

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

JENNIFER SYLVESTER, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

UNITED SEATING AND MOBILITY, LLC
d/b/a NUMOTION,

Defendant.

Case No. 3:25-cv-00469

JASON PEEFFLEY, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

UNITED SEATING AND MOBILITY, LLC
d/b/a NUMOTION,

Defendant.

Case No. 3:25-cv-00482

**ORDER GRANTING PLAINTIFFS' MOTION TO CONSOLIDATE CASES AND
APPOINT INTERIM LEAD COUNSEL**

This matter is before the Court on Plaintiffs' Motion to Consolidate Cases and Appoint J. Gerard Stranch, IV, of Stranch, Jennings & Garvey, PLLC, as interim lead counsel. The Court has reviewed the Motion and finds that it should be granted for good cause and for the reasons stated in the Motion.

Accordingly, the Court orders that Plaintiffs' Motion is granted. The Court orders as follows:

1. Case Nos. 3:25-cv-00469 and 3:25-cv-00482 are consolidated for all purposes under Federal Rule of Civil Procedure 42(a), and the consolidated cases shall proceed under this case number, Case No. 3:25-cv-00469.

2. Defendant is not required to respond to the initial complaints in these cases or in later filed substantially similar individual complaints, all of which shall be defined as “Related Cases.”

3. Pursuant to Rule 42, the Court also orders as follows to organize these Related Cases:

- Plaintiffs in the Consolidated Action shall file an operative Consolidated Class Action Complaint within thirty (30) days.
- Defendant will file a responsive pleading to the Consolidated Complaint within thirty (60) days of its receipt of the Consolidated Complaint.
- If Defendant responds by way of motion, Plaintiffs will have thirty (30) days to oppose Defendant’s motion, and Defendant will have twenty-one (21) days to reply.

4. Interim Lead Counsel shall have the responsibilities set forth below:

- (a) Determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the putative Class on all matters arising during pretrial proceedings;
- (b) Coordinate the initiation and conduct of discovery on behalf of the putative Class consistent with the requirements of Tennessee law and the local rules of this Court;
- (c) Convene meetings amongst counsel;
- (d) Conduct settlement negotiations on behalf of the putative Class;
- (e) Delegate tasks to other plaintiffs’ counsel as needed and appropriate in a manner to ensure that pretrial preparation is conducted efficiently and effectively;
- (f) Negotiate and enter into stipulations with opposing counsel as necessary for the conduct and efficient advancement of the litigation;
- (g) Monitor the activities of all counsel to ensure that schedules and litigation deadlines are being met and unnecessary expenditures of time and funds are

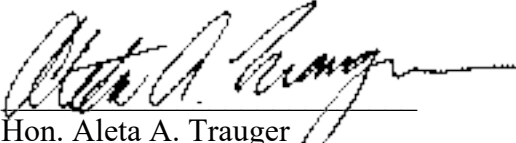
avoided;

- (h) Ensure that all counsel comport with the billing and expense protocol being used by the leadership team and that will be submitted to the Court for approval;
- (i) Perform such other duties as may be incidental to the proper coordination of pretrial activities or authorized by further order of this Court;
- (j) Serve as the primary contact for communications between the Court and other counsel;
- (k) Ensure that all notices, orders, and material communications are properly distributed (to the extent that they are not otherwise served on counsel via the Court's electronic filing system);
- (l) Communicate with defense counsel as necessary to promote the efficient advancement of this litigation;
- (m) Allocate any Court awarded attorneys' fees, costs, and expenses;
- (n) Perform all other duties or tasks as are necessary to the prosecution of this matter on behalf of the putative Class; and
- (o) All other responsibilities as is required to represent the proposed Class.

5. No other counsel shall be permitted to file into the consolidated action except with the permission of interim lead counsel.

6. This Order shall apply to the Consolidated Action, and all subsequently filed or transferred actions arising out of the same set of operative facts that include the Defendant.

IT IS SO ORDERED.


Hon. Aleta A. Trauger
United States District Court Judge