

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MICHAEL FALLINE on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

CORECIVIC OF TENNESSEE, LLC; and  
DOES 1-50,

Defendants.

Case No.: 2:21-cv-01802-CDS-BNW

Order Consolidating Cases

ANTHONY TURNER on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

CORECIVIC OF TENNESSEE, LLC; and  
DOES 1-50,

Defendants.

Case No.: 2:22-cv-00775-GMN-NJK

Pending before the Court is an Unopposed Motion to Consolidate and Transfer (ECF No. 32) *Anthony Turner v. CoreCivic of Tennessee, LLC*, 2:22-cv-00775-GMN-VCF into *Michael Falline v. CoreCivic of Tennessee, LLC*, 2:21-cv-01802-CDS-BNW. The motion to consolidate has been properly filed in this action, as it is the oldest case pending in federal court. See Local Rule 42-1(b).

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1 Federal Rule of Civil Procedure 42(a) governs the consolidation of cases. The rule  
2 provides that “[i]f actions before the court involve a common question of law or fact, the court  
3 may . . . consolidate the actions.” Fed. R. Civ. P. 42(a). Consolidation permits district courts “to  
4 expedite the trial and eliminate unnecessary repetition and confusion.” *DuPont v. S. Pac. Co.*, 366  
5 F.2d 193, 195 (5<sup>th</sup> Cir. 1966). *See also Wilson v. Johns-Manville Sales Corp.*, 107 F.R.D. 250, 252 (S.D.  
6 Tex. 1985)(the purpose of consolidation is to allow district courts “to manage their dockets  
7 efficiently while providing justice to the parties”). “The district courts have broad discretion  
8 under this rule to consolidate cases pending in the same district.” *Investors Research Co. v. U.S. Dist.*  
9 *Court for Cent. Dist. of California*, 877 F.2d 777, 777 (9<sup>th</sup> Cir. 1989). In determining whether to  
10 consolidate cases, the court should “weigh the interest of judicial convenience against the  
11 potential for delay, confusion and prejudice.” *Zhu v. UCBH Holdings, Inc.*, 682 F. Supp. 2d 1049,  
12 1052 (N.D. Cal. 2010); *see also Huene v. United States*, 743 F.2d 703, 704 (9<sup>th</sup> Cir. 1984).

13 The judges to whom these actions are assigned have determined that consolidation is  
14 appropriate here. The cases involve common questions of fact and law concerning allegations  
15 brought against the same Defendant, CoreCivic of Tennessee, LLC (“CoreCivic”), and share  
16 common central allegations by former correction officers challenging compensation. *Compare*  
17 *generally 2:21-cv-01802-CDS-BNW*, ECF No. 1, *with 2:22-cv-00775-GMN-NJK*, ECF Nos. 1, 1-2.

18 Further, the parties have met and conferred and CoreCivic does not oppose  
19 consolidation. ECF No. 32 at 4; *see also* ECF No. 32-1 at 3. Consolidation will reduce delay and  
20 confusion without prejudicing the parties and allow the Court to hear all dispositive motions in  
21 conjunction, thereby expediting their resolution.

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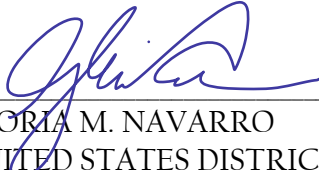
1 Finally, consolidation will not prejudice the parties as both matters are in similar  
2 procedural postures, involve the same factual allegations, present no conflicts of interest, and  
3 resolution of the cases together will ensure consistency in the findings and conclusions of the  
4 Court. Accordingly,

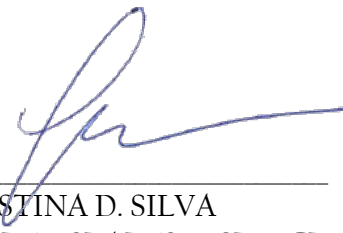
5 IT IS HEREBY ORDERED that the Unopposed Motion to Consolidate and Transfer  
6 (ECF No. 32) is GRANTED.

7 IT IS FURTHER ORDERED that Case Nos. 2:21-cv-01802-CDS-BNW and 2:22-cv-  
8 00775-GMN-NJK are consolidated, with 2:21-cv-01802-CDS-BNW serving as the lead case. All  
9 future filings in these cases shall be filed in the lead case.

10 IT IS FURTHER ORDERED that Case No. 2:22-cv-00775-GMN-NJK is reassigned to  
11 District Judge Cristina D. Silva for all further proceedings.

12 DATED this 27th day of July, 2022.

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16 GLORIA M. NAVARRO  
UNITED STATES DISTRICT JUDGE

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20 CRISTINA D. SILVA  
21 UNITED STATES DISTRICT JUDGE  
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