

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHRISTIAN BALLARD, et al.,)
)
 Plaintiffs,)
)
 vs.) Case No. 4:14CV1267 CDP
)
NATIONAL FOOTBALL LEAGUE)
PLAYERS ASSOCIATION, et al.,)
)
 Defendants.)

NEIL SMITH, et al.,)
)
 Plaintiffs,)
)
 vs.) Case No. 4:14CV1559 ERW
)
NATIONAL FOOTBALL LEAGUE)
PLAYERS ASSOCIATION, et al.,)
)
 Defendants.)

MEMORANDUM AND ORDER

Defendants have filed a motion to consolidate these cases, currently pending before two judges in this district. Under Rule 42(a) of the Federal Rules of Civil Procedure, actions involving a common question of law or fact may be consolidated.

The plaintiffs in both the *Ballard* and *Smith* case opposed consolidation on the grounds that the *Smith* plaintiffs sought remand for lack of subject-matter jurisdiction. That motion has been denied. *See* Order dated December 2, 2014, Case No. 4:14CV1559 ERW, ECF Doc. 34.

Because these cases involve common parties, as well as related legal and factual issues, I will grant the motion to consolidate these cases for all pretrial purposes. At a later date, I will reconsider whether consolidation of these cases for trial is appropriate.

Accordingly,

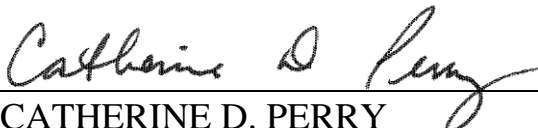
IT IS HEREBY ORDERED that defendants' motion to consolidate [#15] is GRANTED.

IT IS FURTHER ORDERED that the following cases are consolidated and reassigned to me for all pretrial purposes: 4:14CV1267 CDP and 4:14CV1559 ERW.

IT IS FURTHER ORDERED that the Clerk's office shall reassign case number 4:14CV1559 to me, and the parties shall use the case number 4:14CV1559 CDP for any filings in that individual case. If the cases are not ultimately consolidated for trial, it will be reassigned again, if appropriate.

IT IS FINALLY ORDERED that until further order from this court, all filings related to discovery or scheduling in this matter shall be filed only in

4:14CV1267 CDP. Any motions relating to pleadings, class certification, *Daubert* challenges, or summary judgment shall be filed in the individual cases.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 16th day of March, 2015.