

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Garcia v. Hap Trucking Ltd. and Manago v. Hap Trucking Ltd.

No. 2:24-cv-01496-TLN-CKD; 2:24-cv-01948-TLN-CKD, United States District Court for the Eastern District of California (March 31, 2025)

SUMMARY

The United States District Court for the Eastern District of California grants unopposed motions to consolidate two actions arising from the same motor vehicle accident. The court orders the cases consolidated for all purposes, directs filing of a consolidated complaint in Garcia v. Hap Trucking Ltd., closes the Manago docket, and sets a deadline for Defendants to answer.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 31, 2025
DOCKET	2:24-cv-01496-TLN-CKD; 2:24-cv-01948-TLN-CKD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs in two related motor-vehicle-accident actions filed unopposed motions to consolidate under Federal Rule of Civil Procedure 42(a).
STANDARD OF REVIEW	The district court has broad discretion to consolidate actions presenting a common issue of law or fact under Federal Rule of Civil Procedure 42(a), weighing the savings of time and effort against inconvenience, delay, or expense.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

- civil procedure
- negligence

PRACTICE AREAS

- civil procedure
- torts

QUESTIONS PRESENTED

1. Whether the two related actions arising from the same motor vehicle accident should be consolidated under Federal Rule of Civil Procedure 42(a).

HOLDINGS

1. Consolidation was appropriate because the two actions arose from the same accident and presented common factual and legal issues, and the benefits of consolidation outweighed any inconvenience, delay, or expense.

KEY QUOTATIONS

“The district court, in exercising its broad discretion to order consolidation of actions presenting a common issue of law or fact under [Federal] Rule [of Civil Procedure] 42(a), weighs the saving of time and effort consolidation would produce against any inconvenience, delay, or expense that it would cause.” (at 1)

FACTUAL BACKGROUND

The two actions arose from a single motor vehicle accident involving a tractor trailer operated by Gurham Singh Gill. Plaintiffs alleged that Hap Trucking Ltd. and Gill were responsible for the accident, including through negligent operation of the tractor trailer and failures to train and supervise Gill.

PROCEDURAL HISTORY

The Garcia and Manago actions were pending separately in the Eastern District of California and arose from the same motor vehicle accident. The court granted the unopposed motions to consolidate, designated the Garcia docket as the surviving docket, directed plaintiffs to file a consolidated complaint, ordered defendants to answer within forty-five days after service, and directed the clerk to close the Manago docket.

DISPOSITION

other

CASES CITED

- Huene v. United States, 743 F.2d 703, 704 (9th Cir. 1984)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 QUENTIN PAUL GARCIA, 12 Plaintiff, No. 2:24-cv-01948-TLN-CKD 13
v. 14 HAP TRUCKING LTD; GURHAM ORDER SINGH GILL and DOES 1-25, inclusive, 15
Defendants. 16 17 18 19 No. 2:24-cv-01496-TLN-CKD MICHAELA MANAGO, 20 Plaintiff, 21
v. 22 HAP TRUCKING LTD; GURHAM 23 SINGH GILL and DOES 1-25, inclusive, 24
Defendants.

25 26 This matter is before the Court on Plaintiffs Quentin Paul Garcia and Michaela Manago's 27 (collectively, "Plaintiffs") unopposed Motions to Consolidate two related cases. (No. 2:24-cv- 28 1 01947-TLN-CKD, ECF No. 20; No. 2:24-cv-01496-TLN-CKD, ECF No. 16.)¹ The two actions 2 arise out of a single motor vehicle accident.

In both actions, Plaintiffs allege Defendants Hap 3 Trucking Ltd. ("Hap Trucking") and Gurham Singh Gill ("Gill") (collectively, "Defendants") 4 were in some manner responsible for an accident in which, among other things, they failed to 5 operate a tractor trailer in a reasonable manner and failed to train and supervise Gill, which 6 caused him to operate the tractor trailer in a negligent manner.

7 "The district court, in exercising its broad discretion to order consolidation of actions 8 presenting a common issue of law or fact under [Federal] Rule [of Civil Procedure] 42(a), weighs 9 the saving of time and effort consolidation would produce against any inconvenience, delay, or 10 expense that it would cause." *Huene v. United States*, 743 F.2d 703,704 (9th Cir.

1984). Having 11 carefully reviewed the parties' submissions, the Court determines that consolidation is 12 appropriate. Accordingly, the Court hereby GRANTS the motions to consolidate. (No. 2:24-cv- 13 01947-TLN-CKD, ECF No. 20; No. 2:24-cv-01496-TLN-CKD, ECF No. 16.) 14 IT IS HEREBY ORDERED that: 15 1.

The following actions are consolidated before this Court for all purposes, 16 including trial and all pretrial matters: 17 • Garcia v. Hap Trucking Ltd. et al., No. 2:24-cv-01496-TLN-CKD 18 • Manago v. Hap Trucking Ltd. et al., No. 2:24-cv-01948-TLN-CKD 19 2. Plaintiffs shall have seven (7) days from the electronic filing date of this Order to 20 file a consolidated complaint.

The consolidated complaint and any future filings shall be 21 solely made on the docket for No. 2:24-cv-01496-TLN-CKD. Going forward, no filings 22 should be made under No. 2:24-cv-01948-TLN-CKD. The Clerk of Court is directed to 23 close Case No. 2:24-cv-01948-TLN-CKD. 24 /// 25 /// 26 /// 27 28 1 The instant motion has been docketed in each of the related cases.

1 3. Defendants shall have forty-five (45) days after service of the consolidated 2 complaint to file an answer. 3 IT IS SO ORDERED. 4 | DATED: March 28, 2025 5 Lol 7 g TROY L. NUNLEY CHIEF UNITED STATES DISTRICT JUDGE 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28