IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH AMBROSE, D.C.,

Plaintiff,

v. CIV. NO. S-08-1664 LKK/GGH

GARY COFFEY, et al.,

Defendants.

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WILMER D. ORIGEL,

Plaintiff,

v. CIV. NO. S-09-2640 GEB/GGH

TRAVELERS PROPERTY AND CASUALTY COMPANY OF AMERICA, A Corporation; WILLIAM REYNOLDS; THE COUNTY OF SAN JOAQUIN; JAMES C. WEYDERT; GARY COFFEY; and DOES 1 to 100,

RELATED CASE ORDER

Defendants.

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By prior order, this court related and consolidated three cases concerning various civil rights claims brought by chiropractors. These consolidated cases are currently proceeding as Ambrose, et al. v. Coffey, et al., Case No. S-08-cv-1664-LKK-GGH. Plaintiff in a fourth case, Origel v. Travelers Property and

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Casualty Co. of America, et. al., Case No. S-09-cv-2640-GEB-GGH, has filed a notice of related cases.

Examination of the above-entitled actions reveals that the Origel action is related to the consolidated actions within the meaning of Local Rule 83-123(a). The actions involve the same defendants, and are based on the same or similar claims, similar questions of fact and the same question of law. Accordingly, the assignment of the matters to the same judge and magistrate judge is likely to effect a substantial savings of judicial effort and is also likely to be convenient for the parties.

The parties should be aware that relating the cases under Local Rule 83-123 merely has the result that the actions are assigned to the same judge; the Origel action is not consolidated with the other actions by this order. 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.

The court hereby orders that:

1. The above-captioned cases are RELATED.

2. The action denominated CIV. NO. 2:09-cv-2640-GEB-GGH is REASSIGNED to Judge Lawrence K. Karlton and Magistrate Judge Gregory G. Hollows for all further proceedings. Any dates currently set in the reassigned case are hereby VACATED. Defendants in the reassigned case are DIRECTED to renotice the motions pending in that case to

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reflect a hearing date available before Judge Karlton.[1]

3. Henceforth, the caption on documents filed in the cases shall be shown as CIV. NO. 2:08-cv-1664-LKK-GGH and CIV. NO. 2:08-cv-2640-LKK-GGH, respectively.

3. The Clerk of the Court make shall appropriate adjustment in the assignment of civil cases to compensate for this reassignment.

IT IS SO ORDERED.

DATED: October 30, 2009.

LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

[1] The court notes that a motion to dismiss in the Ambrose cases has been noticed for hearing before this court for November 23, 2009, and that a similar motion to dismiss has been filed in Origel, previously noticed for hearing before Judge Burrell on November 23 as well. Although the court VACATES the hearing date for the second motion, the parties may file a motion to shorten time if they believe that judicial economy would be served by hearing the motions together. However, the parties are reminded that the cases have not been consolidated, and that the two motions will at this point be decided separately.