

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Plymouth County Retirement System ,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:08-cv-02940-JOF
Carter's Inc., et al.,	:	
	:	
Defendants.	:	
	:	
AND	:	
	:	
Scott Mylroie ,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:09-cv-03196-JOF
Carter's, Inc., et al.,	:	
	:	
Defendants.	:	

ORDER

Plymouth County Retirement System v. Carter's Inc. et al, Civil Action No. 1:08-cv-02940-JOF, was filed on September 19, 2008. *Plymouth* is a securities class action alleging certain violations of the Federal Securities Exchange Act. This court has appointed both the lead plaintiff and lead counsel in the case.

Mylroie v. Carter's, Inc. et al, Civil Action No. 1:09-cv-03196-JOF, was filed on November 20, 2009. *Mylroie* is also a securities class action that alleges violations of the Federal Securities Exchange Act. The complaint in *Mylroie* states the same two causes of action found in the *Plymouth* case, and it seems to be based on the same set of circumstances as the *Plymouth* complaint.

District courts have the discretionary power to consolidate cases. *Young v. City of Augusta, Georgia Through DeVaney*, 59 F.3d 1160, 1168 (11th Cir. 1995). Federal Rule of Civil Procedure 42(a) states:

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

The court finds that these two actions involve common questions of law and fact, and therefore, the court finds it in the interests of judicial economy and conservation of resources to consolidate the two actions.

The Clerk of Court is DIRECTED to CONSOLIDATE Civil Action Nos. 1:08-cv-02940-JOF and 1:09-cv-03196-JOF.

