

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PRITI SANKARATHIL, Individually and as
Conservator for PRAKASH SANKARATHIL,
a Protected Person,

Plaintiff,

v.

ILLINOIS TOOL WORKS, INC., et.al.,

Defendants.

No. 08-13246

District Judge Marianne O. Battani

Magistrate Judge R. Steven Whalen

ORDER DENYING MOTION FOR RECONSIDERATION

Defendant Crown Cork & Seal Company, Inc., has filed a motion for reconsideration [Docket #14] of my October 7, 2008 Order consolidating this case with Case No. 07-14269, for purposes of discovery.

Defendant argues in this motion, as well as in its response to the motion to consolidate, that it is prejudiced by the fact that discovery has closed in No. 07-14269. However, the fact that the cases are consolidated for purposes of discovery does not preclude Defendant from enjoying an “opportunity to have [a] reasonable period of time to complete its discovery in this case.” *Motion*, p.2. Furthermore, since a fair portion of the discovery will overlap in both cases, it would be in the interests of judicial economy to consolidate the two for purposes of discovery. The language and spirit of Fed.R.Civ.P. 42(a) weighs in favor of having granted the Plaintiff’s motion to consolidate.

Defendant has not demonstrated a palpable defect by which the Court or the parties have been misled. E.D. Mich. L.R. 7.1(g)(3). Therefore, the motion for reconsideration [Docket #14] is DENIED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: October 8, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on October 8, 2008.

S/Gina Wilson
Judicial Assistant