

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

WACHOB LEASING CO., INC. et al PLAINTIFFS
VERSUS CIVIL ACTION NO. 1:15CV237-HSO-RHW
GULFPORT AVIATION PARTNERS, LLC et al DEFENDANTS

Consolidated with

CAN DO AIR, LLC PLAINTIFF
VERSUS CIVIL ACTION NO. 1:16CV60-HSO-RHW
GULFPORT AVIATION PARTNERS, LLC et al DEFENDANTS

ORDER SEVERING CASE

This matter is before the Court *sua sponte*. By order dated July 1, 2016, the Court consolidated two causes of actions (*Allianz Global Risks US Insurance Company v. United States of America*, 1:16cv55-HSO-RHW and *Can Do Air, LLC v. Gulfport Aviation Partners, LLC et al*, Civil Action No. 1:16cv60-HSO-RHW) with the lead case of *Wachob Leasing, Inc. et al v. Gulfport Aviation Partners, LLC et al*, Civil Action No. 1:15cv237-HSO-RHW. Doc. [84]. Eventually the *Allianz* case was dismissed by stipulation of the parties on November 29, 2016. Doc. [154]. In the lead case of *Wachob Leasing, Inc.*, the Defendants stipulated that they are liable to Plaintiff Wachob Leasing Co., Inc. Doc. [184]. The lead case then proceeded to trial on damages. Trial concluded with a jury verdict and final judgment in favor of Plaintiff Wachob Leasing, Co. Inc. Doc. [202]. Based on the entry of final judgment, the lead case, *Wachob Leasing, Inc.*, has been closed.

The claims of Plaintiff *Can Do Air, LLC* are the only claims that remain pending from the consolidated action. In light of a final judgment having been entered in the lead case, the Court

finds that *Can Do Air's* cause of action should be severed from the consolidated action and treated as a stand-alone case as Civil Action No. 1:16cv60. Hence the parties are directed to file any subsequent pleadings in Civil Action No. 1:16cv60. However, all documents previously filed in Civil Action No. 1:15cv237, from the date of the consolidation order (Doc. [84] 7/1/2016) until the entry of the instant order, are deemed to be filed in Civil Action No. 1:16cv60 and may be referenced by the parties.

IT IS THEREFORE ORDERED AND ADJUDGED that *Can Do Air, LLC v. Gulfport Aviation Partners, LLC et al*, Civil Action No. 1:16cv60-HSO-RHW is severed from the consolidated action and is returned to its original case name and civil action number. All subsequent pleadings relating to the *Can Do Air* litigation should be filed in Civil Action No. 1:16cv60-HSO-RHW.

IT IS FURTHER ORDERED that the case management order deadlines established by “Text Only Scheduling Order” entered January 27, 2017, shall remain in effect.

SO ORDERED, this the 20th day of March, 2017.

/s/ Robert H. Walker

ROBERT H. WALKER
UNITED STATES MAGISTRATE JUDGE