

weigh slightly in favor of Mississippi, where at least one defendant resides. The conflict of laws issue might weigh slightly in favor of North Dakota, but this Court is capable of applying North Dakota law with respect to this lawsuit. These factors do not persuade this Court to grant transfer of this case. Plaintiffs chose Mississippi as the forum to bring their lawsuit and deference should be accorded that choice. “[U]nless the balance is strongly in favor of the defendant; the plaintiff’s choice of forum should rarely be disturbed.” *Gulf Oil Corporation v. Gilbert*, 330 U.S. 501, 508 (1947).

### CONCLUSION

For all of the reasons stated, this Court declines to dismiss this lawsuit and declines to dismiss any of defendants from this litigation. This Court additionally denies the defendants’ request for transfer of this case to a different venue. Therefore, accordingly, defendants’ *Motion to Dismiss or, Alternatively, Motion to Transfer Venue* [docket no. 7] is **denied**, and defendants’ *AMENDED Motion to Dismiss or, Alternatively, Motion to Transfer Venue* [docket no. 19] is **denied**. Counsel for the parties are instructed to contact Magistrate Judge Linda R. Anderson of the Southern District Court of Mississippi within ten days from the date of this order for scheduling in this matter.

SO ORDERED AND ADJUDGED, this the 29<sup>th</sup> day of March, 2017.

s/ HENRY T. WINGATE  
UNITED STATES DISTRICT COURT JUDGE