

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Keith Ward, William Clark, Kody Clark,)
Ed Johnston, and All Others Similarly)
Situating,)

Plaintiffs,)

vs.)

Wind River Trucking, LLC, LLC, d/b/a)
Winder River Oil Services; Heath Johnson;)
Todd Bradford; and Joseph Derosier,)

Defendants.)

**ORDER GRANTING AGREED
MOTION FOR CONTINUANCE**

Case No. 1:16-cv-418

On October 25, 2018, the parties filed an “Agreed Motion for Continuance.” Therein they requested that the all pretrial deadlines be extended by at least sixty-day extension of all pretrial deadlines and to continue the trial pending an appearance by Brad Jensen, new defendant named in the body of the Plaintiffs’ Third Amended Complaint. The court **GRANTS** the motion (Doc. No. 42). All pretrial deadlines shall be suspended pending further order of the court and with the understanding that discovery may continue in the interim. The final pretrial conference set for July 1, 2019, and jury trial set for July 15, 2019, are cancelled with the understanding that they shall be rescheduled as necessary at a later date and time.

As an aside, the court observes that while Brad Jensen is named as a additional defendant in the body of the Third Amended Complaint, he not identified as such in the case caption. The court on its own motion **ORDERS** that the caption shall be amended to hereafter include Brad Jensen as a named defendant. It remains incumbent on plaintiffs to serve Defendant Brad Jensen with copies of the summons and Third Amended Complaint.

IT IS SO ORDERED.

Dated this 19th day of November, 2018.

/s/ Charles S. Miller, Jr. _____
Charles S. Miller, Jr., Magistrate Judge
United States District Court