



# **Plaintiffs-in-Intervention, The California State Grange's and Ed Komski's, motion to consolidate and transfer is GRANTED.**

We are expecting additional positive good news this week - stay tuned.

## **Minute Order**

Pursuant to CCP 403, Plaintiffs-in-Intervention move to transfer California State Grange v. The Grange of the State of California's Order of Patrons of Husbandry, Chartered, et al., No. 163389, pending in the Superior Court of Butte County, to Sacramento County Court (the "Butte Action"), and consolidate the Butte Action with the instant lawsuit.

The procedure for coordination of actions may be invoked when civil actions sharing a common question of fact or law are pending in different courts. (CCP § 404.) Under Code of Civil Procedure section 403, a motion for coordination of noncomplex actions must be supported by a showing that (1) the actions involve a common question of fact or law; (2) the actions are noncomplex; (3) the actions meet the standards specified in Code of Civil Procedure section 404.1; and (4) the moving party has made a good faith effort to obtain agreement to the transfer from all parties to each action. (CCP § 403.)

In this case, the Court concludes that each of these elements has been met. The Court addresses these factors below. First, the instant lawsuit and the Butte Action both stem from the same central allegations and questions regarding which organization is the "true" California State Grange. Second, these actions are

noncomplex, pursuant to CRC 3.400 et seq. Third, transfer and coordination would promote the ends of justice because the cases involve the same factual and legal issues, and the Butte Action was only recently filed, in November 2014. (CCP 404.1) Finally, while Plaintiffs-in-Intervention submit an attorney declaration attesting that the other involved parties would not agree to transfer, the Court has not received an opposition from any party, which it takes as a concession on the merits.

Accordingly, the motion to transfer and consolidate the actions is GRANTED. Moving party shall pay transfer fees. The lead case shall be The National Grange of the Order of Patrons of Husbandry vs. The California State Grange (34-2012-00130439). The case management judge assigned to the lead case shall hear case management issues in the consolidated cases. The case management time lines applicable to the lead case shall govern both cases.