

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RANDY GREEN,)
)
Plaintiff,)
)
v.) Case No. 4:16 CV 1900 CDP
)
GEORGE PAZ, et al.,)
)
Defendants.)

CLIFFORD ELOW,)
)
Plaintiff,)
)
v.) Case No. 4:18 CV 1077 RLW
)
GEORGE PAZ, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER OF CONSOLIDATION

The defendants in these shareholder-derivative actions do not dispute plaintiffs' assertion that consolidation of the two cases is appropriate. Upon review of the respective complaints and the present status of the proceedings, I agree. I will therefore reopen Case No. 4:16CV1900 CDP, which had been administratively closed, and consolidate the two cases. Upon consolidation, however, the action will remain stayed pending the outcome of the proposed acquisition of Express Scripts by Cigna Corporation.

Accordingly,


IT IS HEREBY ORDERED that plaintiffs Randy Green and Clifford Elow's Motion to Lift Stay and Consolidate [15] is GRANTED in part and DENIED in part.

IT IS FURTHER ORDERED that Case No. 4:16CV1900 CDP is REOPENED.

IT IS FURTHER ORDERED that Case Nos. 4:16CV1900 CDP and 4:18CV1077 RLW are consolidated for all purposes. All further filings shall be filed in Case No. 4:16CV1900 CDP only. The Clerk of Court shall administratively close Case No. 4:18CV1077 RLW.

IT IS FURTHER ORDERED that the stay in Case No. 4:16CV1900 CDP remains in place.

IT IS FURTHER ORDERED that within thirty (30) days of either the completion of the merger of Express Scripts and Cigna Corporation, or termination of the merger, counsel for all parties shall meet and confer and file with the Court an appropriate motion to lift the stay and a joint proposal on how next to proceed in this case, including whether an amended consolidated complaint will or should be filed and, if so, when; and whether a briefing schedule on an anticipated motion to dismiss is appropriate and, if so, a proposed schedule.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 1st day of October, 2018.