

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DUANE R. STEIEN,

Plaintiff,

ORDER

v.

JACKSON COUNTY ZONING
COMMITTEE,

04-C-0012-C

Defendants.

DUANE R. STEIEN,

Plaintiff,

04-C-0065-C

v.

JACKSON COUNTY ZONING
COMMITTEE, GARY OLSON,
MERLIN FREDRICKSON, NORMAN
STOKER, LEONARD KOSTOHRYZ
and DONALD EVENSON,

Defendants.

Before the court is defendants' motion to consolidate the above-captioned cases pursuant to F. R. Civ. P. 42(a). See docket #3 in case number 04-C-0065-C. The plaintiff is the same in both cases, defendant Jackson County Zoning Committee is a defendant in both, and the other defendants in case number 04-C-65-C are all members of the zoning committee. Both cases arise out of the same incident and the same set of facts and therefore

present common questions of law and fact. The cases already have been consolidated for scheduling purposes, with identical deadlines for all occurrences, including the same date for a bench trial before me. By granting the motion to consolidate, I am simply changing what would have been two consecutive bench trials into one. This is fair and efficient to both sides.

Accordingly, IT IS ORDERED that defendants' motion to consolidate is GRANTED. Hereafter, each document must bear both case captions, but only one copy need be filed. The first-filed case (04-C-0012-C) shall become the operative case file.

Entered this 29th day of March, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge