**IN THE COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT**

**IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA**

**SMALL CLAIMS DIVISION**

**PRESTON BLAIR,**

Plaintiff,

**CASE NO.: `1234567896322345678**

**vs.**

**JOHN DOE,**

Defendant.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**MOTION TO CONSOLIDATE AND TRANSFER RELATED CASES**

Pursuant to Hillsborough County, County Civil Division Administrative Order S-2017-017(11), the above-styled Plaintiff hereby moves on the following grounds to consolidate related County Court cases:

1. As presently pled, the following cases concern unpaid personal injury protection (“PIP”) benefits and/or Medical Payments coverage, interest, and penalty and postage on overdue PIP benefits. These cases each involve the same insured patient, the same Defendant insurer, same date of loss, and nonpayment and/or underpayment of PIP benefits and/or Medical Payments coverage to the Plaintiff Healthcare Provider:

|  |  |  |  |
| --- | --- | --- | --- |
| **Plaintiff** | **Defendant** | **Case No.** | **Division** |
| Outpatient Pain and Wellness Center, Inc. | Windhaven Insurance Company | 17-CC-014228 | I |
| Outpatient Pain and Wellness Center, Inc. | Windhaven Insurance Company | 17-CC-014756 | U |

1. Administrative Order S-2017-017(11) provides:

**11. Consolidation**

When two or more cases, regardless of their nature, involving common questions of law or fact are pending in the court and might appropriately be considered or tried together, but which are assigned to different divisions of the court, the judge assigned to the division in which the lower case number is pending may, upon a party's motion or upon the judge's own motion, transfer the case(s) with the higher number(s) to the judge's division with the lower case number. Upon any reassignment, the clerk will make an appropriate notation on the progress docket(s), and thereafter the issues in all such cases will be heard, tried and determined by the judge assigned to the division making the reassignment. Once made, any reassignment will be permanent notwithstanding that such cases may not be ultimately tried together.

If cases are consolidated, the party filing the motion to consolidate is responsible for providing copies of the order of consolidation for filing in the reassigned cases. If the cases are consolidated upon the judge's own motion, the judge will designate the party responsible for providing copies of the order of consolidation for filing in the reassigned cases. After consolidation, each pleading, document or order filed must show in the caption, the style and case number of all of the reassigned cases which have been consolidated. Each pleading, document or order will be filed only in the case into which the other cases have been consolidated.

1. Therefore, pursuant to Administrative Order S-2017-017(11), this Court has the authority to consolidate the above-referenced case into Case Number `1234567896322345678.
2. Consolidation of these cases would prevent duplicative litigation, and prevent the unnecessary expense of judicial resources.
3. Further, consolidation of these cases will promote judicial economy, minimize the parties’ expenses, and avoid the possibility of inconsistent results.
4. I hereby certify that an attempt the resolve the foregoing issue has been made prior to setting the matter for hearing.

**WHEREFORE**, the Plaintiff respectfully requests that this Honorable Court enter an order transferring to Division 77 and consolidating the above referenced cases.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Request has been furnished by electronic service to the Attorney for the Defendant, Sage Law Offices at , on April 21, 2023.

/s/ Amy T. Sullivan

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