

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BOYLE CONSTRUCTION MANAGEMENT,))
INC.,))
))
Plaintiff,))
)) 1:05-cv-979-SEB-VSS
vs.))
))
IRVING MATERIALS, INC.,))
))
Defendant.))

The Honorable Sarah Evans Barker, Judge
The Honorable V. Sue Shields, Magistrate Judge

Minute Entry for September 19, 2005

The parties in this case, together with the parties in the related cases,¹ appeared by their respective counsel for a hearing to address: (a) the consolidation of these cases; (b) the various motions for the appointment of interim lead plaintiffs' counsel; and (c) case management issues.

The Court, having considered the parties' briefings and oral arguments, ORDERS the consolidation of this case and the related cases. Counsel for the parties in Cause Number 1:05-cv-978-JDT-TAB being present, having an opportunity to be heard, and voicing no objection, the Court further ORDERS the consolidation of Cause Number 1:05-cv-978-JDT-TAB. The manner of the consolidation of these cases, including the common caption, shall be addressed by separate order. In the interim, the Clerk of the Court is ORDERED to reassign Cause Number 1:05-cv-978-JDT-

¹ The related cases are: 1:05-cv-977; 1:05-cv-979; 1:05-cv-1265; 1:05-cv-1296; 1:05-cv-1280; 1:05-cv-1278; 1:05-cv-1002; 1:05-cv-1005; 1:05-cv-1045; 1:05-cv-1046; 1:05-cv-1056; 1:05-cv-1057; 1:05-cv-1055; 1:05-cv-1081; 1:05-cv-1103; 1:05-cv-1104; 1:05-cv-1105; 1:05-cv-1130; 1:05-cv-1133; 1:05-cv-1190; and 1:05-cv-1216.

TAB to the docket of the Honorable Sarah Evans Barker, with the new Cause Number 1:05-cv-978-SEB-VSS.

The Court appoints IRWIN B. LEVIN and STEPHEN D. SUSMAN as interim lead plaintiffs' co-counsel. The Court does not appoint a liaison counsel.

Interim lead plaintiffs' co-counsel and a representative of each defendant are ORDERED to meet with Magistrate Judge Shields on this date at 2:30 p.m. to further discuss case management issues. The parties are directed to confer and agree on differentiated case management plans addressing the different situations of the different defendants.

Finally, the Court, having considered Plaintiff Boyle Construction Management's Verified Motion for Costs of Service Following Defendant's Failure to Comply with Request for Waiver (filed August 22, 2005), ORDERS Defendant Irving Materials, Inc., to pay Boyle \$184.88.

This Minute Entry shall be made part of the record in each of the consolidated cases.

Copies to:

All counsel having filed appearances in 1:05-cv-977; 1:05-cv-979; 1:05-cv-1265; 1:05-cv-1296; 1:05-cv-1280; 1:05-cv-1278; 1:05-cv-1002; 1:05-cv-1005; 1:05-cv-1045; 1:05-cv-1046; 1:05-cv-1056; 1:05-cv-1057; 1:05-cv-1055; 1:05-cv-1081; 1:05-cv-1103; 1:05-cv-1104; 1:05-cv-1105; 1:05-cv-1130; 1:05-cv-1133; 1:05-cv-1190; 1:05-cv-1216; and 1:05-cv-978.