

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

Kevin Ross, )  
)  
)  
Plaintiff, )  
)  
vs. )  
)  
Bear Paw Energy, L.L.C., a Corporation, )  
ONEOK Partners, L.P., ONEOK Partners )  
GP, L.L.C., ONEOK, Inc., ONEOK )  
Partners Intermediate L.P., and ONEOK )  
ILP GP, L.L.C. )  
Defendants. )

Case No. 4:09-cv-00050

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On August 20, 2010, the parties in the above-captioned case appeared before this court via telephone for a status conference regarding discovery deadlines. Prior to the telephonic status conference, the parties submitted letters to the court indicating that information had been shared between them regarding a possible lack of subject matter jurisdiction in this case.

In light of the concerns raised in the correspondence and during the status conference as to the existence of federal diversity jurisdiction in this matter, the court orders the following:

1. The scheduling order in this matter (Docket No. 10) is hereby **VACATED**, and
2. Discovery requests and responses in this case are limited to the question of federal diversity jurisdiction, until further order of this court.

**IT IS SO ORDERED.**

Dated this 20<sup>th</sup> day of August, 2010.

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