

IN THE CIRCUIT COURT OF COUNTY, MISSISSIPPI

PLAINTIFF

VS.

NO.

, AND DEFENDANTS

DEFENDANTS' MOTION TO CONSOLIDATE AND NOTICE OF MOTION

COME NOW the Defendants, , and , through counsel, and move the Court, pursuant to Rule 42(a) of the Miss. R. Civ. P., to enter an Order consolidating for trial the above referenced cause of action, being Civil Action No. 17,021, and and by and through their mother/father and next friend, v. d/b/a and and vs. , Civil Action No. , and for grounds would show as follows, to-wit:

1. These two causes of action which are pending before the Circuit Court of County, Mississippi, involve a common question of law or fact, and consolidation of these two causes of action will avoid the expense, delay and inconvenience of separate trials.

2. Specifically, in Civil Action No. , and are Plaintiffs and Counter-Defendants. In Civil Action No. , and , along with , are Defendants. In addition, , the Plaintiff in Civil Action No. , is the driver of the Defendant's truck in Civil Action No. .

3. Both causes of action arose as a result of an automobile accident, which occurred on or about , , at and . The witnesses and much of the discovery in both cases, if not identical, should be similar. Consolidating these two actions presenting a common issue of law and fact would result in trial convenience and judicial economy. Consolidating these actions would also avoid a multiplicity of suits, prevent delay, help clear the Court's congested docket and save numerous costs and expenses.

WHEREFORE, for the reasons outlined above, the Defendants move that the above-entitled actions be ordered consolidated for trial purposes and all related discovery thereto.

RESPECTFULLY SUBMITTED this the day of , .

, and

BY: _____, Their Attorney

NOTICE OF MOTION

TO:

TAKE NOTICE that the Defendants' Motion to Consolidate will be brought on for hearing before a _____ County Circuit Court Judge at the _____ County Courthouse in _____, Mississippi, as soon as counsel may be heard.

OF COUNSEL:

CERTIFICATE OF SERVICE

I, _____, do hereby certify that I have this day mailed, by United States mail, postage prepaid, a true and correct copy of the above and foregoing Defendants' Motion to Consolidate and Notice of Motion to:

This the _____ day of _____, _____.
