

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

TRAVIS LEE RYANS, <i>et al.</i> ,)	
)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	1:13-cv-234-SKL
)	
KOCH FOODS, LLC,)	
)	
)	
<i>Defendant.</i>)	

ORDER

Before the Court is Plaintiffs’ motion to consolidate [Doc. 8]. Plaintiffs filed the motion, seeking to consolidate this matter with Case No. 1:13-cv-199. Plaintiffs stated that both actions arose out of the same traffic-trailer crash on September 24, 2012, but involve different plaintiffs and different counsel for plaintiffs. Plaintiffs seek to consolidate the cases in order to save time and judicial resources, as the same factual witnesses will likely appear in each case and all counsel for the plaintiffs in both cases have agreed to use the same expert witnesses. Plaintiff seeks to consolidate the two cases for both discovery and trial.

Defendant filed a response in opposition [Doc. 10], agreeing that consolidating the cases for discovery would promote efficiency, but objecting to consolidation for trial. Defendant states it would be disadvantaged and unfairly prejudiced by consolidation of the cases for trial.

A scheduling conference was held in this matter on November 13, 2013. Based on the discussion that took place at the scheduling conference, the motion to consolidate [Doc. 8] is hereby **DENIED** as moot, without prejudice to refile.

SO ORDERED.

ENTER:

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE