**UNITED STATES DISTRICT COURT**
**CENTRAL DISTRICT OF CALIFORNIA**

| | |
|---|---|
| Carl Mitchell et al<br><br>v. PLAINTIFF(S)<br><br>City of Los Angeles et al<br><br>DEFENDANT(S). | CASE NUMBER<br><br>2:16-cv-01750 SJO(JPRx)<br><br>**ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 14-03 (RELATED CASES)** |

**CONSENT**



I hereby consent to the transfer of the above-entitled case to my calendar, pursuant to General Order 14-03.

Date

Philip S. Gutierrez
United States District Judge

**DECLINATION**

I hereby decline to transfer the above-entitled case to my calendar for the reasons set forth:

See attached

3/31/16
Date

United States District Judge

**REASON FOR TRANSFER AS INDICATED BY COUNSEL**

Case 2:11-cv-02874 PSG(AJWx) and the present case:

- ☑ A. Arise from the same or closely related transactions, happenings or events; or
- ☑ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☑ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve one or more defendants from the criminal case in common, and would entail substantial duplication of labor if heard by different judges (applicable only on civil forfeiture action).

**NOTICE TO COUNSEL FROM CLERK**

Pursuant to the above transfer, any discovery maters that are or may be referred to a Magistrate Judge are hereby transferred from Magistrate Judge _____ to Magistrate Judge _____.



On all documents subsequently filed in this case, please substitute the initials _____) after the case number in place of the initials of the prior judge, so that the case number will read _____. This is very important because the documents are routed to the assigned judges by means of these initials

cc: ☐ *Previous Judge* ☐ *Statistics Clerk*

Although the two cases present similar legal theories, they are factually distinct. In *Tony Lavan, et al. v. City of Los Angeles*, CV 11-2874 PSG (AJWx), Plaintiffs are homeless individuals whose property was allegedly confiscated and destroyed by Defendant, even though there was allegedly no evidence that the property was abandoned. In *Carl Mitchell, et al. v. City of Los Angeles, et al.*, CV 15-1750 SJO (JPRx), Plaintiffs are homeless individuals whose property was allegedly confiscated and destroyed and/or mishandled during arrests. The Court therefore does not believe that transfer is warranted.