

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

KEVIN RINCK,

Plaintiff,

vs.

No. 3:15-cv-537-DRH-DGW

**J.G. WENTWORTH ORIGINATIONS,
LLC,**

Defendant.

ORDER TO SHOW CAUSE

HERNDON, District Judge:

This matter comes before the Court for case management purposes. The court notes that plaintiff Kevin Rinck, a resident of the Northern District of Illinois, previously filed a similar suit against other J.G. Wentworth entities, *Valerio Sanders v. JGWPT Holdings, Inc., et al.*, Case No. 1:14-cv-09188 (“Sanders Putative Class Action”) that is currently pending in the Northern District of Illinois.

In the Sanders Putative Class Action, plaintiff Rinck and other named plaintiffs seek damages based on virtually identical allegations as in this case. The Sanders Putative Class Action was originally filed in the Circuit Court of St. Clair County, Illinois, before being removed to this district court. *See Valerio Sanders v. JGWPT Holdings, Inc., et al.*, Case No. 3:14-cv-00422-DRH-PMF. The undersigned judge transferred the Sanders Putative Class Action to the Northern District of Illinois pursuant to 28 U.S.C. § 1404(a). The undersigned judge

concluded that the factors of convenience of the parties and convenience of the witnesses favored transferring the action to the Northern district of Illinois. In addition, the undersigned concluded that the action should be transferred in the interest of justice – finding that disputes arising out of the same underlying contracts should be resolved by the same court. Thereafter, the Northern District of Illinois remanded the Sanders Putative Class Action, concluding that the *Rooker-Feldman* doctrine barred federal jurisdiction. On April 9, 2015, the Seventh Circuit reversed the remand of the Sanders Putative Class action and remanded the case to the Northern District of Illinois for further proceedings.

The Court further notes that one of the defendants in the Sanders Putative Class Action, Settlement Funding, LLC (“Settlement Funding”), filed in the Northern District of Illinois a separate petition to compel arbitration of the claims of certain plaintiffs in the Sanders Putative Class Action, including Rinck. (*Settlement Funding, LLC v. Sanders, et al.*, Case No. 1:14-cv-06266) (“Sanders Arbitration Case”). The Northern District of Illinois subsequently dismissed the Sanders Arbitration Case, concluding (as it did with the Sanders Putative Class Action) the *Rooker-Feldman* doctrine barred federal jurisdiction. Settlement Funding’s appeal of the dismissal of the Sanders Arbitration Case remains pending in the Seventh Circuit (*See* Appeal No. 15-1555).

Considering the above, the Court thinks transferring the instant action pursuant to 28 U.S.C. § 1404(a) is appropriate. Therefore, the Court **ORDERS** the plaintiff to **SHOW CAUSE** on or before May 21, 2015, why the Court should

not transfer this case to the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1404(a). The defendant shall have up to and including May 28, 2015, to reply to the plaintiff's response.

IT IS SO ORDERED.

Signed this 14th day of May, 2015

David R. Herndon
Digitally signed by
David R. Herndon
Date: 2015.05.14
14:21:14 -05'00'

The seal of the United States District Court for the Southern District of New York is visible in the background of the signature area. It features an eagle with wings spread, perched on a shield with the American flag's stars and stripes. The seal is circular with the text "UNITED STATES DISTRICT COURT" at the top and "SOUTHERN DISTRICT OF NEW YORK" at the bottom.

United States District Judge