IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

PETER STROJNIK,

Plaintiff,

v.

ALBUQUERQUE BOCA HOTEL, LP D/B/A CROWNE PLAZA ALBUQUERQUE,

Defendant.

No. 1:20-cv-00843-WJ-GBW
No. 1:20-cv-00875-JAP-SCY
No. 1:20-cv-00938-JHR-KK
No. 1:20-cv-00940-WJ-LF
No. 1:20-cv-00998-KK-GBW

Consolidated

MEMORANDUM OPINION AND ORDER CONSOLIDATING CASES

THIS MATTER comes before the Court *sua sponte*. This case is one of five cases filed by *pro se* Plaintiff in state court which have been removed to this Court. *See Strojnik v. Water Street Inn, LLC*, No. 1:20-cv-00875-JAP-SCY; *Strojnik v. Ashford Santa Fe LP*, No. 1:20-cv-00938-JHR-KK; *Strojnik v. Ashford Posada LP*, No. 1:20-cv-00940-WJ-LF; *Strojnik v. Historic Hotel, LLC*, No. 1:20-cv-00998-KK-GBW.

The complaints in each of the five cases are structurally identical in that they each assert: (i) a claim for violations of the Americans with Disabilities Act ("ADA"); (ii) a claim for violation of the New Mexico Unfair Practices Act ("NMUPA"); and (iii) a negligence claim. The relief sought by each complaint is essentially identical. Many of the factual allegations in each complaint are identical. The only difference between the complaints is the identity of the Defendant, and the specific alleged ADA and NMUPA violations, although many of those are very similar. The State of New Mexico has filed a motion to intervene in the first two cases. Those motions are essentially identical. The Court anticipates the State of New Mexico will file similar motions in the latest three cases.

Rule 42 allows the Court to consolidate actions if those actions "involve a common question of law or fact." Fed. R. Civ. P. 42(a)(2). Consolidation of Mr. Strojnik's five cases will not only ensure consistent rulings by the Court, but will efficiently utilize Court resources by having the same presiding Judge and same referral Judge handling the four cases. Without consolidation, there would be two District Judges and five Magistrate Judges handling the four essentially identical cases.

IT IS ORDERED that:

(i) The following cases are consolidated with this case:

(a) *Strojnik v. Water Street Inn, LLC*, No. 1:20-cv-00875-JAP-SCY;

(b) *Strojnik v. Ashford Santa Fe LP*, No. 1:20-cv-00938-JHR-KK;

(c) *Strojnik v. Ashford Posada LP*, No. 1:20-cv-00940-WJ-LF.

(d) *Strojnik v. Historic Hotel, LLC*, No. 1:20-cv-00998-KK-GBW.

(ii) The Clerk shall file this Order in each of the consolidated cases.

(iii) All documents for the consolidated cases shall be filed only in this case: *Strojnik v. Albuquerque Boca Hotel, LP*, No. 1:20-cv-00843-WJ-GBW.

WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE