IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ODYSSEY CONTRACTING CORP.,)
Appellant,)
v.)
L&L PAINTING CO., INC. <i>and</i> FEDERAL INSURANCE COMPANY,)
Appellees.)

Civil Action Nos. 18-456 & 18-458

Judge Cathy Bissoon

<u>ORDER</u>

Appellant's Motions to consolidate (**Doc. 7** in Civil Action No. **18-456** and **Doc. 14** in **18-458**) are **GRANTED**, as follows. At the onset, the Court highlights Local Civil Rule 40.D's requirement that, "[a]t the time of filing[,]... counsel <u>shall</u> indicate on an appropriate form[, *e.g.*, the Civil Cover Sheet,] whether the action is related to any other pending or previously terminated actions in this Court." *Id.* (emphasis added). Also, absent clear legal authority requiring the filing of two separate appeals where the disputed-ruling was entered in both a main bankruptcy action and a related adversarial action, so-proceeding seems a terrible waste of time and resources. These things having been said, Appellant's request to consolidate is granted, and it will be effectuated as follows. The Clerk of this Court is directed to place a copy of the Supplement (Doc. 6 in 18-456), transmitted by the Bankruptcy Clerk to this Court on May 2nd, into the docket in Civil Action No. 18-458. In the meantime, Civil Action No. 18-456 will be administratively closed; and, as relates to both cases, all deadlines will be established, and filings made, in Civil Action No. 18-458. Consistent with the foregoing, the appellatebriefing deadlines in Civil Action No. 18-456 hereby are VACATED, and the appeal(s) will proceed according to the framework established in 18-458. *See* May 5th text-Order in 18-458 (holding in abeyance appeal-merits briefing, and requiring Appellant to respond to Appellees' Motion to Dismiss by May 17th).

IT IS SO ORDERED.

May 10, 2018

s/Cathy Bissoon Cathy Bissoon United States District Judge

cc (via ECF email notification):

All Counsel of Record