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6	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA		
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8	BURT DANIELS,		
9	Plaintiff,	CASE NO. 3:16-CV-05874-RBL-DWC	
10	V.	ORDER GRANTING MOTION TO CONSOLIDATE	
11	VAN HOOK,		
12	Defendant.		
13	The District Court referred this 42 U.S.C. § 1983 action to United States Magistrate		
14	Judge David W. Christel. Presently before the Court is Plaintiff's Motion to Consolidate Water		
15	Claims ("Motion"). Dkt. 12. <sup>1</sup> Plaintiff requests the Court consolidate his claims related to the		
16	potable water at the Special Commitment Center ("SCC") in this case with Malone v. Strong,		
17	Case No. 3:16-cv-5284-RBL-DWC. Id. Defendant did not file a response to the Motion. After		
18	reviewing the Motion, attached declaration, and relevant record, the Motion is granted. The		
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21	<sup>1</sup> Pursuant to Local Rule 42, a motion to consolidate should be filed in the earliest filed case, which in this case would be <i>Malone v. Strong</i> , Case No. 3:16-cv-5284-RBL-DWC, and notice should be filed in the later filed		
22	case. Here, the Motion was filed in the later filed case without a motion or notice being filed in the earlier case. Local Rule 42 also requires parties to meet and confer and attempt to reach an agreement regarding consolidation of the cases. There is no evidence the parties met and conferred in this case. If coursel intends to consolidate future cases with <i>Malone v. Strong</i> , the Motion should be filed in <i>Malone v. Strong</i> with notice in the later filed case.		
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Additionally, the Motion should indicate if the parties met and conferred and if the parties agree to the

<sup>24</sup> consolidation, a stipulation to consolidate should be filed. In the interests of justice, the Court will consider the 24 Motion in this case and consolidate the current case with *Malone v. Strong*.

1	claims in this case related to the potable water at SCC are consolidated with <i>Malone v Strong</i> ,	
2	Case No. 3:16-cv-5284-RBL-DWC.	
3	Dated this 15th day of February, 2017.	
4	X6 Christel	
5	David W. Christel	
6	United States Magistrate Judge	
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