

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

In re:

HOPKINS NORTHWEST FUND,
L.L.C.,

Debtor.

Case No. 1:16-cv-00230-BLW

**MEMORANDUM DECISION AND
ORDER CONSOLIDATING
APPEALS**

HOLLAND & HART, LLP,

Appellants,

v.

OVERSIGHT COMMITTEE UNDER
CONFIRMED PLAN OF
LIQUIDATION,

Appellee.

Pending before the Court is Appellant Holland & Hart, LLP's Motion to Consolidate Appeals (Dkt. 3). For the reasons expressed below, the Court will consolidate the above-captioned appeal with the bankruptcy appeal in Case No. 1:16-cv-214-EJL. The Court will assign the consolidated appeals to Judge Lodge, as that appeal has the lowest case number.

The two appeals at issue in this case involve similar facts and law. Among other things: (1) the debtors were both investment funds that invested in mortgage loans and real estate equity investments; (2) both debtors were operated by the same principals and both performed poorly; (3) both bankruptcy cases were pending at the same time; (3) both debtors confirmed similar plans of liquidation; (4) the bankruptcy court effectively made the same decision regarding the fees paid to both debtors' counsel. The bankruptcy court's decision regarding these fees is being appealed in both cases. The appellee does not oppose consolidation.

Under these circumstances, it makes sense to consolidate the appeals.

ORDER

Accordingly, **IT IS ORDERED that:**

(1) Appellant Holland & Hart LLP's Motion to Consolidate Cases (Dkt. 3) is

GRANTED.

(2) The Clerk is directed to enter this order in this case and in Case No. 1:16-cv-214.

(3) All further proceedings in the consolidated appeal will be handled by The Honorable Edward J. Lodge, United States District Judge for the District of Idaho.

(4) The parties shall file all future filings in Case No. 1:16-cv-214.

(5) Judge Lodge's chambers will be in contact with the parties to schedule briefing or any relevant hearings, as appropriate.



DATED: August 9, 2016

B. Lynn Winmill

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Chief Judge
United States District Court