

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

In re The Litigation Practice Group, P.C.

No. SACV 25-0115 FMO (C.D. Cal. Mar. 3, 2025) · No. SACV 25-0115 FMO · Decided March 3, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause concerning consolidation of two related appeals arising from The Litigation Practice Group, P.C.'s Chapter 11 bankruptcy case. The court directed the parties to address the overlap of factual and legal issues and whether consolidation was appropriate under Federal Rule of Civil Procedure 42(a), or to file a stipulation if they agreed to consolidation.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando M. Olguin
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 3, 2025
DOCKET	SACV 25-0115 FMO
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause concerning whether two related appeals from a Chapter 11 bankruptcy proceeding should be consolidated.
STANDARD OF REVIEW	Consolidation is committed to the district court's broad discretion and requires weighing the time and effort saved against inconvenience, delay, or expense.
PRECEDENTIAL VALUE	Unpublished procedural order; precedential status not stated
PARTIES	Bridge Funding Cap, LLC, Azzure Capital, LLC

TOPICS

- civil procedure
- appellate procedure
- bankruptcy
- summary judgment

PRACTICE AREAS

- civil procedure
- appellate procedure
- bankruptcy
- commercial litigation

QUESTIONS PRESENTED

1. Whether the two related bankruptcy appeals involve common questions of law or fact warranting consolidation under Federal Rule of Civil Procedure 42(a).
2. What briefing the parties should provide regarding the propriety of consolidating the related appeals.

KEY QUOTATIONS

“If actions before the court involve a common question of law or fact, the court may . . . consolidate the actions[.]”

“A district court generally has ‘broad’ discretion to consolidate actions[.]”

FACTUAL BACKGROUND

The Litigation Practice Group, P.C. was the debtor in a Chapter 11 bankruptcy case. Two related appeals arose from that proceeding after the Bankruptcy Court granted partial summary judgment, with Bridge Funding Cap, LLC and Azzure Capital, LLC each challenging such a grant. The district court reviewed the related appeal dockets and sought briefing on whether the appeals involved sufficiently common factual or legal issues to warrant consolidation.

PROCEDURAL HISTORY

The Litigation Practice Group, P.C. filed a Chapter 11 bankruptcy petition in Bankruptcy Case No. 23-10571 SC. Bridge Funding Cap, LLC and Azzure Capital, LLC filed related appeals challenging the Bankruptcy Court's grants of partial summary judgment. The district court ordered each party to address the common factual and legal issues and whether consolidation was appropriate under Federal Rule of Civil Procedure 42(a).

DISPOSITION

other

CASES CITED

- Huene v. United States, 743 F.2d 703, 704 (9th Cir.), on reh'g, 753 F.2d 1081 (9th Cir. 1984)
- Pierce v. County of Orange, 526 F.3d 1190, 1203 (9th Cir. 2008)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No. SACV 25-0115 FMO Date March 3, 2025 Title In Re The Litigation Practice Group P.C. Present: The Honorable Fernando M. Olguin, United States District Judge Vanessa Figueroa None None Deputy Clerk Court Reporter / Recorder Tape No. Attorney Present for Plaintiff(s): Attorney Present for Defendant(s): None Present None Present Proceedings: (In Chambers) Order to Show Cause Re: Consolidation of Actions In two related appeals' arising from debtor The Litigation Practice Group's Chapter 11 bankruptcy petition

(Bankruptcy (“BK”) Case No. 23-10571 SC), appellant Bridge Funding Cap, LLC challenges the Bankruptcy Court’s grant of partial summary judgment, (see Bridge Appeal, Dkt.

1, Notice of Appeal at 2), and appellant Azzure Capital, LLC challenges the Bankruptcy Court’s grant of partial summary judgment. (See Azzure Appeal, Dkt. 1, Notice of Appeal at 2); (Litigation Practice Ill, Dkt. 1, Notice of Appeal at 2). “If actions before the court involve a common question of law or fact, the court may... consolidate the actions[.]” Fed.

R. Civ. P. 42(a)(2). The court “weighs the saving of time and effort consolidation would produce against any inconvenience, delay, or expense that it would cause.” *Huene v. United States*, 743 F.2d 703, 704 (9th Cir.), on reh’g, 753 F.2d 1081 (9th Cir. 1984). “A district court generally has ‘broad’ discretion to consolidate actions[.]” *Pierce v. Cty. of Orange*, 526 F.3d 1190, 1203 (9th Cir.

2008). Having reviewed the dockets in the Bridge Appeal and the Azzure Appeal, IT |S ORDERED that: 1. No later than March 11, 2025, each party shall file a Memorandum Re: Consolidation (“Memorandum”), no longer than five pages in length, addressing (1) the extent to which there are similar factual and/or legal issues in the above cases, and (2) whether or not the cases should be consolidated pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

2. If the parties agree that the cases should be consolidated, then the parties shall file a stipulation in lieu of a Memorandum no later than March 11, 2025. Initials of Preparer vdr ' The two related appeals are In re The Litigation Practice Group, P.C. (Bridge Appeal), SA CV 24-2043 (C.D. Cal.), and In re The Litigation Practice Group, P.C. (Azzure Appeal), SA CV