

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

FILED

AUG - 8 2005

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY Jmy
DEPUTY CLERK

ABEL ARMENDARIZ,
Plaintiff

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v.

MO-05-CV-10 ✓

**RIG MOVERS EXPRESS, INC.,
ENDEAVOR ENERGY RESOURCES,
INC.,**
Defendant

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**
Plaintiff

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v.

MO-05-CV-96

**ENDEAVOR ENERGY RESOURCES, L.P.
D/B/A RIG MOVERS EXPRESS,**
Defendant

ORDER TO CONSOLIDATE

Before the Court is the First Amended Agreed Motion to Consolidate, filed by Plaintiff Abel Armendariz on July 13, 2005, in cause number MO-05-CV-10. After due consideration, the Court is of the opinion that the matter filed under cause number MO-05-CV-96 shall be CONSOLIDATED with the action filed under cause number MO-05-CV-10. Cause number MO-05-CV-10 shall be the lead cause number in the action. Further, the Amended Scheduling Order entered on this day under separate order shall be applied to the consolidated cases.

Therefore, because MO-05-CV-10 and MO-05-CV-96 involve common questions of law and fact, and the consolidation of these cases will eliminate a multiplicity of suits, minimize the expense

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of litigation, and speed the disposition of actions, the Court is of the opinion that the two cases shall be consolidated. The Court finds that no prejudice to the parties will result from the consolidation of these two cases. Moreover, the Court is of the opinion that the two cases shall be consolidated under cause number MO-05-CV-10. Accordingly,

It is hereby **ORDERED** that cause number MO-05-CV-10 and cause number MO-05-CV-96 are consolidated under cause number MO-05-CV-10.

It is **FURTHER ORDERED** that cause number MO-05-CV-10 shall be the lead cause number and all future pleadings shall be filed under that number.

It is **FINALLY ORDERED** that the Scheduling Order filed under separate order on this day shall control the consolidated proceedings.

SIGNED this 8 day of AUGUST, 2005.



ROBERT TUNELL
United States District Judge
Western District of Texas