

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

DEC - 1 2016

Clerk, U S District Court
District Of Montana
Billings

EDWARD A. AMESTOY, TRUSTEE
OF THE CHARLES AND ELAINE A.
AMESTOY MINERAL TRUST;
PAUL A. AMESTOY, TRUSTEE OF
THE PAUL AND CORRINE
AMESTOY TRUST; RONALD
AMESTOY, BRIAN AMESTOY,
TRUSTEE OF THE AMESTOY
FMAILY TRUST; RITA WICHMAN,
TRUSTEE OF THE WICHMAN
FAMILY IRREVOCABLE TRUST
AND LINDA LOUISE SIMONSON,

Plaintiffs,

vs.

CONTINENTAL RESOURCES, INC.,

Defendant.

CV 16-113-BLG-SPW

ORDER

Before the Court is United States Magistrate Judge Carolyn Ostby's Findings and Recommendation filed on October 20, 2016. In her Findings and Recommendation, Judge Ostby concludes that the Plaintiff failed to join necessary and indispensable parties and recommends that the action be dismissed.

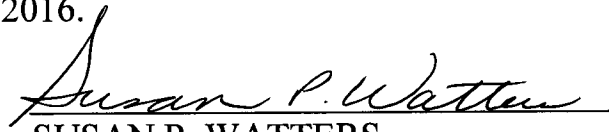
Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Ostby's Findings and Recommendations. No objections were filed. When neither party objects, this

Court reviews Judge Ostby's conclusions for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Ostby committed clear error.

Accordingly, IT IS HEREBY ORDERED:

1. Judge Ostby's Findings and Recommendations (Doc. 10) are ADOPTED IN FULL.
2. This matter is DISMISSED.
3. The Clerk of Court shall enter judgment and close this case.

DATED this 30th day of November, 2016.


SUSAN P. WATTERS
United States District Judge