

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

PATSY BAILEY, INDIVIDUALLY AND
AS THE PERSONAL REPRESENTATIVE
OF THE ESTATE OF DONNA RENEE
BAILEY AND DALE BAILEY,
INDIVIDUALLY,

Plaintiffs,

vs.

SOUTHEAST AMALGAMATED, INC.
d/b/a SHELTON OIL & TRANSPORT CO.,
AND ITS EMPLOYEE, JOHN FINK,
DECEASED, HIS HEIRS, PERSONAL
REPRESENTATIVES,
ADMINISTRATORS, SUCCESSORS AND
ASSIGNS,

Defendants and Third-Party Plaintiff,

vs.

BRIT STRIBLING AND TAYLOR
THOMAS STRIBLING

Third-Party Defendants.

CHRISTOPHER ANDREWS,

Plaintiff,

v.

SOUTHEAST AMALGAMATED, INC.
d/b/a SHELTON OIL & TRANSPORT CO.,
and ESTATE OF JOHN DANIEL FINK,
Deceased, by and through its PERSONAL
REPRESENTATIVE GRETA KATHLYN
FINK,

Defendants.

Civil Action No.: 7:16-cv-02799-MGL-KFM

**ORDER GRANTING MOTION TO
CONSOLIDATE CASES FOR PURPOSES
OF DISCOVERY DEPOSITIONS**

Civil Action No.: 7:16-cv-2216-MGL

The parties move before the Court to consolidate the above-captioned actions for the purposes of discovery depositions based upon the following:

1. These two cases arise out of an accident that occurred on Interstate 26 in Spartanburg, South Carolina, on June 27, 2015.

2. In both cases, the parties Rule 26(f) discovery plan, Initial Disclosures, and Local Rule 26.03 Interrogatories list nearly identical fact witnesses.

3. Moreover, the Complaints filed by the Plaintiff(s) in each of the cases allege similar allegations against the Defendants Southeast Amalgamated, Inc. d/b/a Shelton Oil & Transport Co. and the Estate of John Fink (collectively, "Defendants").¹

4. The parties are informed and believe that common issues of law and fact exist between the two cases.

THEREFORE, IT IS ORDERED THAT the above cases are consolidated for the purposes of discovery depositions to avoid duplication of efforts by the parties.

AND IT IS SO ORDERED.

s/Mary Geiger Lewis

Hon. Mary Geiger Lewis

September 22, 2016

¹ Defendants would set forth that the Plaintiffs in the Estate of Donna Renee Bailey lawsuit, Civil Action No.: 7:16-cv-02799-MGL, are aware that they have asserted that the Fink Estate is not properly named pursuant to S.C. Code Ann. § 62-3-104. Defendants have informed counsel for the Estate of Donna Bailey they will consent to an amended complaint that properly names the personal representative as the Defendant.