

against Siemens, Siemens Industry, Inc., Siemens Water Technologies, Corp., Federal Insurance Company, and Fidelity and Deposit Company of Maryland. The same date, Siemens filed the instant lawsuit against the City based on the same underlying dispute—namely, a breach of contract case relating to a \$50 million non-functioning water treatment plant in East Chicago, Indiana.

The causes of action concern the same underlying dispute and involve common questions of law and fact. Consolidation will avoid the possibility of inconsistent outcomes. Notably, in the instant case, the City filed a Motion to Abstain on August 29, 2013, arguing that this case should be stayed pending resolution of the state case. On September 20, 2013, Siemens filed a Notice of Removal and removed the state case to this Court, identifying the instant cause of action as a related case on the civil cover sheet of the removed case; the case was assigned cause number 2:13-CV-334. Subsequently, the City filed a Motion to Remand on October 3, 2013 in 2:13-CV-334. Judicial efficiency will be served by the resolution of the motion to remand and the motion to abstain by the same judge.

Accordingly, in the interest of judicial economy, the Court hereby **GRANTS** the Motion to Consolidate [DE 20] and **ORDERS** consolidation of cause numbers 2:13-CV-273-JTM-PRC and 2:13-CV-334-RLM-APR.

All future filings shall be made in 2:13-CV-273-JTM-PRC **only**.

SO ORDERED this 21st day of October, 2013.

s/ Paul R. Cherry

MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All counsel of record