

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**SANDRA KUFFREY, on behalf of herself  
and all others similarly situated,** )  
 ) **CONSOLIDATED**  
 )  
 ) **Plaintiff,** )  
 ) **NO. 3:23-cv-00285**  
 )  
 ) **v.** )  
 )  
 ) **COMMUNITY HEALTH SYSTEMS, INC.,** )  
 ) **and CHSPSC, LLC,** )  
 )  
 ) **Defendants.** )

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**ANGELA MARTIN, individually and on  
behalf of herself and all others similarly  
situated,** )  
 )  
 ) **Plaintiff,** ) **NO. 3:23-cv-00354**  
 )  
 ) **v.** )  
 )  
 ) **COMMUNITY HEALTH SYSTEMS, INC.,** )  
 ) **and CHSPSC, LLC,** )  
 )  
 ) **Defendants.** )

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**BETHANY GATTI, individually and on  
behalf of all others similarly situated,** )  
 )  
 ) **Plaintiff,** )  
 ) **NO. 3:23-cv-00371**  
 ) **v.** )  
 )  
 ) **CHSPSC, LLC,** )  
 )  
 ) **Defendant.** )

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**MATTHEW CASELLA, individually and on behalf of and all others similarly situated,** )

**Plaintiff,** )

v. )

**CHSPSC, LLC,** )

**Defendant.** )

**NO. 3:23-cv-00396**

**LOLA TATUM, RICHARD WALCK, and GLENDA G. CORN, individually and on behalf of all others similarly situated,** )

**Plaintiff,** )

v. )

**CHSPSC, LLC,** )

**Defendant.** )

**NO. 3:23-cv-00420**

**TIMOTHY FERGUSON, on behalf of himself and all others similarly situated,** )

**Plaintiff,** )

v. )

**COMMUNITY HEALTH SYSTEMS, INC., and CHSPSC, LLC,** )

**Defendants.** )

**NO. 3:23-cv-00443**

**ORDER**

Pending before the Court are Plaintiffs' Unopposed Motions to (1) Consolidate the

Related Actions, (2) Appoint Interim Co-Lead Class Counsel, and (3) Set a Schedule for the Filing of a Consolidated Amended Complaint filed in Kuffrey v. Community Health Systems, Inc., et al., Case No. 3:23-cv-00285 (Doc. No. 12) and Martin v. Community Health Systems, Inc., et al., Case No. 3:23-cv-00354 (Doc. No. 6). The Court also received a letter dated April 26, 2023, from Kevin Sharp, plaintiff's counsel in Tatum v. CHSPSC, LLC, Case No. 3:23-cv-00420, stating the Tatum action should be consolidated with the Kuffrey and Martin actions, see Case No. 3:23-cv-00285 (Doc. No. 15), and a Motion to Stay Defendant's Responsive Pleadings Deadline Pending a Ruling on Consolidation of Six Related Cases, and to Set a Briefing Schedule in Gatti v. CHSPSC, LLC, Case No. 3:23-cv-00371 (Doc. No. 11).

Pursuant to Federal Rule of Civil Procedure 42(a), the Court may consolidate actions that involve common question of law or facts. All of the above-referenced actions relate to a data breach in which plaintiffs allege having been impacted by the breach, which includes sensitive data such as names, dates of birth, Social Security Numbers, driver's licenses and state ID numbers, financial account and payment card information, medical information, and health insurance information. As these cases have common factual allegations and legal theories, the Court has determined that consolidation for case management and discovery purposes will be judicially efficient for the parties because it will simplify discovery, pretrial motions, and other case management issues. Further, consolidation will promote judicial economy and will prevent potential delay, confusion, and waste of resources. Accordingly, Plaintiffs' Unopposed Motions to Consolidate the Related Actions in Case Nos. 3:23-cv-00285 (Doc. No. 12) and Case No. 3:23-cv-00354 (Doc. No. 6) are **GRANTED**. The Court also finds that consolidation of all the above-referenced cases is warranted, and the cases are consolidated for case management and

discovery purposes. After discovery has concluded, the Court will determine whether the cases should be consolidated for trial, which is more likely than not.

All papers filed in the Consolidated Action shall be filed under the lead case number 3:23-cv-00285, the number assigned to the first-filed case, Kuffrey, and shall bear the following caption:

**IN RE: COMMUNITY HEALTH )**  
**SYSTEMS, INC. DATA SECURITY ) MASTER FILE NO. 3:23-cv-00285**  
**LITIGATION )**  
**)**  
**This Document Relates To: )**

The case file for the consolidated action will be maintained under Master File No. 3:23-cv-00285. All future pleadings shall be filed in the lead case only. When a pleading is intended to apply to all actions, the words “ALL ACTIONS” shall appear immediately after the words “This Document Relates to:” in the caption. When a pleading is not intended to apply to all actions, the docket number for each individual action to which the paper is intended to apply and the last name of the first-named plaintiff in said action shall appear immediately after the words: “This Document Relates to:” in the caption (e.g., “No. 3:23-cv-00354 (Martin)”).

All papers previously filed and served to date in the related actions are deemed part of the record in the consolidated action.

Pursuant to the agreement reflected in Plaintiffs Kuffrey’s and Martin’s Supplement (Doc. No. 17 in Case No. 3:23-cv-00285 and Doc. No. 18 in Case No. 3:23-cv-00354), the Court hereby appoints Bart D. Cohen, Benjamin F. Johns, Ben Barnow, and Kevin H. Sharp as Interim Co-Lead Class Counsel. Further, the plaintiffs shall file a Consolidated Amended Complaint on or before June 18, 2023. The time for Defendants to answer or otherwise respond to the

Consolidated Amended Complaint is **STAYED** until the status conference set in this order. Additionally, no later than July 7, 2023, counsel for each party shall meet and confer to develop an early case resolution plan that includes mediation prior to the filing of a motion to dismiss. Accordingly, Defendant's Motion in Gatti v. CHSPSC, LLC, Case No. 3:23-cv-00371 (Doc. No. 11) is **GRANTED**.


A Status Conference is set for **July 28, 2023, at 1:30 p.m.** Each party shall file a status report on or before July 21, 2023. The parties are encouraged to jointly submit a status report to the extent possible. Each status report shall include as relevant to a party or parties each of the following in the order below with the following headings:

- a. Critical Factual Allegations;
- b. Legal Issues;
- c. Claims & Defenses;
- d. Anticipated Damages; and
- e. Other Matters Helpful to the Court or that Will Expediate the Progression of the Case.

To facilitate an early case resolution, each status report should state whether the filing party or parties believe that they would benefit from a court-appointed computer forensics expert, and, if so, offer any nominations that the parties may have. The status report will not be binding, will not waive claims or defenses, and may not be offered into evidence against a party in a later proceeding.

The Clerk is directed to administratively close the related actions—Case Nos. 3:23-cv-00354, 3:23-cv-00371, 3:23-cv-00396, 3:23-cv-00420, and 3:23-cv-00443.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE