

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

CHARDE EVANS,)	
)	
Plaintiff,)	
)	2:10-cv-01224-JCM-LRL
v.)	
)	MINUTE ORDER
WAL-MART STORES, INC, <i>et al.</i> ,)	
)	
Defendant.)	
_____)		Dated: <u>October 19, 2010</u>

PRESENT: THE HONORABLE LAWRENCE R. LEAVITT, United States Magistrate JudgeJUDICIAL ASSISTANT: Carol DePino RECORDER: NoneCOUNSEL FOR PLAINTIFF(S): None AppearingCOUNSEL FOR DEFENDANT(S): None Appearing

Before the court is defendants' Notice of Related Case and Request to Transfer Case to the Honorable Philip M. Pro (#9), filed on August 30, 2010. On October 15, 2010, the court converted the Notice (#9) into a Motion to Consolidate with case 06-cv-00225 (#9). Defendants wish to have Judge Pro assigned as the district judge for the instant case because he was the district judge in a previous, similar matter, *Nancy Hall v. Wal-Mart Stores, Inc., et. al.*, 06-cv-00225-PMP-PAL, which was closed on November 2, 2009. Because *Hall v. Wal-Mart* is no longer an open case, the instant case -- *Evans v. Wal-Mart Stores* -- cannot be consolidated with it. Defendants' motion is essentially a request that this case be transferred from Judge Mahan to Judge Pro because of Judge Pro's "familiarity with the issues in the *Hall Action* and given the overlapping nature of the *Hall Action* and this action." This is a form of judge shopping, which is inappropriate.

IT IS THEREFORE ORDERED that defendants' Motion to Consolidate (#9) is denied.



LAWRENCE R. LEAVITT
UNITED STATES MAGISTRATE JUDGE