

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KIMBERLY FARLEY, *on behalf of herself and  
all others similarly situated,*

1:22-CV-468

Plaintiff,

v.

EYE CARE LEADERS HOLDINGS, LLC,

Defendant.

Chad Forrester, *on behalf of himself and all others  
similarly situated,*

1:22-CV-503

Plaintiff,

v.

EYE CARE LEADERS HOLDINGS, LLC,

Defendant.

KIMBERLY SANDVIG, *individually and on  
behalf of others similarly situated,*

1:22-CV-502

Plaintiff,

v.

EYE CARE LEADERS HOLDINGS, LLC,

Defendant.

**ORDER GRANTING**  
**MOTION FOR CONSOLIDATION**

The plaintiffs seek consolidation of these cases. The plaintiffs and the defendant agree that these actions are related and should be consolidated for pretrial proceedings

pursuant to Federal Rule of Civil Procedure 42 and likely for trial. The three complaints make the same general factual allegations under the same legal theories, assert multiple common causes of action against the same defendant, and seek the same relief in response to the same event; each complaint seeks certification of an overlapping nationwide class and alleges that class members suffered harm as a result of the same alleged data breach exposing their personal private information to third parties without their authorization.


To the extent the plaintiffs request automatic consolidation of any future related cases, the motion will be denied. If and when a lawsuit is filed that any party contends should be consolidated with these three cases, the issue will be evaluated then.


It is **ORDERED** that:

1. The motion to consolidate, Doc. 6, is **GRANTED** as to these three cases.
2. These three cases are consolidated for pre-trial purposes pursuant to Rule 42. Consolidation for trial is likely but will be evaluated later.
3. All papers shall be filed in Case No. 1:22-CV-468, *Farley v. Eye Care Leaders, Holding, LLC*, the first-filed case.
4. Should any action hereafter be filed in, transferred to, or removed to this court that any party contends arises out of the same or similar operative facts, the parties shall consult and shall promptly file a motion to consolidate, if any party finds it appropriate.
5. These cases have been pending for months and should now move forward expeditiously. The plaintiffs shall file a Consolidated Amended Complaint no later than

October 19, 2022. The defendant shall respond no later than November 3, 2022. All prior response deadlines are vacated.

This 3rd day of October, 2022.

  
UNITED STATES

  
DISTRICT JUDGE

