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UNITED STATES OF AMERICA

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 DAVID TANGIPA, *et al.*,
20 *Plaintiffs,*
and
21 UNITED STATES OF AMERICA,
22 *Plaintiff-Intervenor,*
23 v.
24 GAVIN NEWSOM, in his official
25 capacity as the Governor of California,
26 *et al.*,
Defendants.

Case No. 2:25-cv-10616-JLS-KES
Three-Judge Court

**PLAINTIFF-INTERVENOR'S
RESPONSE TO ORDER TO SHOW CAUSE
RE: CONSOLIDATION**

**Hon. Josephine L. Staton
Hon. Wesley L. Hsu
Hon. Kenneth K. Lee**

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28 * Assistant Attorney General Harmeet K. Dhillon is recused from this matter.

1 **PLAINTIFF-INTERVENOR’S RESPONSE**

2 **TO ORDER TO SHOW CAUSE RE: CONSOLIDATION**

3 The United States hereby responds to this Court’s February 17, 2026, Order directing
4 the parties to show cause as to why the above-captioned suit “should not be consolidated
5 for all future proceedings” with *Noyes v. Newsom*, No. 2:25-cv-11480-JLS-WLH-KKL.
6 ECF No. 230, at 2.

7 Under Federal Rule of Civil Procedure 42(a)(2), this Court “may ... consolidate” two
8 or more actions that “involve a common question of law or fact.” The *Noyes* Plaintiffs
9 contend that this criterion is met as “[b]oth cases challenge the constitutionality and
10 legality of California’s new Congressional redistricting plan”; plaintiffs in both cases
11 “challenge the Proposition 50 map under the Fifteenth Amendment to the United States
12 Constitution and the Voting Rights Act”; and both “cases therefore ‘arise from the same
13 ... happening or event,’ and ‘call for determination of the same or substantially related ...
14 questions of law and fact.’” ECF No. 230, at 2 (second and third alterations in original)
15 (citation omitted).

16 Recognizing that the two actions likely involve common questions of law or fact, the
17 United States takes no position on whether this Court should exercise its discretion to
18 consolidate the two actions under Rule 42. *See Howse v. Chiquita Canyon, LLC*, 757 F.
19 Supp. 3d 1049, 1067 (C.D. Cal. 2024) (noting the court’s “broad discretion” (citation
20 omitted)).

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1 DATED: February 27, 2026

Respectfully submitted:

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