

1 issues. In the Court's oral ruling, the court intended to make the following findings, but
2 inadvertently omitted them. Therefore, the Court now supplements its oral ruling as follows:

- 3 1. Substantially the same evidence on liability would be presented in both cases;
- 4 2. Both cases allege the same wrong;
- 5 3. Both cases arise out of the same transactional nucleus of facts;
- 6 4. Different results in each case would raise many difficult issues that can be avoided by
7 consolidation of liability issues;
- 8 5. Consolidation of liability issues will promote judicial economy;
- 9 6. Consolidation of liability issues will expedite final resolution of the case;
- 10 7. Consolidation of liability issues will avoid inconsistent results, and will provide all
11 parties an equal opportunity to address liability issues and
- 12 8. Consolidation of liability issues will not prejudice any party. (The Court is aware that
13 this Order, unfortunately, may delay conclusion of the State's case by some six
14 months. That is not sufficient prejudice to trump the benefits of such consolidation.)

15 IT IS SO ORDERED.

16 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
17 to any party appearing pro se at said party's last known address.

18 Dated this 28th day of May, 2019.

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20 ROBERT J. BRYAN
21 United States District Judge