

No. 15-cv-77. One of the same properties and alleged violations in the above-encaptioned matter were the subject of the Snyder case, involving some but not all of the same issues of fact.

As we recently noted in *Badger et al. v. Advance Stores Co., Inc. d/b/a Advance Auto Parts*, No. 16-cv-1872, 2017 WL 782925 (W.D. Pa. March 1, 2017), the relatedness inquiry does not focus solely on overlapping property and factual issues, but also looks to whether a related assignment promotes just and efficient conduct of the action. Rule 40(E)(2) explicitly states that the Judge who is assigned the later-filed case(s) may transfer it if “the cases are related or the transfer would promote the convenience of the parties or witnesses or the just and efficient conduct of the action.” Conversely, the Court may refuse to transfer a case to another judge where it determines that it “would not promote the just and efficient conduct of [the] action.”

Snyder was resolved without any dispositive motions with minimal court involvement, and Chief Judge Conti currently has no similar cases pending before her. This member of the Court has numerous similar cases pending. Moreover, Snyder involved architectural barriers themselves, while this case, in contrast, focuses on Defendant’s policies and practices which Plaintiffs contend result in architectural barriers. Convenience and efficiency would therefore not be promoted by reassigning this case to Chief Judge Conti. Additionally, on March 16, 2017, defendant filed a district judge option and the matter has been assigned to Hon. Mark R. Hornak.

AND NOW, this 22nd day of March, 2017, IT IS HEREBY ORDERED THAT the Motion for Reassignment [ECF No. 6] is DENIED.

/s/ Robert C. Mitchell
ROBERT C. MITCHELL
United States Magistrate Judge