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

WALTERS METAL CORPORATION,

Plaintiff.

VS.

Case No. 13-cv-1271-SMY-DGW

UNIVERSAL AM-CAN, LTD., THE MASON AND DIXON LINES, INCORPORATED, SLIDE-N-RIDE TRUCKING, INC., J & D TRUCKING, INC., JC PILOT CAR SERVICE, CAROLYN SCHAFFER, J.D. DELANEY and CAREN RUTH VINSON,

Defendants.

WALTERS METAL CORPORATION,

Plaintiff,

VS.

Case No. 15-cv-51-SMY-DGW

CARLA HENDRIX, ED HENDRIX, EMERALD EQUIPMENT ESCORTS LLC, SLIDE-N-RIDE TRUCKING, INC., J & D TRUCKING, INC., CAREN RUTH VINSON, J.D. DELANCY, MELINDA HILLENBERG and CURTIS WELLS,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on defendants J.D. Delancy, J & D Trucking, Inc., Slide-N-Ride Trucking, Inc., and Caren Ruth Vinson's Motion to Consolidate (Doc. 7) this case with *Walters Metal Corporation v. Universal Am-Can, Ltd.*, No. 13-cv-1271-SMY-DGW. No party has responded to the motion. Both cases involve Carmack Amendment and negligence

claims arising out of a December 29, 2012 accident in which a driver transporting Plaintiff's

product drove the load into the underside of the Herrin Road Bridge on Interstate Highway 57

causing damage to the load. Pursuant to Federal Rule of Civil Procedure 42(a), a court may

consolidate actions when they "involve a common question of law or fact." Here, the two

actions involve common questions of both law and fact. As such, the Court **GRANTS** the

Motion to Consolidate (Doc. 7) and hereby CONSOLIDATES Case Numbers 13-cv-1271-

SMY-DGW and 15-cv-51-SMY-DGW. The Court **DIRECTS** the Clerk of Court to file a copy

of this Order in 13-cv-1271-SMY-DGW and 15-cv-51-SMY-DGW. All future filings will be

made in Case Number. 13-cv-1271-SMY-DGW using the foregoing caption.

IT IS SO ORDERED.

DATED: April 23, 2015

s/ Staci M. Yandle

STACI M. YANDLE **DISTRICT JUDGE**

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