

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:14-CV-00015-FDW-DSC**

MARK RAY MARTIN PARROTT,)
)
 Plaintiff,)
)
 vs.)
)
 STEVEN CHICKILLO, and,)
 NETWORKS, LLC,)
)
 Defendants.)
)

ORDER

THIS MATTER is before the Court on Defendants’ Steven Chickillo and NETworks, LLC (“Defendants”) Motion to Consolidate NETworks, LLC and Steven Chickillo v. Mark Ray Martin Parrott, Case No. 3:14-cv-00070-RJC-DSC, with this case. Case No. 3:14-cv-00070-RJC-DSC, Doc. No. 9.

Rule 42 of the Federal Rules of Civil Procedure allows a court to consolidate cases that involve common questions of law or fact. Courts have broad discretion in determining whether or not to consolidate. A/S Ludwig Mowinckles Rederi v. Tidewater Const. Co., 559 F.2d 928, 933 (4th Cir. 1977). Consolidation does not merge the suits into a single cause, or change the rights of the parties. Intown Properties Mgmt. Inc. v. Wheaton Van Lines, 271 F.3d 164, 168 (4th Cir. 2001). In determining whether to consolidate a case, the Court considers several factors including: (1) the risk of prejudice and confusion, (2) the burden on the parties and witnesses, and (3) the economy of judicial resources. See Arnold v. Eastern Airlines, 681 F.2d 186, 193 (4th Cir. 1982).

These cases concern the same parties, and the claims asserted in Defendants’ Complaint in NETworks, LLC v. Parrott, are identical to the counterclaims asserted by Defendants in this

case. Compare NETWORKS, LLC v. Parrott, Case No. 3:14-cv-00070-RJC-DSC, Doc. No. 1, with Mark Ray Martin Parrott v. Steven Chickillo and NETWORKS, LLC, Case No. 3:14-cv-00015-FDW-DSC, Doc. No. 1. Accordingly, pursuant to Rule 42 of the Federal Rules of civil Procedure and in light of the facts noted above, this Court finds that these two cases should be consolidated.

IT IS THEREFORE ORDERED that Defendant's Motion to Consolidate, NETWORKS, LLC v. Parrott, Case No. 3:14-cv-00070-RJC-DSC, Doc. No. 9, is GRANTED, and this Court shall accept re-assignment of Case No. 3:14-cv-00070.

IT IS SO ORDERED.

Signed: April 2, 2014



Frank D. Whitney
Chief United States District Judge

