

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

KIMYATA DAVIS, ET AL.

PLAINTIFFS

VS.

CIVIL ACTION NO. 5:05cv216DCB-JMR

S. DAVID & COMPANY, INC.

DEFENDANTS

ORDER REQUIRING SEPARATE COMPLAINTS

BEFORE THE COURT is plaintiffs' complaint removed on December 6, 2005. The Court is of the opinion that plaintiffs must file separate complaints for the reasons set forth below.

Plaintiffs who reside in Yazoo County, MS filed a joint complaint alleging that they have been injured in different ways at different times and suffer from alleged sexual harassment in the work place with separate factual allegations regarding liability and damages.

I.

With these concerns in mind and with the objective of achieving judicial economy and maintaining efficient control of its docket, the Court finds it appropriate to sever the recent matter into individual actions, one for each named plaintiff. The present case, Civil Action No. 5:05cv-216DCB-JMR will be dismissed without prejudice.

The Clerk of the Court will be directed to assign a new case number to each individual action. The Clerk of Court shall be directed to place copies of the present complaint, and other documents, including this order in each file. Each document shall be entered as of the date of this order. The newly assigned case number shall be placed upon the copy of the present complaint and other documents and they shall serve as the original documents in the severed action. In the event the Court finds that common questions of law or fact exist in separate cases, the Court may

then order that those cases be consolidated, as provided in Fed.R.Civ.P. 42(a).

Upon assignment of individual case numbers and creation of individual files, the Court will make further orders in each case after conducting it's review pursuant to 28 U.S.C. § 1915.

IT IS THEREFORE ORDERED:

(1) That Civil Action No. 5:05cv216DCB-JMR shall be severed into individual actions, one for each named plaintiff;

(2) That the severed cases shall be captioned as follows:

Kimyata Davis v. S. David & Company

Tammy Pelison v. S. David & Company

Roxanne Randle v. S. David & Company

Stacy Moore v. S. David & Company

John Jones v. S. David & Company

Stephanie Haymore v. S. David & Company

(3) That the Clerk of Court is directed to assign individual civil action numbers to each of the severed cases;

(4) That the Clerk of the Court is directed to place a copy of the complaint and other documents filed in Civil Action No. 5:05cv216DCB-JMR including this order, in each newly created file;

(5) That the complaint and action in Civil Action No. 5:05cv216DCB-JMR is dismissed without prejudice;

SO ORDERED AND ADJUDGED this the 27th of March, 2006.


Chief U.S. Magistrate Judge