

RECEIVED

NOV - 9 2010 

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

LAFAYETTE DIVISION

JARED ABRAM

CIVIL ACTION NO. 10-1465

VERSUS

JUDGE DOHERTY

LIBERTY MUTUAL INS. CO., ET AL.

MAGISTRATE JUDGE HILL

MEMORANDUM RULING

Pending before the Court is the “Motion to Transfer and Consolidate” [Doc. 3] filed by defendants Gwendolyn Jones, J&G Trucking of Lake County, Inc., R.E. Garrison Trucking, Inc., and Liberty Mutual Insurance Company. Defendants jointly move to transfer this lawsuit to the United States District Court for the Middle District of Louisiana and consolidate this lawsuit with a related matter already pending in that district.

Plaintiff’s lawsuit arises out of an accident that is the subject of a lawsuit previously filed by Rashaad Todd in the 19th Judicial District Court, which action was removed to the United States District Court for the Middle District of Louisiana. The same defendants who are defendants in the instant lawsuit are defendants in the Middle District lawsuit. Upon transfer of the instant case to the Middle District of Louisiana, defendants seek consolidation of the instant case with the Rashaad Todd lawsuit.

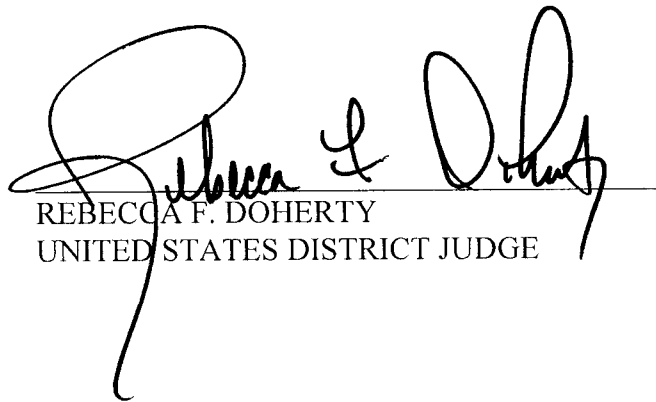
This Court is in receipt of a letter from plaintiff’s counsel, who states plaintiff has no objection to the transfer of the instant case to the Middle District of Louisiana. The letter does not take a position with respect to consolidation of the two pending lawsuits. This Court declines to consolidate the matters at this time, finding the issue of consolidation is more appropriately handled

by the judges of the Middle District of Louisiana.

Considering the foregoing, and there being good cause both factually and legally to grant the relief requested,

IT IS ORDERED that the Motion to Transfer and Consolidate filed by defendants Gwendolyn Jones, J&G Trucking of Lake County, Inc., R.E. Garrison Trucking, Inc., and Liberty Mutual Insurance Company is GRANTED IN PART AND DENIED IN PART. The motion to transfer the lawsuit is GRANTED, and the instant case is hereby TRANSFERRED to the United States District Court for the Middle District of Louisiana. The motion to consolidate the instant lawsuit with the Rashaad Todd lawsuit, which is already-pending in the Middle District, is DENIED for the reasons stated herein. Counsel may re-urge the issue of consolidation once the instant lawsuit is transferred to the Middle District of Louisiana.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 9 day of November, 2010.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE