

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

GENERAL DRIVERS, WAREHOUSEMEN  
AND HELPERS LOCAL UNION NO. 89

PLAINTIFF

v.

CIVIL ACTION NO. 3:14-CV-00524-CRS

CLARIANT CORPORATION

DEFENDANT

**MEMORANDUM OPINION AND ORDER**

Plaintiff moves to consolidate case 3:16-CV-00051-JHM into this action. Defendant filed a response indicating it has no objection to Plaintiff's motion to consolidate. The other action concerns the same parties as this case and is currently in front of Judge Joseph H. McKinley, Jr.

The basis of the action in this Court is whether the Court should compel the parties to arbitration based on the existence or non-existence of a settlement agreement. In this Court's September 15, 2015 Order and Opinion, the Court determined a settlement agreement existed and arbitration was unwarranted under the terms of the parties' collective bargaining agreement. ECF Nos. 38 and 39. In ruling on Plaintiff's motion to reconsider that Order and Opinion, the Court stressed whether the parties breached that agreement was a subsequent and separate matter to this case. ECF No. 44. Judicial efficiency and economy do not move this Court to consolidate the two matters.

The Court does acknowledge some factual similarity between the two cases. Therefore, if the parties wish to undertake the other matter as a standalone action in this Court, the parties may request Judge McKinley transfer that case. This Court would be willing to receive that standalone case.

The Court being sufficiently advised, **IT IS HEREBY ORDERED AND ADJUDGED** that Plaintiff's motion to consolidate (DN 47) is **DENIED**.

**SO ORDERED.**

April 21, 2016



**Charles R. Simpson III, Senior Judge  
United States District Court**