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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **EARTH ISLAND INSTITUTE**

9 **Plaintiff**

10 **v.**

11 **CICELY MULDOON, U.S. NATIONAL**
12 **PARK SERVICE, U.S. DEPARTMENT**
13 **OF THE INTERIOR,**

14 **Defendants**

CASE NO. 1:22-CV-0710 AWI EPG
1:22-CV-1132 AWI SKO

ORDER RELATING AND
REASSIGNING CASE

15 Plaintiff initially filed Case No. 22-cv-0710 to challenge Defendants' decision to thin
16 certain trees in Yosemite National Park. Plaintiff then filed Case No. 22-cv-1132 to challenge
17 Defendants' decision not to provide records in response to Plaintiff's FOIA request which is
18 designed to obtain records relevant to Case No. 22-cv-0710. Plaintiff has filed a notice of related
19 cases and asks that these cases be assigned to the same judges.

20 Local Rules state that "If the Judge to whom the action with the lower or lowest number
21 has been assigned determines that assignment of the actions to a single Judge is likely to effect a
22 savings of judicial effort or other economies, that Judge is authorized to enter an order reassigning
23 all higher numbered related actions to himself or herself." Local Rule 123(c). To guide this
24 determination, the Local Rules also provide that:

25 An action is related to another action within the meaning of this Rule when

26 (1) both actions involve the same parties and are based on the same or a similar
claim;

27 (2) both actions involve the same property, transaction, or event;

28 (3) both actions involve similar questions of fact and the same question of law and

1 their assignment to the same Judge or Magistrate Judge is likely to effect a
2 substantial savings of judicial effort, either because the same result should follow in
3 both actions or otherwise; or

(4) for any other reasons, it would entail substantial duplication of labor if the
actions were heard by different Judges or Magistrate Judges.

4 Local Rule 123(a).

5 Here, the two cases largely involve the same parties. From Plaintiff's representations,
6 there is almost complete overlap between the case as the FOIA request. Assignment of the same
7 district and magistrate judges would avoid unnecessary duplication of labor. Relation of cases is
8 proper. Because the undersigned and Magistrate Judge Grosjean have the lower numbered related
9 case, Case No. 22-cv-1132 will be reassigned to the dockets of Senior District Judge Anthony Ishii
10 and Magistrate Judge Erica P. Grosjean.

11 IT IS SO ORDERED.

12 Dated: December 12, 2022


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14 SENIOR DISTRICT JUDGE