

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

Dawn Carter, as personal representative of )  
the Estate of Jereme Loydd Mortinson, )  
deceased, and Dawn Carter, on behalf of )  
the heirs and next of kin of Jereme Loydd )  
Mortinson, deceased, )

Plaintiffs, )

vs. )

EOG Resources, Inc. and, )  
Crude Processing Inc., )

Defendants. )

**ORDER DENYING MOTION  
TO BIFURCATE AND STAY  
DISCOVERY**

Case No. 4:12-cv-003

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EOG Resources, Inc., )

Third-Party Plaintiff, )

vs. )

S&S Sales 2008, Inc., )

Third-Party Defendant. )

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S&S Sales 2008, Inc., )

Fourth-Party Plaintiff, )

vs. )

RES Investments, LLC, )

Fourth-Party Defendant. )

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Before the court is the motion by S&S Sales 2008, Inc. (“S&S Sales”) to bifurcate the trial of the third-party claim by EOG Resources, Inc. against S &S Sales and the fourth-party claim by S&S Sales against RES Investments, LLC and to stay discovery with respect to the third-party and fourth-party claims (Doc. No. 64). The request to stay discovery is **DENIED**. The request for bifurcation is also **DENIED**. With respect to the latter, any party may renew the motion for bifurcation after the court has considered any dispositive motions addressing the third and fourth-party claims. Also, the court may later take up the matter of bifurcation of the trial of the third-party and fourth-party claim (if appropriate) *sua sponte*.

Dated this 6th day of March, 2014.

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