

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
SENIOR JUDGE WALKER D. MILLER

Civil Action No. 09-cv-01692-WDM-KMT

ENCANA OIL & GAS (USA) INC.,

Plaintiff,

v.

HYLAND ENTERPRISES, INC., and  
COMPLETE PRODUCTION SERVICES, INC., f/k/a COMPLETE ENERGY SERVICES  
COMPANIES,

Defendants.

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**ORDER OF REMAND**

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Miller, J.

This case is before me on the Motion to Remand (doc no 11) filed by Plaintiff and the Withdrawal of Notice of Removal (doc no 20) filed by Defendant Hyland Enterprises, Inc. ("Hyland"). Hyland removed this case to this Court on July 16, 2009 on the basis of diversity jurisdiction. Plaintiff has moved to remand on the basis of a contractual forum selection clause and the inadequacy of Hyland's showing regarding diversity jurisdiction. Hyland apparently does not contest the motion but rather joins in the request that I enter an order remanding this action to the state court.

Accordingly, it is ordered:

1. Plaintiff's Motion to Remand (doc no 11) is granted.
2. This case shall be remanded to the District Court for the County of

Denver, Colorado.

3. Plaintiff may file a separate motion for attorneys' fees pursuant to statute, the local rules of this Court, and my Pretrial and Trial Procedures.

DATED at Denver, Colorado, on August 25, 2009.

BY THE COURT:

s/ Walker D. Miller  
United States Senior District Judge