

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE and CHARLOTTE DIVISIONS**

**DOCKET NO. 1:08-CV-550-FDW
DOCKET NO. 3:09-CV-5-FDW**

ZEP, INC.,)
)
Plaintiff)
)
vs.)
)
MIDWEST MOTOR SUPPLY CO. d/b/a)
KIMBALL MIDWEST, STEVEN LAVE,)
and SAMUEL TRANTHAM,)
)
Defendants.)

ORDER

ZEP, INC.,)
)
Plaintiff)
)
vs.)
)
MIDWEST MOTOR SUPPLY CO. d/b/a)
KIMBALL MIDWEST and JOHN)
THOMAS BELK,)
)
Defendants.)

THIS MATTER is before the Court *sua sponte* for purposes of consolidating both of the above-styled cases pursuant to Fed. R. Civ. P. 42(a) and designating No. 1:08-CV-550 as the lead case. Case No. 3:09-CV-5 shall be administratively closed and all future filings shall be made on the lead case docket. Magistrate Judge Dennis Howell shall remain as the referral magistrate as to both cases.

IT IS SO ORDERED.

Signed: March 10, 2009

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
United States District Judge

