

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

JEROME CORSI,

Plaintiff,

v.

ROBERT MUELLER, *et al.*

Defendants.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Civil Case No. 18-2885 (RJL)

**FILED**

DEC 12 2018

Clerk, U.S. District and  
Bankruptcy Courts

ORDER *tz*  
(December 12, 2018)

On December 9, 2018, Jerome Corsi (“plaintiff”) filed this action against Special Counsel Robert Mueller, the Department of Justice, the Federal Bureau of Investigation, the National Security Agency, and the Central Intelligence Agency (collectively, “defendants”). *See* Complaint [Dkt. # 1]. Pursuant to Local Rule 40.5(b)(2), plaintiff simultaneously filed a Notice of Related Case, which states that this action “involves common issues of fact” to a “case pending in this” Court and “involves the same parties and same subject matter” as a “case dismissed” by this Court. Notice of Related Case [Dkt. # 2]. The Notice identifies *Klayman v. Obama*, C.A. No. 13-cv-851 as the case to which this action is related. *Id.*

The general rule in the United States District Court for the District of Columbia is that all cases “shall be assigned to judges of this Court selected at random.” LCvR 40.3(a). The random assignment process “guarantees fair and equal distribution of cases to all judges, avoids public perception or appearance of favoritism in assignments, and reduces

opportunities for judge-shopping.” *Tripp v. Exec. Office of President*, 196 F.R.D. 201, 202 (D.D.C. 2000). As such, the related case procedure set forth in Rule 40.5 constitutes an exception to the general rule designed to facilitate the efficient allocation of scarce judicial resources by assigning to the same judge cases that involve a common subject matter and/or parties. See LCvR 40.5(a). “[T]he party seeking related-case designation . . . bear[s] the burden of showing that” Rule 40.5’s requirements are satisfied. *Washington Alliance of Tech. Workers v. D.H.S.*, Civ. No.16-1170, 2016 WL 11184186, at \*2 (D.D.C. June 24, 2016). As the judge to whom this case was assigned under the Rule 40.5 procedure, it is my obligation to determine whether plaintiff has met this burden—*i.e.*, I must decide whether the cases in question are, in fact, related. See LCvR 40.5(c)(1).


Accordingly, it is hereby

**ORDERED** that plaintiff shall show cause in writing within 14 days of this Order why the above-captioned case is related to *Klayman v. Obama*, C.A. No. 13-cv-851 for purposes of the Rule 40.5 procedure; and it is further

**ORDERED** that a hearing on plaintiff’s Notice of Related Case shall be held on Thursday, January 3, 2019, at 3:00 PM in Courtroom 18; and it is further

**ORDERED** that failure to file a timely response to this Order may result in dismissal of the above-captioned case.

**SO ORDERED.**

  
\_\_\_\_\_  
RICHARD J. LEON  
United States District Judge