defenses that

would exist if the cases proceeded separately. If the parties determine that any action should be severed in the future for trial or some other purpose, they shall file a motion to sever at the appropriate time. Until an order is entered severing any action, these actions shall remain consolidated for all purposes.

Under the scheduling order in 4:17-cv-231, the discovery deadline is March 13, 2019, and the dispositive motion deadline is April 29, 2019. The parties have not yet submitted a proposed scheduling and discovery order in 4:18-cv-211; their deadline for doing so is March 11, 2019. The parties in the consolidated action shall submit a single joint proposed scheduling and discovery order by March 18, 2019. The joint proposed scheduling and discovery order should be emailed to the Clerk at [columbus.ecf@gamd.uscourts.gov](mailto:columbus.ecf@gamd.uscourts.gov).

IT IS SO ORDERED, this 7th day of March, 2019.

S/Clay D. Land  

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