

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
KANSAS CITY, KANSAS**

MEDICAL SUPPLY CHAIN, INC.,)	
<i>Plaintiff,</i>)	
v.)) Case No. 05-2299-KHV
NOVATION, LLC)) Formerly W.D. MO. Case No. 05-0210
NEOFORMA, INC.)) Attorney Lien
ROBERT J. ZOLLARS)	
VOLUNTEER HOSPITAL ASSOCIATION)	
CURT NONOMAQUE)	
UNIVERSITY HEALTHSYSTEM CONSORTIUM)	
ROBERT J. BAKER)	
US BANCORP, NA)	
US BANK)	
JERRY A. GRUNDHOFFER)	
ANDREW CESERE)	
THE PIPER JAFFRAY COMPANIES)	
ANDREW S. DUFF)	
SHUGHART THOMSON & KILROY)	
WATKINS BOULWARE, P.C.)	
<i>Defendants.</i>)	

And

MEDICAL SUPPLY CHAIN, INC.,)	
<i>Plaintiff,</i>)	
vs.)) Case No. 03-2324-CM
)	
JEFFREY R. IMMELT)	
GENERAL ELECTRIC COMPANY)	
GENERAL ELECTRIC CAPITAL BUSINESS ASSET FUNDING CORPORATION)	
GE TRANSPORTATION SYSTEMS GLOBAL SIGNALING, L.L.C.)	
<i>Defendants.</i>)	

MOTION TO CONSOLIDATE UNDER RULE 42

Comes now the plaintiff Medical Supply Chain, Inc., through its counsel Bret D. Landrith and makes the present motion to consolidate actions. The plaintiff respectfully requests the court grant the plaintiff leave to consolidate under Federal Rules of Civil Procedure 42 for the following reasons:

STATEMENT OF FACTS

1. The plaintiff has a concurrent action against the principal defendants’ coconspirators in this case.
2. The action is in the US District Court for the Western District of Missouri and is captioned *Medical Supply Chain, Inc. v. Novation, et al.*, Case No. 05-0210-CV-W-ODS and now Kansas District Court Case No. 05-2299-KHV alleges additional and subsequent conduct targeted against Medical Supply

in an attempt to restrain trade in the market for hospital supplies, violating state and federal law by the defendants Jeffrey R. Immelt, General Electric Company, General Electric Capital Business Asset Funding Corporation, GE Transportation Systems Global Signaling, L.L.C. charged in the earlier action *Medical Supply Chain, Inc. v. General Electric et al.*, Case No. 03-2324-CM.

3. The federal and state claims in both cases rely on the same issues of law and share some of the same facts.

4. The earlier action *Medical Supply Chain, Inc. v. General Electric et al.*, Case No. 03-2324-CM has been remanded back to Kansas District Court.

Respectfully Submitted

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Certificate of Service

I certify that on August 9th, 2005 I have served the foregoing with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following:

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