

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHAFIQ RASUL, SKINA BIBI, as Next
Friend of Shafiq Rasul, *et al.*,

Petitioners,

v.

Civil Action No. 02-299 (CKK)

GEORGE WALKER BUSH, President of the
United States, *et al.*,

Respondents.

FILED ✓

JUL 30 2002

**NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT**

FAWZI KHALID ABDULLAH FAHAD AL
ODAH, *et al.*,

Plaintiffs,

v.

Civil Action No. 02-828 (CKK)

UNITED STATES OF AMERICA, *et al.*,

Defendants.

ORDER CONSOLIDATING CASES

(July 30, 2002)

Presently before the Court is a motion filed by Plaintiffs in Civil Action No. 02-828 to consolidate their case with Civil Action No. 02-299 for the purpose of resolving common pretrial issues. The Court, by telephonic conference on May 13, 2002, reserved ruling on the motion until it had an opportunity to review the Government's position on Plaintiffs' motion. The Government does not oppose Plaintiffs' motion to the extent that consolidation is limited to the common jurisdictional issues presented by both matters.

(N)


Pursuant to Rule 42 of the Federal Rules of Civil Procedure, the Court has determined that, for the limited purpose of assessing whether the Court has jurisdiction to entertain these matters, consolidation is appropriate. Fed. R. Civ. P. 42(a) (“When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.”). In fact, the Court heard oral argument on the jurisdiction issue on June 26, 2002, at which time, Petitioners in *Rasul*, Plaintiffs in *Odah*, and the Government were each given an opportunity to present their positions to the Court.

Since there is no opposition to consolidating these cases for the purpose of deciding the question of jurisdiction,¹ and since the Court independently determines that consolidation is an efficient method for addressing the jurisdictional issues raised by these cases, the Court will grant Plaintiffs’ Motion for Consolidation. Accordingly, it is this 30 day of July, 2002, hereby

ORDERED that Plaintiffs’ Motion for Consolidation [#3], filed in Civil Action No. 02-828, is GRANTED; and it is further

ORDERED that the Court consolidates *Odah v. United States*, Civil Action No. 02cv828, with *Rasul v. Bush*, Civil Action No. 02-299, for the limited purpose of addressing the Court’s jurisdiction to hear these matters.

SO ORDERED.


COLLEEN KOLLAR-KOTELLY
United States District Judge

¹ Petitioners in the *Rasul* case have indicated that they do not oppose Plaintiff’s motion for consolidation. Pls.’ Mot. for Consolidation (in Civ. No. 02-828) at 1 n.1.

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