

## Rule 146

### CONSOLIDATION OF MULTIDISTRICT LITIGATION ON MOTION OF PARTY

- (a) **Motion to Consolidate.** A motion by a party to consolidate multi-district litigation under K.S.A. 60-242(c) must be filed with the clerk of the appellate courts with proof of service on all counsel of record, unrepresented parties not in default for failure to appear, and the clerks of the district courts in which the actions are pending.
- (b) **Proof of Service.** Proof of service under subsection (a) must include the address, telephone number, fax number, and e-mail address of all counsel of record and unrepresented parties not in default for failure to appear.
- (c) **Docketing.** On receipt of a motion and proof of service under subsection (a), the clerk must docket the motion and submit it to the court. There is no docket fee for a motion under this rule.
- (d) **Applicable Statutes and Rules.** A motion under subsection (a) and any response to the motion are subject to Rule 5.01 and K.S.A. 60-205, 60-206(a) and (d), 60-210, and 60-211.
- (e) **Effect on District Court Proceedings.** A motion under subsection (a) does not stay any part of the district court proceedings or deprive the district courts of jurisdiction over the pending actions.

[**History:** New rule effective October 17, 1985; Restyled rule and amended effective July 1, 2012.]