

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**ELECTRONIC PRIVACY  
INFORMATION CENTER,**

**Plaintiff,  
v.**

**DEPARTMENT OF JUSTICE,**

**Defendant.**

**Civil Action 06-00096 (HHK)**

**AMERICAN CIVIL LIBERTIES  
UNION, et al.,**

**Plaintiffs,  
v.**

**DEPARTMENT OF JUSTICE,**

**Defendant.**

**Civil Action 06-00214 (HHK)**

**ORDER**

Before the court is the motion to consolidate filed by plaintiffs in *American Civil Liberties Union v. Dep't of Justice*, Civil Action 06-00214. Plaintiffs move for consolidation of that case with another case before this court, *Electronic Privacy Information Center v. Dep't of Justice*, Civil Action 06-00096.

Under Rule 42(a) of the Federal Rules of Civil Procedure, the court may consolidate separately filed cases when the cases involve a common question of law or fact. *See* Fed. R. Civ. P. 42(a). The court enjoys broad discretion when deciding whether to grant a motion to

consolidate. *See* 9 Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 2383 (2d ed. 1995). Upon careful consideration of plaintiffs' motion to consolidate, the court, having determined that these cases involve the same or similar legal issues, concludes that consolidation of the above-captioned cases is appropriate. Accordingly, it is this 9<sup>th</sup> day of February 2006, hereby

**ORDERED** that plaintiffs' motion to consolidate [#3] is **GRANTED**; and it is further

**ORDERED** that the matters of *Electronic Privacy Information Center v. Dep't of Justice*, Civil Action 06-00096 and *American Civil Liberties Union v. Dep't of Justice*, Civil Action 06-00214 are hereby **CONSOLIDATED**; and it is further

**ORDERED** that all further pleadings and other matters related to the consolidated cases be file in *Electronic Privacy Information Center v. Dep't of Justice*, Civil Action 06-00096.

Henry H. Kennedy, Jr.  
United States District Judge