

Nathan Ochsner, Clerk

On March 3, 2023, Plaintiffs REACH Air Medical Services, CALSTAR Air Medical Services, LLC, Guardian Flight, LLC, Med-Trans Corporation, and Air Evac EMS, Inc. (collectively, “Plaintiffs”) filed this lawsuit against Defendants Aetna Health Inc., Aetna Health and Life Insurance Company, and Aetna Life Insurance Company (collectively, “Defendants”). Doc. #1. Plaintiffs claim that Defendants violated the No Surprises Act (the “NSA”) by failing to timely pay them for out-of-network air ambulance services they provided to patients. On March 6, Plaintiffs sued Cigna Health and Life Insurance Company (“Cigna”), similarly asserting that Cigna violated the NSA by failing to timely pay for air ambulance services that Plaintiffs provided. *See Reach Air Med. Servs. LLC v. Cigna Health & Life Ins. Co.*, 4:23-cv-826, Doc. #1. Plaintiffs’ second lawsuit (the “Related Case”) was assigned to the Honorable George C. Hanks, Jr. Both cases are at similar stages in their respective proceedings—Motions to Dismiss and Motions to

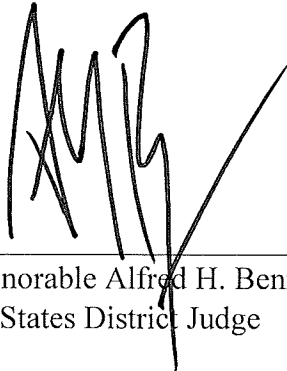
Stay Discovery are ripe for consideration.

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the Court may consolidate actions that “involve a common question of law or fact.” FED. R. CIV. P. 42(a). Here, the Court finds that consolidation is appropriate. The same Plaintiffs filed both cases and assert the same causes of action against the Defendants in each case—violation of the NSA, improper denial of benefits in violation of ERISA, and violation of the state prompt payment statutes. Doc. #1; *Reach Air Med. Servs. LLC v. Cigna Health & Life Ins. Co.*, 4:23-cv-826, Doc. #1. Accordingly, consolidation is proper to avoid the risk of inconsistent rulings by judges of the same court. *See Tex. Gen. Land Off. v. Biden*, No. 7:21-cv-00272, 2021 WL 5588160, at *2 (S.D. Tex. Nov. 29, 2021).

For the foregoing reasons, Plaintiffs’ Motion to Consolidate (Doc. #17) is hereby GRANTED. The action styled *Reach Air Med. Servs. LLC v. Cigna Health & Life Ins. Co.*, 4:23-cv-826, is hereby CONSOLIDATED with the first-filed action styled *Guardian Flight, LLC v. Aetna Life Insurance Company Inc.*, No. 4:23-cv-805. It is further ORDERED that the Related Case, *Reach Air Med. Servs. LLC*, will follow the same Scheduling Order (Doc. #31) entered in this case.

It is so ORDERED.

SEP 06 2023
Date



The Honorable Alfred H. Bennett
United States District Judge