

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOEL HOOD, *individually and on behalf of
all others similarly situated,*

Plaintiff,

v.

EDUCATIONAL COMPUTER SYSTEMS,
INC.,

Defendant.

2:24-CV-00666-CCW

ELIZABETH GOLEC, *individually and on
behalf of all others similarly situated,*

Plaintiff,

v.

EDUCATIONAL COMPUTER SYSTEMS,
INC.,

Defendant.

2:24-CV-00699-CCW

ALEXYS TAYLOR, *individually and on
behalf of all others similarly situated,*

Plaintiff,

v.

EDUCATIONAL COMPUTER SYSTEMS,
INC.,

Defendant.

2:24-CV-00903-CCW

ORDER

AND NOW, this 1st day of July, 2024, in consideration of Plaintiffs' Unopposed Motion to Consolidate Related Cases and Schedule Further Case Deadlines, it is hereby ORDERED that:

a. The following three putative class action cases currently pending in this Court (now, collectively, the “Consolidated Action”) are consolidated before the undersigned pursuant to Federal Rule of Civil Procedure 42(a) for pre-trial purposes:

1. *Golec v. Educational Computer Systems, Inc.*, Case No. 2:24-cv-00699-CCW (W.D. Pa.);

2. *Hood v. Educational Computer Systems, Inc. d/b/a Heartland ECSI*, Case No. 2:24-cv-00666-CCW (W.D. Pa.); and

3. *Taylor v. Educational Computer Systems, Inc. d/b/a Heartland ECSI*, Case No. 2:24-cv-00903-CCW (W.D. Pa.).

b. The Clerk is directed to consolidate the actions in paragraph a.1.–a.3. and shall mark civil action nos. 2:24-cv-699 and 2:24-cv-903 as closed. All papers filed in the Consolidated Action shall be filed under *Hood v. Educational Computer Systems, Inc. d/b/a Heartland ECSI*, Case No. 2:24-cv-00666-CCW, under the following caption:

JOEL HOOD, *individually and on behalf of
all others similarly situated*,

Plaintiff,

v.

EDUCATIONAL COMPUTER SYSTEMS,
INC.,

Defendant.

2:24-CV-00666-CCW

c. The case file for the Consolidated Action will be maintained under Master Docket No. 2:24-cv-00666-CCW. When a pleading is intended to apply to all actions to which this Order applies, the words “All Actions” shall appear immediately after the words “This Document Relates To:” in the caption above. When a pleading is not intended to apply to all actions, the docket number for each individual action to which the paper is intended to apply and the last name of the first-named plaintiff in said action shall appear immediately after the words “This Document Relates To:” in the caption, for example: “2:24-cv-00699-CCW (Golec).”

d. Any action subsequently filed, transferred, or removed to this Court that arises out of the same or similar alleged facts as the Consolidated Action will be consolidated with it for pre-trial purposes. The parties shall file a notice on the Master Docket and on the docket of the subsequent action whenever a case that should be consolidated into this action is filed in, or transferred or removed to, this District. The notice shall explain why the subsequent action should be consolidated. If the Court determines that the case should be consolidated, the Court will enter an Order on the Master Docket:

1. directing the Clerk to file said Order in the subsequent action and consolidate the subsequent action; and
2. directing Plaintiffs’ counsel to serve this July 1 Order and the Court’s Order referenced above upon defendant(s) in the new case if they have not yet appeared in the subsequent action.

e. Any attorney who has filed a case now part of the Consolidated Action, or any other action arising out of the same or similar operative facts now pending or hereafter filed in, removed to, or transferred to this District, may file an application for appointment as interim lead class counsel or other designated counsel either individually or as part of a proposed leadership slate. All applications must be electronically filed on the Master Docket No. 2:24-cv-00666-CCW, no later than **July 15, 2024**. Each attorney's or proposed leadership slate's application shall address the factors set forth in Rule 23(g) or other relevant factors and may include a firm resume. The Court may hold a hearing on the applications or appoint interim lead class counsel or other designated counsel based on timely written submissions only.

f. Plaintiffs shall file a Consolidated Complaint no later than fourteen (14) days following entry of an order appointing interim lead class counsel or other designated counsel.

g. Defendant shall file a response to the Consolidated Complaint within 21 (21) days of its filing. In accordance with the Court's Practice and Procedures, after conferral, if Defendant's response is a motion to dismiss, Plaintiffs shall have thirty (30) days to file their opposition brief, and Defendant shall have ten (10) days to file a reply brief. All briefs shall comply with the Court's Practices and Procedures as to page length.

h. Defendant shall have no obligation to respond to the existing complaints in each Consolidated Action and instead will answer or otherwise respond to the Consolidated Complaint.

DATED this 1st day of July, 2024.

BY THE COURT:

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
United States District Judge

cc (via ECF email notification):

All Counsel of Record