

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

Heritage Equity Group 401(k) Savings Plan,)
et al.,)
)
 Plaintiffs,)
)
v.)
)
Mid Atlantic Capital Corporation and)
SunGard Institutional Brokerage, Inc.,)
)
 Defendants.)

No. 3:07-cv-841
Judge Trauger
Magistrate Judge Bryant

John C. McLemore, Trustee,)
)
 Plaintiff,)
)
v.)
)
)
Regions Bank, as Successor in Interest by)
Merger to AmSouth Bank, and)
Mid Atlantic Capital Corporation,)
)
 Defendants.)

No. 3:08-cv-21
Judge Trauger
Magistrate Judge Bryant

MOTION TO CONSOLIDATE

Mid Atlantic Capital Corporation (“MACC”) respectfully moves the Court to consolidate these related actions pursuant to Federal Rule of Civil Procedure 42(a). The pleadings show that these two actions involve common issues of fact, common issues of law, and common parties. Consolidation will greatly lower costs and increase efficiency by avoiding duplicative discovery, pre-trial proceedings, and trial. MACC therefore respectfully requests that the Court consolidate the actions. MACC has filed a memorandum in support of this motion.

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CERTIFICATE OF SERVICE

On February 21, 2008, this document was filed electronically with the Clerk's office by using the CM/ECF system and was simultaneously served upon the following using that same system:

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