

United States District Court
District of Massachusetts

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PAUL JONES,)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	13-11274-NMG
CLIENT SERVICES, INC.,)	
Defendant.)	
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MEMORANDUM & ORDER

GORTON, J.

Plaintiff Paul Jones, proceeding pro se, alleges that defendant Client Services, Inc. ("CSI") violated several state and federal statutes by repeatedly calling his wireless phone. Plaintiff initiated this suit by filing a Statement of Small Claim in the Small Claims Session of Boston Municipal Court in May, 2013. Defendant removed to this Session shortly thereafter.

Plaintiff now moves for leave to consolidate this action with five other actions he filed against debt collection agencies in the Small Claims Session all of which were removed to various Sessions of this Court.¹ In addition, plaintiff moves for leave to file an amended complaint that would (1) add as defendants

¹ See Jones v. GC Services Limited Partnership, Civ. No. 13-11281-FDS; Jones v. Diversified Consultants, Inc., Civ. No. 13-11277-GAO; Jones v. FMA Alliance LTD, 13-cv-11286-JLT; Jones v. Financial Recovery Services, Inc., Civ. No. 13-11309-RWZ; Jones v. Central Portfolio Control, Inc., Civ. No. 13-11325-DPW.

those five entities and (2) state with greater specificity the allegations against defendant and those other five entities.

Plaintiff's motion, insofar as it seeks to consolidate the related actions into this action and to accomplish the same by adding those defendants as new parties, will be denied because this Court cannot simply pluck matters off the dockets of other sessions. The Court is, however, amenable to the reassignment of those cases to this session and consolidation pursuant to orders of those respective sessions because it would be a waste of judicial resources to permit the related cases to proceed as separate cases. The cases involve the same plaintiff and present substantially the same questions of fact and law and, if not consolidated pursuant to Fed. R. Civ. P. 42, should be designated as related cases under Local Rule 40.1(G) and reassigned to one session.

Insofar as plaintiff seeks leave to file an amended complaint against defendant CSI with greater specificity, plaintiff's motion will be allowed. Because 1) the operative complaint consists of a hand-written Statement of Small Claim, a pleading suitable for the plaintiff's chosen forum but not for this United States District Court, and 2) plaintiff filed the motion to amend promptly, the Court finds that amendment to be in the interest of justice. See Fed. R. Civ. P. 15(a)(2).

ORDER

In accordance with the foregoing, plaintiff's motion (Docket No. 8) is, with respect to a) consolidation of five cases pending before other sessions of this Court and b) the addition of those same defendants as parties, **DENIED**, but is, with respect to the filing of an amended complaint as against defendant Client Services, Inc., **ALLOWED**.

So ordered.

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

Dated October 8, 2013