

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

Phillip D. Armstrong, Leila R. Armstrong, )  
and Filco Incorporated, )  
)  
Plaintiffs, )  
)  
vs. )  
)  
)  
Berco Resources, LLC and Encore )  
Acquisition Company d/b/a Encore )  
Operating, LP, )  
)  
Defendants. )

**AMENDED ORDER GRANTING  
MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINT AND  
AMENDING SCHEDULING ORDER**

Case No.: 4:10-cv-022

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The court held a status conference regarding the pending Motion for Leave to File Amended Complaint (Docket No. 25) on September 1, 2011. For good cause shown, the plaintiffs motion is **GRANTED**, and the following amendments are made to the scheduling order:

1. The trial in this matter shall be continued to May 16, 2012, in Bismarck, Courtroom #1 before Judge Hovland. (3 days).
2. The parties are permitted to reopen discovery, if necessary, pertaining to new claims or issues raised by the amendments to the complaint.
3. The parties shall have until January 13, 2012 to file dispositive motions.

**IT IS SO ORDERED.**

Dated this 9th day of September, 2011.

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