

**FILED**

MAY 22 2017

Clerk, U.S. District Court  
District Of Montana  
Missoula

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

SUSAN DANAHER,

Plaintiff,

vs.

TRINITY UNIVERSAL INSURANCE  
COMPANY, and KEMPER  
PREFERRED, U.S. BANK  
NATIONAL ASSOCIATION, a  
subsidiary of U.S. BANCORP, a/k/a  
U.S. BANK HOME MORTGAGE, and  
JOHN DOES I-X,

Defendants.

CV 15-114-M-DLC

(Consolidated with Case No.  
16-88-M-DLC)

ORDER

Defendant U.S. Bank National Association, a subsidiary of U.S. Bancorp (“U.S. Bank”) moves the Court to consolidate the above action with *Susan Danaher vs. U.S. Bank National Association, a subsidiary of U.S. Bancorp, a/k/a U.S. Bank Home Mortgage, and John Does I-X*, Cause No. CV-16-88-DLC for all pretrial purposes pursuant to Federal Rule of Civil Procedure 42(a). This motion is unopposed as the parties agree the two claims arise from common questions of law and fact. The Court agrees and finds good cause to consolidate these cases.

Defendant U.S. Bank also moves the Court for a status conference in this matter to discuss revising the schedule for the disposition of this case. The Court will grant Defendant's motion to consolidate the cases and will adhere to the scheduling order and trial date set forth in Cause No. CV-16-88-DLC, pursuant to Defendant's request. Thus, a scheduling conference is not necessary. The new scheduling order for this consolidated case is outlined below.

Accordingly, IT IS ORDERED that *Susan Danaher vs. Trinity Universal Insurance Company, Kemper Preferred, and U.S. Bank National Association, a subsidiary of U.S. Bancorp, a/k/a U.S. Bank Home Mortgage, and John Does I-X*, Cause No. CV-15-114-DLC, is consolidated with *Susan Danaher vs. U.S. Bank National Association, a subsidiary of U.S. Bancorp, a/k/a U.S. Bank Home Mortgage, and John Does I-X*, Cause No. CV-16-88-DLC, for all pretrial purposes. All docketing shall be filed in the lead case, Cause No. CV 15-114-M-DLC, and spread to the member case, Cause No. CV-16-88-DLC.

IT IS FURTHER ORDERED that the scheduling order and trial date in Cause No. CV-16-88-DLC (Doc. 11) is adopted in this consolidated case.

Therefore, the following schedule will govern all further pretrial proceedings:

Motions Deadline (fully briefed):                      July 5, 2017

Motions In Limine Deadline:  
(fully briefed) August 4, 2017

Attorney Conference to Prepare  
Final Pretrial Order: week of September 18, 2017

E-file Final Pretrial Order,  
Proposed Jury Instructions,  
Proposed Voir Dire Questions,  
and Trial Briefs and e-mail  
to dlc\_propord@mtd.uscourts.gov  
(Trial Briefs are optional): October 5, 2017

Notice to Court Reporter of  
Intent to Use Real-Time: October 5, 2017

Notice to I.T. Supervisor of  
Intent to Use CD-ROM or  
Videoconferencing: October 5, 2017

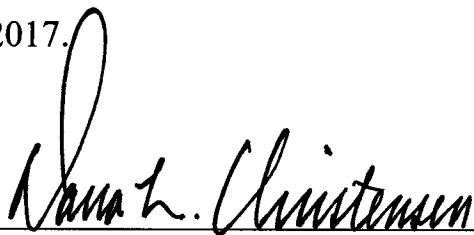
Final Pretrial Conference: October 12, 2017 at 2:30 p.m.  
Missoula, Montana

Jury Trial (7-member jury): October 23, 2017 at 9:00 p.m.  
Russell Smith Courthouse  
Missoula, Montana

The Court's Order in Cause No. CV-16-88-DLC dated October 11, 2016 (Doc. 11)  
shall remain in full force and effect in all other respects.

IT IS FURTHER ORDERED that Defendant's Motion for a Status  
Conference in Cause No. CV-16-88-DLC (Doc. 21) is DENIED as moot.

DATED this 22<sup>nd</sup> day of May, 2017.

  
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Dana L. Christensen, Chief Judge  
United States District Court