

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NOS. 5:12-CV-186; 3:14-CV-504**

UNITED STATES OF AMERICA, )  
) )  
**Plaintiff,** )  
) )  
**v.** ) )  
) )  
ERIC APPELBAUM, )  
) )  
**Defendant.** )  
) )  
\_\_\_\_\_) )  
) )  
CLAUDIA APPELBAUM, )  
) )  
**Plaintiff,** )  
) )  
**v.** ) )  
) )  
UNITED STATES OF AMERICA, )  
) )  
**Defendant,** )  
\_\_\_\_\_)

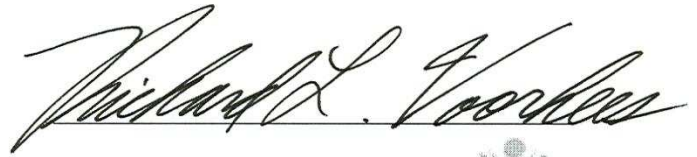
**ORDER**

**BEFORE THE COURT** is the parties’ Joint Motion to Consolidate this case with Claudia Appelbaum v. United States of America, 3:14-cv-504-RJC-DSC. (Doc. 27). Rule 42 provides that “[i]f actions before the court involve a common question of law or fact, the court may . . . consolidate the actions.” The Court finds that consolidation is warranted for the grounds stated in the motion. Both chambers agree that 5:12-cv-186 will be the lead case. The Court also agrees that a bifurcated trial is warranted, where the issues in the lead case, 5:12-cv-186, will be tried first. The Court will retain the original November 2015 trial date; however, the Court **will not issue an order regarding the outstanding motion for summary judgment until the parties have completed mediation in accordance with the Scheduling Order.** The parties’ deadline for mandatory mediation has passed in both 5:12-cv-186 and 3:14-cv-504.

**IT IS, THEREFORE, ORDERED THAT:**

- (1) The Motion to Consolidate (Doc. 27) is **GRANTED**;
- (2) The Clerk shall copy all filings from 3:14-cv-504 into 5:12-cv-186;
- (3) 5:12-cv-186 is designated as the lead case;
- (4) 3:14-cv-504 is administratively closed; and
- (5) The parties shall conduct mediation and file a report of mediation in accordance with the Local Rules and the Scheduling Order in place.

Signed: August 11, 2015



Richard L. Voorhees  
United States District Judge

