


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

**FILED**

**FEB 21 2023**

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

KURT PHILLIPS, ON BEHALF OF §  
HIMSELF AND ALL OTHERS §  
SIMILARLY SITUATED, §  
PLAINTIFF, §  
V. §  
BAY BRIDGE ADMINISTRATORS, LLC, §  
DEFENDANT. §

CAUSE NO. 1:23-CV-022-LY

MICHAEL MANSON, INDIVIDUALLY, §  
AND ON BEHALF OF ALL OTHERS §  
SIMILARLY SITUATED, §  
PLAINTIFF, §  
V. §  
BAY BRIDGE ADMINISTRATORS, LLC, §  
DEFENDANT. §

CAUSE NO. 1:23-CV-030-LY

THOMAS GRAHAM, INDIVIDUALLY, §  
AND ON BEHALF OF ALL OTHERS §  
SIMILARLY SITUATED, §  
PLAINTIFF, §  
V. §  
BAY BRIDGE ADMINISTRATORS, LLC, §  
DEFENDANT. §

CAUSE NO. 1:23-CV-085-LY

AUSTIN KOHL AND M.K., A MINOR §  
CHILD, ON BEHALF OF THEMSELVES §  
AND ALL OTHERS SIMILARLY §  
SITUATED, §  
PLAINTIFFS, §  
V. §  
BAY BRIDGE ADMINISTRATORS, LLC, §  
DEFENDANT. §

CAUSE NO. 1:23-CV-100-LY

**ORDER CONSOLIDATING CASES**

Before the court in the above-referenced causes of action are four motions to consolidate ((Doc. #11 in 1:23-CV-022-LY), (Doc. #8 in 1:23-CV-030-LY), (Doc. #5 in 1:23-CV-085-LY), and (Doc. #7 in 1:23-CV-100-LY)). Federal Rule of Civil Procedure 42(a) permits a district court to consolidate “actions before the court involv[ing] a common question of law or fact.” FED. R. CIV. P. 42(a). District courts have broad discretion in determining whether to consolidate cases. *See Mills v. Beech Aircraft Corp.*, 886 F.2d 758, 761–62 (5th Cir. 1989). Consolidation is proper when it will avoid unnecessary costs or delay without prejudicing the rights of the parties. *See id.*; *St. Bernard Gen. Hosp., Inc. v. Hospital Serv. Ass’n of New Orleans, Inc.*, 712 F.2d 978, 989 (5th Cir. 1983). Having reviewed the motions and case files,

**IT IS ORDERED** that the motions to consolidate ((Doc. #11 in 1:23-CV-022-LY), (Doc. #8 in 1:23-CV-030-LY), (Doc. #5 in 1:23-CV-085-LY), and (Doc. #7 in 1:23-CV-100-LY)) are **GRANTED AS FOLLOWS**: Cause Nos. 1:23-CV-030-LY, 1:23-CV-085-LY, and 1:23-CV-100-LY are consolidated with and into Cause No. 1:23-CV-022-LY.

**IT IS FURTHER ORDERED** that any application to serve as interim class counsel under Federal Rule of Civil Procedure 23(g)(3) shall be filed **on or before March 3, 2023**.

Upon proper motion, the court will consider consolidating any future action involving the same or similar operative facts with and into this consolidated action. After selecting interim class counsel, the court will set a schedule for Plaintiffs to file a consolidated class-action complaint and for Defendant to file a response.

SIGNED this 21<sup>st</sup> day of February, 2023.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE