

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CONSOLIDATED CASES

VERONICA HOLLINGER,

Plaintiff,

v.

Case No. 19-2243-JAR

CHRISTOTS MONTESSORI
SCHOOL, INC., et al.,

Defendants.

CECILLIA GREEN,

Plaintiff,

v.

Case No. 19-2244-JAR

CHRISTOTS MONTESSORI
SCHOOL, INC., et al.,

Defendants.

ORDER OF CONSOLIDATION

On September 6, 2019, the undersigned U.S. Magistrate Judge, James P. O'Hara, conducted a scheduling conference in the above-captioned cases. The parties agreed at the

conference that Case Nos. 19-2243-JAR and 19-2244-JAR are factually and legally related and, therefore, should be consolidated for discovery and pretrial purposes.

Under Fed. R. Civ. P. 42(a), a court may consolidate or join for trial or hearing “any or all the matters at issue in the actions” if the actions involve a “common question of law or fact.” The decision whether to consolidate such actions is left to the sound discretion of the trial court.¹ In exercising its discretion, the court should take into consideration whether judicial efficiency is best served by consolidation.²

Case Nos. 19-2243-JAR and 19-2244-JAR clearly involve common questions of law and fact. In both cases, the named plaintiff asserts claims related to race discrimination in employment with the Christots Montessori School in Shawnee, Kansas.³ The complaints in both cases allege an incident of child abuse that led to subsequent legal violations by defendants. The four defendants are the same in both cases. Counsel for each side is the same in both cases. Judicial efficiency would be best served by consolidation of these cases for all discovery and pretrial purposes.

In consideration of the foregoing,

IT IS HEREBY ORDERED: Case No. 19-2244-JAR shall be consolidated with Case No. 19-2243-JAR, both having been previously dual-assigned to Julie A. Robinson,

¹ *Ryan Transp. Servs., Inc. v. Fleet Logistics, L.L.C.*, No. Civ. A. 04-2445-CM, 2005 WL 2293598, at *3 (D. Kan. Sept. 19, 2005) (citing *Shump v. Balka*, 574 F.2d 1341, 1344 (10th Cir. 1978)).

² *C.T. v. Liberal Sch. Dist.*, 562 F. Supp. 2d 1324, 1346 (D. Kan. 2008).

³ Case No. 19-2243 also involves an assault claim and a counterclaim.

U.S. District Judge, and the undersigned U.S. Magistrate Judge. Case No. 19-2243-JAR shall be designated as the lead case. All future pleadings, except those related to dispositive motions, shall bear the consolidated caption on this order and shall be filed in only the lead case. Any dispositive motions and other filings related to the same shall be filed in the specific case without a consolidated caption.

Dated September 6, 2019, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge