

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DEANNA GUYLENE STODDARD, on behalf
of herself and all others similarly
situated,

Plaintiff,

vs.

Case No. 17-1067-JTM

OXY USA, INC.

Defendant.

MEMORANDUM AND ORDER

Defendant Oxy USA removed the present oil and gas royalty interest action from Grant County, Kansas District Court, contending that the court has removal jurisdiction under the Class Action Fairness Act of 2005, 28 U.S.C. § 1332(d) and 28 U.S.C. § 1453. Plaintiff Deanna Guylene Stoddard moved to remand the action (Dkt. 13), and OXY has moved to transfer the case to Judge Eric Melgren, noting that Judge Melgren decertified a class advancing similar claims in *Roderick Revocable Living Trust v. OXY USA Inc.*, 12-01215-EFM, which in turn generated multiple actions in state court. At the same time it removed the present action, Oxy removed a similar action, *Cooper Clark Foundation v. OXY USA Inc.*, 17-01068-EFM, which has been assigned to Judge Melgren and which involves the same counsel and the same legal issues. Stoddard argues in opposition that

the undersigned should resolve the motion to remand prior to deciding whether to transfer the action.

"In the interest of justice or to further the efficient disposition of the business of the court, a judge may return a case to the clerk for reassignment or, with the approval of the chief judge, may transfer the case to another judge who consents to such transfer." D.Kan. Rule 40.1 The undersigned judge, in his discretion, finds that judicial economy would be promoted by having a single judge resolve the issues surrounding such similar issues.

IT IS ACCORDINGLY ORDERED this 18th day of April, 2017, that defendant Oxy's Motion to Transfer (Dkt. 14) is hereby granted; plaintiff Stoddard's Motion to Stay (Dkt. 16) is denied.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE