1 2 3 4 5 6	B. ROBERT ALLARD (#175592) LAUREN A. CERRI (#282524) CORSIGLIA MCMAHON & ALLARD LI 96 NORTH THIRD STREET, SUITE 620 SAN JOSE, CALIFORNIA 95112 (408) 289-1417 Fax: (408) 289-8127 Attorneys for Plaintiff	Electronically Filed by Superior Court of CA, County of Santa Clara, on 5/27/2020 4:59 PM Reviewed By: P. Lai Case #19CV343088 Envelope: 4384563
7 8 9 10 11	SUPERIOR COURT OF CALIFOR	NIA, COUNTY OF SANTA CLARA
 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 	JANE DOE, a minor, by and through her Guardian ad Litem, John Doe, Plaintiff, vs. UNION SCHOOL DISTRICT, SAMUEL NEIPP, JACQUELINE HORJES, MARY L. BERKEY, CAROLE CARLSON, and ROES 1 through 125, inclusive, Defendants. JANE DOE 2, Plaintiff, vs. UNION SCHOOL DISTRICT, an entity of unknown form; SAMUEL NEIPP, an individual; and DOES 1 through 50, Defendants.	Case No. 19CV343088 NOTICE OF MOTION AND MOTION CONSOLIDATE CASES Date: Time: 9:00 am Dept: 21 Judge: The Honorable Thang BarrettCase No. 19CV343101
27 28		1 TION TO CONSOLIDATE CASES

1 2	JANE DOE 1, and JANE DOE 2, a minor, by and through her Guardian ad Litem, Janice Doe,	se No. 19CV348167	
3	Plaintiffs,		
4	VS.		
5	UNION SCHOOL DISTRICT, SAMUEL		
6	NEIPP, JACQUELINE HORJES, MARY L. BERKEY, CAROLE CARLSON, and ROES		
7	1 through 100, inclusive,		
8	Defendants.		
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11	TO: UNION SCHOOL DISTRICT ["District"], SAMUEL NEIPP, JACQUELINE HORJES,		
12	MARY L. BERKEY, CAROLE CARLSON AND TO THEIR RESPECTIVE ATTORNEYS OF		
13	RECORD, AND TO PLAINTIFF JANE DOE 2 AND HER ATTORNEYS OF RECORD:		
14	PLEASE TAKE NOTICE that on	, 2020, at 9:00 AM, or as soon	
15	as the matter may be heard, in Department 21 of the above-entitled Court, located at 161 N. 1 st		
16	Street, San Jose, California, 95112, before the Honorable Thang Barrett, plaintiff JANE DOE,		
17	by and through her Guardian ad Litem John Doe [Case No. 19CV343088], will move the Court		
18	for an Order consolidating her case with the following actions for all purposes, including trial:		
19	• Jane Doe, a minor, by and through her Guardian ad Litem, John Doe vs. Union		
20	School District, Samuel Neipp, Jacqueline Horjes, Mary L. Berkey, Carole Carlson, and Roes 1		
21	through 125, inclusive, Santa Clara County Case No. 19CV343088.		
22	Counsel for Plaintiff: Robert Allard and Lauren A. Cerri, Corsiglia, McMahon & Allard		
23	Counsel for Defendants Union School District, Jacqueline Horjes, Mary L. Berkey, Carole		
24	Carlson: Kevin Gilbert, Orbach Huff Suarez + Henderson LLP		
25	Counsel for Defendant Samuel Neipp: Christopher Schumb		
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	NOTICE OF MOTION AND MOTION TO CONSOLIDATE CASES		

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• Jane Doe 2 vs. Union School District and Samuel Neipp, Santa Clara County Case No. 19CV343101.

Counsel for Plaintiff: David M. Ring and Natalie Weatherford, Taylor & Ring.

Counsel for Defendant Union School District: Kevin Gilbert, Orbach Huff Suarez + Henderson LLP

Counsel for Defendant Samuel Neipp: Christopher Schumb

• Jane Doe 1 and Jane Doe 2, a minor, by and through her Guardian ad Litem, Janice Doe v. Union School District, Samuel Neipp, Jacqueline Horjes, Mary L. Berkey, and Carole Carlson, Santa Clara County Case No. 19CV348167.

Counsel for Plaintiffs: Robert Allard and Lauren A. Cerri, Corsiglia, McMahon & Allard Counsel for Defendants Union School District, Jacqueline Horjes, Mary L. Berkey, Carole Carlson: Kevin Gilbert, Orbach Huff Suarez + Henderson LLP

Counsel for Defendant Samuel Neipp: Christopher Schumb

This motion is brought pursuant to Code of Civil Procedure §1048(a) on the grounds that consolidation would prevent the young victims of childhood sexual abuse from having to re-live the atrocities of Neipp's abuse repeatedly while testifying in each other victim's trial. Consolidation would prevent repetitive appearances by numerous necessary third-party witnesses. Consolidation would also further the interests of this court in reducing the number of trial days expended, and the number of jurors to be empaneled to try the same liability issues.

The motion is based upon this Notice, the accompanying Memorandum of Points and Authorities in support thereof, the Declaration of Lauren A. Cerri, the pleadings, records and documents on file herein, and oral and documentary evidence to be presented upon hearing of said motion.

Respectfully submitted,

Dated: May 26, 2020

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CORSIGLIA, MCMAHON & ALLARD LLP

By: B. ROBERT ALLARD LAUREN A. CERRI Attorneys for Plaintiffs

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NOTICE OF MOTION AND MOTION TO CONSOLIDATE CASES