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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIELLE MARCY,

Plaintiff,

v.

J.R. SIMPLOT COMPANY,

Defendant.

No. 2:22-cv-00523-TLN-CKD

DENNIS TONY DUTRA,

Plaintiff,

v.

J.R. SIMPLOT COMPANY,

Defendant.

No. 2:21-cv-01054-TLN-CKD

DANIELLE MARCY,

Plaintiff,

v.

J.R. SIMPLOT COMPANY,

Defendant.

No. 2:22-cv-01971-MCE-JDP

RELATED CASE ORDER

Defendant filed a Notice of Related Cases on November 1, 2022. Examination of the above-captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal. 1997). Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern District of California, actions are related when they involve the same parties and are based on the same or similar claim(s); when they involve the same transaction, property, or event; or when they “involve similar questions of fact and the same question of law and their assignment to the same Judge . . . is likely to effect a substantial savings of judicial effort.” L.R. 123(a). Further,

[i]f the Judge to whom the action with the lower or lowest number has been assigned determines that assignment of the actions to a single Judge is likely to effect a savings of judicial effort or other economies, that Judge is authorized to enter an order reassigning all higher numbered related actions to himself or herself.

L.R. 123(c).

These actions involve the same or similar parties and claims, as well as the same questions of fact and the same questions of law. Therefore, there would be substantial duplication of labor if these actions were heard by different judges. Consequently, assignment to the same judge would “effect a substantial savings of judicial effort.” L.R. 123(a), *see also* L.R. 123(c).

Relating the cases under Local Rule 123, however, merely has the result that both actions are assigned to the same judge, it does not consolidate the actions. Under the regular practice of this Court, related cases are generally assigned to the judge and magistrate judge to whom the first filed action was assigned. Should either party wish to consolidate the actions, the appropriate motion or stipulation must be filed.

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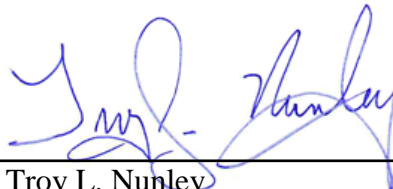
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1 IT IS THEREFORE ORDERED that the action denominated Case No. 2:22-cv-01971-
2 MCE-JDP shall be reassigned to District Judge Troy L. Nunley and Magistrate Judge Carolyn K.
3 Delaney, and the caption shall read Case No. 22:22-cv-01971-TLN-CKD. Any dates currently
4 set in Case No. 2:22-cv-01971-MCE-JDP are hereby VACATED. The Clerk of the Court is to
5 issue the Initial Pretrial Scheduling Order.

6 IT IS SO ORDERED.

7 **DATED: December 15, 2022**

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Troy L. Nunley
United States District Judge