

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RODNEY BRADSHAW,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-1422 (PLF)
)	
SONNY PERDUE, Secretary, United)	
States Department of Agriculture,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Defendant’s Motion to Bifurcate Trial [Dkt. No. 190]. Upon careful consideration of the motion, plaintiff’s opposition, and defendant’s reply, the Court will deny the motion to bifurcate and proceed to trial simultaneously on the issues of liability and damages.

The trial in this case is scheduled to take place before the Court without a jury beginning on January 29, 2018. The parties have assured the Court that it will take no more than three days to try. Defendant now argues that the Court and the parties should spend two days trying the liability phase alone and return at some later date for a separate one-day trial on damages. Defendant maintains that this would both conserve the resources of the parties, who will incur the costs of presenting expert witnesses on the issue of damages, and serve the interests of judicial economy. Had plaintiff made this argument with respect to the cost of experts, the Court might have more sympathy. Considering the circumstances presented here, however, it is in no one’s interest to prolong the resolution of this case. Plaintiff originally filed

this civil action – now finally set for trial in January 2018 – in 2004. Plaintiff wants to proceed even though he, too, will have to call an expert witness.

The Court concludes that bifurcating a three-day bench trial into two shorter trials, and the delay bifurcation would entail, is not warranted. It surely is not conducive to expedition and economy. See FED. R. CIV. P. 42(b). The case is not complicated, and the trial will be short. It is time for the resolution of this matter. See Kakeh v. United Planning Org., Inc., 587 F. Supp. 2d 125, 131 (D.D.C. 2008); Pearce v. Bell, No. 86-0008, 1988 WL 57261, at *1 (D.D.C. May 18, 1988). For these reasons, it is hereby

ORDERED that Defendant’s Motion to Bifurcate Trial [Dkt. No. 190] is DENIED.

SO ORDERED.

_____/s/_____
PAUL L. FRIEDMAN
United States District Judge

DATE: December 12, 2017