

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JOHN D. BROWN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 13-cv-00659-JPG-PMF
)	
ILLINOIS DEPARTMENT)	
OF CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	
)	
_____)	Consolidated with:
)	
JOHN D. BROWN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 14-cv-01372-JPG-PMF
)	
ALAN GEPHART,)	
)	
Defendant,)	
)	

MEMORANDUM AND ORDER

This matter comes before the Court on Joint Motion to Consolidate (Doc. 83, 13-cv-00659); Plaintiff’s Motion to Consolidate (Doc. 25, 14-cv-1372); and Joint Motion to Consolidate (Doc. 26, 14-cv-1372).

Pursuant to Federal Rule of Civil Procedure 42(a) the Court has discretion to consolidate actions that involve a common question of law or fact. In these cases, there is only one plaintiff and one remaining defendant. Both involve the same allegations of retaliation at the same location and as such, involve common questions of law and fact.

Therefore, the Court **GRANTS** the Joint Motion to Consolidate (Doc. 83, 13-cv-00659); Plaintiff’s Motion to Consolidate (Doc. 25, 14-cv-1372); and Joint Motion to Consolidate (Doc.

26, 14-cv-1372).

Accordingly, for the purposes of discovery and trial, the Court hereby **CONSOLIDATES** *Brown v. Illinois Dept. of Corrections, et al.*, 13-cv-00659-JPG-PMF with *Brown v. Gephart*, 14-cv-1372-JPG-PMF. All future filing shall bear the consolidated caption used in this order and shall be filed **ONLY** in *Brown v. Illinois Dept. of Corrections, et al.*, 13-cv-00659-JPG-PMF. The Court will strike any filings in the case *Brown v. Gephart*, 14-cv-1372-JPG-PMF subsequent to this order.

The Court also notes there is a pending Plaintiff's Motion (Doc. 24, 14-cv-1372) for One-Time Copy of Plaintiff's Initial Complaint and all other Documents and Court Orders Responsive to Case 14-cv-1372. The motion includes a request to extend discovery deadline. Plaintiff filed his motion while still in a *pro se* status and he is now represented by counsel. Counsel will have access to both cases based on the granting of the consolidation request and can also make a request to extend any deadlines as necessary. As such, Plaintiff's Motion (Doc. 24, 14-cv-1372) for One-Time Copy of Plaintiff's Initial Complaint and all other Documents and Court Orders Responsive to Case 14-cv-1372 is **DENIED**.

As stated above, the Court **GRANTS** the Joint Motion to Consolidate (Doc. 83, 13-cv-00659); Plaintiff's Motion to Consolidate (Doc. 25, 14-cv-1372); and Joint Motion to Consolidate (Doc. 26, 14-cv-1372). The Clerk of Court is **DIRECTED** to **CONSOLIDATE** these cases and to file a copy of this Order in both cases.

IT IS SO ORDERED.

DATED: 12/15/2015

s/J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE