

Appeal Finality After Consolidation Joint Subcommittee

March 27, 2018

Joint subcommittee of the Civil and Appellate Rules Advisory Committees formed to consider whether either rule set should be amended to address the effect on the “final judgment rule” of consolidating initially separate cases. The impetus for this project is *Hall v. Hall*, 138 S. Ct. 1118 (2018), where the Court held that individual cases consolidated under Civil Rule 42(a) for some or all purposes at the trial level retain their separate identities for purposes of final judgment appeals. *Id.* at 1131. The Court concluded by suggesting that if “our holding in this case were to give rise to practical problems for district courts and litigants, the appropriate Federal Rules Advisory Committees would certainly remain free to take the matter up and recommend revisions accordingly.” *Id.* The subcommittee will gather information as to whether any “practical problems” have arisen post-*Hall*. If so, the subcommittee will determine the value of any rules amendments to address those problems.