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4 *Attorneys for Defendant*

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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF ARIZONA**

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11 Equal Employment Opportunity Commission, )  
12 Plaintiff, )  
13 vs. )  
14 Danka Office Imaging Company, )  
15 Defendant. )

**No. CV-05-1522 PHX EHC**  
**STIPULATED REQUEST FOR**  
**CONSOLIDATION OF CASES**

16 — )  
17 Patrick Swafford, )  
18 Plaintiff, )  
19 vs. )  
20 Danka Office Imaging Company, )  
21 Defendant. )

**No. CV-05-1599 PHX MHM**

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23 Patrick Swafford (“Swafford”) is a former employee of Danka Office Imaging  
24 Company (“Danka”). On May 23, 2005, the Equal Employment Opportunity Commission  
25 (“EEOC”) filed Case No. CV-05-1522 PHX EHC (“Case No. 1”) against Danka, alleging,  
26 among other things, that Danka discriminated against Swafford on the basis of Swafford’s age  
27 in violation of the Age Discrimination in Employment Act. On May 26, 2005, Swafford filed  
28 Case No. CV-05-1599 PHX MHM (“Case No. 2”) against Danka, alleging, among other

1 things, that Danka discriminated against Swafford on the basis of an alleged disability or  
2 perceived disability in violation of the Americans with Disabilities Act.<sup>1</sup> Danka denies  
3 violating Swafford's rights in any way.

4 The parties agree that Case No. 1 and Case No. 2 should be consolidated pursuant to  
5 Rule 42, Federal Rules of Civil Procedure. The two cases involve many common questions of  
6 fact related to Swafford's employment at Danka and the termination of that employment. The  
7 cases also involve some similar, although not identical, questions of law. Leaving the two  
8 cases separate would be wasteful of both the parties' and the United States District Court's  
9 resources. Accordingly, the parties request that Case No. 1 and Case No. 2 be consolidated  
10 into a single case bearing the cause number of the earlier-filed case: CV-05-1522 PHX EHC.

11 **DATED:** August 16, 2005.

12  
13 EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

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15 s/Sally Shanley  
*Attorney for Plaintiff Equal Employment Opportunity  
Commission*

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17 BROCKELMAN FATICA PLC

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19 s/Kent Brockelman  
*Attorneys for Defendant*

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21 KIRTLEY WELLS, P.C.

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23 s/Trisha Kirtley  
*Attorneys for Plaintiff Patrick Swafford*

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28 <sup>1</sup> Case No. 2 was not served on Danka until August 4, 2005, which is why this stipulated request for  
consolidation was not filed earlier.