

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

KIM M. POWELL,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 5:09-CV-188 (HL)
	:	
ARYN GRAVEL GORDON GEEKIE,	:	
NORTH AMERICAN MIDWAY	:	
ENTERTAINMENT – CANADA	:	
COMPANY,	:	
	:	
Defendants	:	

ORDER

This matter is before the Court on the Defendants’ Motion to Consolidate (Doc. 10) (the “Motion”). For the following reasons, the Motion is granted.

The Plaintiff and her husband, Michael Powell, were involved in an automobile accident on May 5, 2009. Both the Plaintiff and her husband were injured when their vehicle, driven by Michael Powell, collided with one operated by Defendant Geekie. Both Plaintiff and her husband have brought suit separately against the Defendants. Michael Powell’s case is Case Number 5:09-CV-189. The Defendants have moved to have the two cases consolidated.

Federal Rule of Civil Procedure 42 provides this Court with the authority to consolidate cases.

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

This is a case that requires consolidation. The questions of law and fact are nearly identical in these two cases. It would be an enormous waste of resources to empanel two juries and conduct two trials arising out of one and the same automobile accident. The Plaintiff's concerns that the issues of medical treatment and comparative negligence, which would be raised in a consolidated trial, would confuse the jurors are unfounded. The Motion (Doc. 10) is granted and Cases Numbered 5:09-CV-188 and 5:09-CV-189 are to be consolidated.

SO ORDERED, this 13th day of January, 2010.

s/ Hugh Lawson

HUGH LAWSON, JUDGE

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