

## MINUTES

CASE NUMBER: CIVIL NO. 08-00356DAE-BMK  
CIVIL NO. 09-00059DAE-LEK  
CASE NAME: Mary T., et al. Vs. Department of Education, State of Hawaii  
Mary T., et al. Vs. Department of Education, State of Hawaii

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

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JUDGE: Leslie E. Kobayashi      REPORTER:

DATE: 07/02/2009      TIME:

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COURT ACTION: EO: COURT ORDER AND FINDINGS AND RECOMMENDATION.

A court may order consolidation if the actions “involve a common question of law or fact[.]” Fed. R. Civ. P. 42(a). Under Rule 42(a), a court has broad discretion to consolidate cases pending in the district. See Investors Research Co. v. United States Dist. Court for Cent. Dist. of Cal., 877 F.2d 777 (9th Cir. 1989). The matters contained in CV 09-00059 DAE/LEK and CV 08-00356 DAE/BMK arise out of the same facts, and involve identical parties. This Court therefore concludes that it is appropriate to consolidate these matters and ORDERS that the cases be consolidated.

As these cases are already both assigned to the same district judge, there is no need to recommend that the Chief Judge reassign the consolidated cases pursuant to Local Rule LR40.2. Rather, this Court FINDS and RECOMMENDS that Chief United States District Judge Susan Oki Mollway refer the consolidated cases to the same magistrate judge for pretrial matters and direct the magistrate judge to hold a status conference thereafter.

IT IS SO ORDERED, AND SO FOUND AND RECOMMENDED.

Submitted by: Warren N. Nakamura, Courtroom Manager