

**IN THE CIRCUIT COURT OF                      COUNTY, MISSISSIPPI**

**PLAINTIFF**

**VS.**

**CASE NO.**

**DEFENDANT**

**MOTION TO CONSOLIDATE**

COMES NOW the Plaintiff,                      , by and through its attorneys of record herein, and files this its Motion to Consolidate this proceeding with Cause No.                      pending before this Court and in support thereof would show unto the Court the following:

1.

Defendant,                      commenced Cause No.                      in the County Court of                      County, Mississippi for Unlawful Entry and Detainer against                      .

2.

On                      , 20                      ,                      filed an its answer, defenses and a substantial and lengthy Counterclaim to                      County Court Cause No.                      , asserting claims for a declaratory judgment that the subject Lease was extended for an additional                      (                      ) year term,                      breach of contract,                      breach of his/her duty of good faith and fair dealing and                      breach of his/he duty to negotiate in good faith.

3.

On                      , 20                      , The Honorable                      ,                      County Court Judge, entered an Order transferring                      County Court Cause No.                      to

this Court. This Court has changed the designation of \_\_\_\_\_ County Court Cause No. \_\_\_\_\_ to Cause No. \_\_\_\_\_ of the Circuit Court of \_\_\_\_\_ County, Mississippi (hereinafter "Cause No. \_\_\_\_\_").

4.

The claims in this action are the same or substantially the same as the claims and disputes that are at issue in Cause No. \_\_\_\_\_ and arise from the same factual circumstances. Consolidating this case with Cause No. \_\_\_\_\_ will avoid duplicity of litigation, discovery and trials, resulting in economy and efficiency for both the Court and the parties. Consolidation of this cause of action is both appropriate and necessary to avoid duplicity of litigation and will result in judicial economy and efficiency. Consolidation will not result in any prejudice to \_\_\_\_\_.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, \_\_\_\_\_ respectfully moves the Court to enter an Order consolidating this cause of action with Cause No. \_\_\_\_\_, with this action to proceed accordingly.

Respectfully submitted,

BY: \_\_\_\_\_

OF COUNSEL:

CERTIFICATE OF SERVICE

I, \_\_\_\_\_ do hereby certify that I have this day mailed, United States mail, postage prepaid, a true and correct copy of the above and foregoing Motion to Consolidate to \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, Mississippi \_\_\_\_\_.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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IN THE CIRCUIT COURT OF                    COUNTY, MISSISSIPPI

PLAINTIFF

VS.                    CASE NO.

DEFENDANT

ORDER FOR CONSOLIDATION

This day this cause came on for hearing on the Motion of Plaintiff, for consolidation of Cause No.                    , transferred to this Court by Order of the Honorable                    ,                    County Court Judge, dated                    , 20                    with this proceeding, and the Court having considered the Motion and having considered the premises, is of the opinion that the Motion is well taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED, that Cause No.                    , transferred to this Court by Order of the Honorable                    ,                    County Court Judge, dated                    , 20                    is hereby consolidated with this proceeding, with both actions to proceed to conclusion in this cause.

SO ORDERED AND ADJUDGED, this the                    day of                    , 20                    .

\_\_\_\_\_  
CIRCUIT COURT JUDGE

PREPARED AND PRESENTED BY: