

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 14-cv-02535-WJM-BNB

JACK J. GRYNBERG,

Plaintiff,

v.

TELLUS OPERATING COMPANY, a Mississippi corporation, and
HESS CORPORATION, a Delaware corporation,

Defendants,

and

HESS CORPORATION, a Delaware corporation,

Third-Party Plaintiff,

v.

DENBURY ONSHORE, LLC,

Third-Party Defendant.

ORDER

The parties appeared this morning for a scheduling conference. Currently pending are the following motions:

- (1) Tellus' Motion to Dismiss for Lack of Personal Jurisdiction [Doc. # 25, filed 11/12/2014];
- (2) Plaintiff's Motion for Leave to Amend Complaint [Doc. # 34, filed 12/1/2014]

which seeks to substitute Tellus Operating Group, LLC, in place of Tellus Operating Company, and seeks to add TC Energy, LLC, as an additional defendant;

- (3) Plaintiff's Motion for Leave to Conduct Discovery Limited to the Issue of Personal Jurisdiction [Doc. # 36, filed 12/1/2014];
- (4) Denbury Resources' Motion to Dismiss Third-Party Complaint [Doc. # 40, filed 12/10/2014] based on a lack of personal jurisdiction and failure to state a claim;
- (5) Hess Corporation's Motion to Stay Case [Doc. # 47, filed 12/30/2014] seeking a stay under the Colorado River abstention doctrine in view of state court proceedings pending in the Chancery Court of Smith County, Mississippi; and
- (6) Denbury Onshore's Motion to Dismiss First Amended Third-Party Complaint [Doc. # 54, filed 1/6/2015] based on lack of personal jurisdiction.

In addition, I was informed at the conference this morning that an additional motion to take jurisdictional discovery will be filed by Hess Corporation.

In view of these motions and anticipated motions, one of which seeks to stay the action in favor of proceeding in Mississippi state court, three of which challenge the court's personal jurisdiction, and two of which seek (or will seek jurisdictional discovery), I have determined that the case is not ready for the entry of a scheduling order. In addition, a motions hearing has been set for March 9, 2015, at 1:30 p.m.

IT IS ORDERED:

- (1) Hess Corporation shall file its motion for jurisdictional discovery, if at all, on or before January 23, 2015. All responses shall be filed on or before February 13, 2015.
- (2) All motions referred to the magistrate judge are set for hearing on March 9, 2015, at 1:30 p.m., in Courtroom 401, 4th floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado.

(3) The deadlines for responding to (i) Denbury Resources' Motion to Dismiss Third-Party Complaint [Doc. # 40] and (ii) Denbury Onshore's Motion to Dismiss First Amended Third-Party Complaint [Doc. # 54] are extended to a date to be set after a ruling on the motions to conduct jurisdictional discovery, and the replies are extended to 14 days after the filing of the responses.

Dated January 14, 2015.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge