

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

<b>DONALD E. PALLETT,</b>	)	
	)	<b>8:14CV118</b>
<b>Plaintiff,</b>	)	
	)	
<b>V.</b>	)	<b>ORDER</b>
	)	
<b>LAURIE SMITH CAMP, and</b>	)	
<b>THOMAS D. THALKEN,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	_____
	)	
<b>DONALD E. PALLETT</b>	)	<b>8:14CV145</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>V.</b>	)	<b>ORDER</b>
	)	
<b>LAURIE SMITH CAMP, and</b>	)	
<b>THOMAS D. THALKEN,</b>	)	
	)	
<b>Defendants.</b>	)	

Defendants have moved to consolidate the above-captioned actions. (Case No. 8:14CV118, [filing 8](#); Case No. 8:14CV145, [filing 4](#)). Consolidation of separate actions is governed by Federal Rule of Civil Procedure 42(a), which provides:

If actions before the court involve a common question of law or fact, the court may:

- (1) join for hearing or trial any or all matters at issue in the actions;
- (2) consolidate the actions; or
- (3) issue any other orders to avoid unnecessary cost or delay.

[Fed. R. Civ. P. 42\(a\)](#). A court may consolidate cases in the interest of expedition and

economy. [\*EPA v. Green Forest, Ark.\*, 921 F.2d 1394, 1402-03 \(8th Cir. 1990\)](#). However, consolidation is considered inappropriate “if it leads to inefficiency, inconvenience, or unfair prejudice to a party.” [\*EEOC v. HBE Corp.\*, 135 F.3d 543, 551 \(8th Cir. 1998\)](#).

The Court finds that the cases involve common questions of law or fact, and that consolidation is in the interest of justice and would serve judicial economy. Therefore, consolidation is appropriate.

Accordingly,

1. Defendants’ motions to consolidate (Case No. 8:14CV118, [filing 8](#); Case No. 8:14CV145, [filing 4](#)) are granted. The above-captioned actions are hereby consolidated for discovery, trial and all other purposes.
2. Case No. 8:14CV118 is hereby designated as the “Lead Case,” and Case No. 8:14CV145 is designated as the “Member Case.”
3. The Court’s CM/ECF System has the capacity for “spreading” text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in all Member cases. To this end, the parties are instructed to file all further documents (except those described in Paragraph 4 below) in the Lead Case, and to select the option “yes” in response to the System’s question whether to spread the text.
4. The parties may not use the spread the text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; or to file items related to service of process.
5. If a party believes that an item in addition to those described in Paragraph 4 should not be filed in all the consolidated cases, the party must move for permission to file the item in one or more member cases. The motion must be filed in all the consolidated cases using the spread text feature.

**DATED June 13, 2014.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**