

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**JERRY THOMAS COEN and  
CARLOS HERRERA,**

**Plaintiffs,**

**V.**

**CASE NO. 5:16-CV-00353-MTT**

**GEORGIA DEPARTMENT OF  
CORRECTIONS; *et al.*,**

## Defendants.

**ORDER TO SHOW CAUSE**

The claims brought by Plaintiffs Jerry Thomas Coen and Carlos Herrera are strikingly similar to those brought by Plaintiff Jeremy Woody in Case No. 5:16-CV-467-MTT. All three Plaintiffs seek damages under Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131 *et seq.*, and Section 504 of the Rehabilitation Act, 29 U.S.C. § 794 *et seq.*, based on events that occurred during their previous incarcerations. It seems that it would be an inefficient use of judicial and party resources to allow the same dispute to be litigated concurrently in two separate lawsuits in the same Court. Thus, the Court is inclined to consolidate the cases pursuant to Fed. R. Civ. P. 42(a). While the Court has discretion to consolidate *sua sponte*, *Eghnayem v. Boston Sci. Corp.*, 873 F.3d 1304, 1312-17 (11th Cir. 2017), it will give the parties an opportunity to address and voice any objections to consolidation.

Accordingly, the parties are **ORDERED**, on or before **September 27, 2018**, to show cause why the instant action should not be consolidated with Civil Action No. 5:16-CV-467-MTT pursuant to Fed. R. Civ. P. 42(a).

**SO ORDERED**, this 13th day of September, 2018.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT