

ORDER re 18 MOTION to Consolidate Cases and For Initial Case Scheduling filed by The New York and Presbyterian Hospital. These cases, styled as class actions, were commenced by two separate Plaintiff unions against the same Defendant. See Docket Entry "DE" 23 in Case No. 25-5023 ("Cement Workers") and DE 18 in Case No. 25-5571 ("UFCW"). While both cases allege Federal and State law antitrust violations, they were brought by two separate unions governed by two separate benefits contracts, representing two separate groups of union members with different terms that were negotiated by different people, covering different periods of time. There are presently motions pending to consolidate these matters for all purposes. See DE 23 in Cement Workers and DE 18 in UFCW. Those motions have not been passed upon, on the merits, by any Judge. The Cement Workers case (25-5023) was assigned to this Court, with no District Judge, as part of this Court's direct assignment program. See DE 3 therein. While the UFCW case (25-5571) was assigned first to a District Judge and Magistrate Judge in Brooklyn, and then re-assigned to a second District Judge in Brooklyn, and then re-assigned to this Court, there is still pending a motion to transfer 25-5571 to a District Judge in Central Islip. See DE 15 . This motion is presumably still pending on the docket because the re-assignment requested (to a Central Islip District Judge) has not been granted - only re-assignment to this Court, a Magistrate Judge. Upon review of the docket in both cases this Court notes that the parties have not agreed to consolidation of the Cement Workers and UFCW cases for all purposes. Even if they have so agreed, no Court has ruled as to the propriety of that consolidation. Nor have the parties agreed to consent to the jurisdiction of this Court for all purposes. It is also clear that the parties have conferred with their clients as to the matter of consent and, upon such discussion, have not agreed to such consent. Upon further consideration of the dockets in both cases and all of the facts set forth above, this Court will remain as the Magistrate Judge on both cases. However, given the lack of consent (and the clear fact that the parties have conferred with their clients as to the issue of consent), this Court may not remain as the District Court on these cases. Accordingly, and to avoid any further confusion and undue delay, the Clerk of the Court is directed to assign a District Judge to each of these cases. In view of the fact that this Court will remain as the Magistrate Judge on both cases, this Court by separate order, will shortly enter an initial conference order for both cases setting a date for an in-person initial conference. So Ordered by Magistrate Judge Anne Y. Shields on 11/17/2025. (DM) (Entered: 11/17/2025)