

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 14-cv-00134-PAB-KMT

SPRING CREEK EXPLORATION & PRODUCTION COMPANY, LLC,

Plaintiff,

v.

HESS BAKKEN INVESTMENT II, LLC, F/K/A TRZ ENERGY LLC, and
STATOIL OIL & GAS, LP, F/K/A BRIGHAM OIL & GAS, LP,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

“Gold Coast Energy LLC’s Unopposed Motion to Intervene as an Additional Plaintiff” (Doc. No. 74, filed Apr. 14, 2015) is DENIED without prejudice. First, Gold Coast’s motion does not comply with Fed. R. Civ. P. 24(c), which requires that a motion to intervene “be accompanied by a pleading that sets out the claim or defense for which intervention is sought.” The court rejects Gold Coast’s suggestion that existing plaintiff Spring Creek Exploration & Production Company, LLC’s complaint also serve as Gold Coast’s complaint—at minimum, there must be a pleading that specifically identifies Gold Coast as a party to the action.

Second, because Gold Coast will be represented by the same attorneys as Spring Creek and its claims are identical to those asserted by Spring Creek, the court cannot condone a modification of the Scheduling Order that extends the current deadlines by more than 90 days. *See* Fed. R. Civ. P. 24(b)(3) (in considering whether to allow permissive intervention, the court “must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights”); Fed. R. Civ. P. 16(b)(4) (scheduling order may be modified only for good cause and with the court’s consent). Indeed, Gold Coast has not explained why it was not one of the original parties to this action or why it did not seek leave to intervene at an earlier juncture.

Accordingly, Gold Coast’s Motion to Intervene is DENIED without prejudice with leave to refile a renewed motion to intervene that (1) attaches a proposed pleading pursuant to Rule 24(c) and (2) seeks no more than a 90-day extension of any current Scheduling Order deadline.

Dated: April 17, 2015