UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

CITY OF ALEXANDRIA	**CIVIL DOCKET NO. 1:05-cv-1121**
-vs-	**JUDGE DRELL**
CLECO CORPORATION, et al.	**MAGISTRATE JUDGE KIRK**
-and-	
ARMESTED FRANKLIN, et al.	**CIVIL DOCKET NO. 1:07-cv-1011**
-vs-	**JUDGE DRELL**
CITY OF ALEXANDRIA	**MAGISTRATE JUDGE KIRK**

ORDER

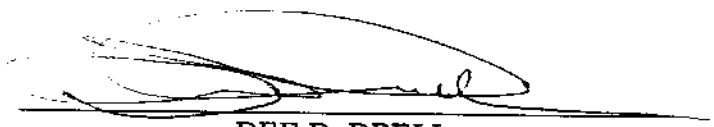
The motion (Doc. No. 24) to partially consolidate this case with Docket No. 05-1121 is DENIED. These cases are at radically different stages of development and are not compatible for consolidation. Should any single issue actually become a common issue ripe for adjudication under the following section of this Order, the parties may seek further action under Fed. R. Civ. P. 42(a)(1).

The additional motion for a protective order contained in Doc. No. 24 is GRANTED IN PART. Specifically, assuming that there is a completed settlement between the City of Alexandria and CLECO in Suit No. 05-1121, the City must

immediately communicate to the Court and to counsel for Armested Franklin its proposed need and/or intentions for contact with rate payers regarding the settlement. Counsel for Franklin, et al. will then have fifteen days from such notice to notify the Court by motion and good faith objections to the procedure. The City must not implement the procedure until the Court considers and rules on the proposed procedure.

The motion to certify a class in this case (Doc. No. 22) is presently DENIED as premature, pending the determination set forth in the previous section of this Order. *See* Fed. R. Civ. P. 23(d)(1)(A).

SIGNED on this 27th day of March, 2009, at Alexandria, Louisiana.



DEE D. DRELL
UNITED STATES DISTRICT JUDGE