Order entered July 28, 2017

In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00870-CV

IN RE ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC., Relator

Original Proceeding from the 15th Judicial District Court
Grayson County, Texas
Trial Court Cause No. CV-16-0401

ORDER

Before Justices Lang, Evans, and Stoddart

Before the Court is relator's July 24, 2017 petition for writ of mandamus in which relator complains of the trial court's orders denying relator's pleas to the jurisdiction. Also pending in this Court is relator's interlocutory appeal of the same orders. The interlocutory appeal is docketed as Cause No. 05-17-00872-CV, *Electric Reliability Council of Texas, Inc. v. Panda Power Generation Infrastructure Fund, LLC d/b/a Panda Power Funds, et al.*

After reviewing the petition for writ of mandamus and the documents on file in this original proceeding and in cause number 05-17-00872-CV, we have determined that this original proceeding should be consolidated into the interlocutory appeal and determined with the interlocutory appeal. We defer to the submissions panel to address each issue presented under the applicable standards.

Accordingly, on the Court's own motion, we **ORDER** cause number 05-17-00870-CV **CONSOLIDATED** into cause number 05-17-00872-CV. We **DIRECT** the Clerk of Court to remove all documents from cause number 05-17-00870-CV and refile them in cause number 05-17-00872-CV and to treat cause number 05-17-00870-CV as a closed case. We **ORDER** that all future pleadings be filed in and bear only cause number 05-17-00872-CV.

This consolidation order does not alter any pending deadlines in cause number 05-17-00872-CV. The clerk's record, reporter's record, and the parties' briefs will be due in accordance with the rules of appellate procedure applicable to accelerated appeals. *See* TEX. R. APP. P. 35.1, 38.6. Appellant and appellees should each file a consolidated brief addressing all issues related to the interlocutory appeal and the original proceeding. Appellant may file a reply brief as permitted by the rules of appellate procedure.

/s/ DOUGLAS S. LANG
PRESIDING JUSTICE