

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

Energy Heating, LLC, an Idaho)
limited liability company, and Rocky)
Mountain Oilfield Services, LLC, an)
Idaho limited liability company,)

Plaintiffs,)

vs.)

Heat On-The-Fly, LLC, a Louisiana)
limited liability company, and Super)
Heaters North Dakota, LLC, a Texas)
limited liability company,)

Defendants,)

and)

Heat On-The-Fly, LLC, a Louisiana)
limited liability company,)

Third-Party Plaintiff,)

vs.)

Marathon Oil Corporation,)

Third-Party Defendant.)

ORDER

Case No. 4:13-cv-010

The court held a conference with the parties by telephone on September 10, 2013. Pursuant to the parties' discussions, all pretrial scheduling and discovery deadlines with the exception of the briefing deadlines pertaining to plaintiff's combined Motion to Dismiss and Motion for Summary Judgment shall be suspended pending further order of the court. The court shall conduct a status conference with the parties by telephone on October 8, 2013, at 12:00 p.m. CDT to discuss revisions

to the court's scheduling and discovery order. Anyone wanting to participate in the conference should call the following telephone number and enter the following access code:

Telephone # - (877)-848-7030
Access Code - 9768929

The parties are directed to submit a proposed revised scheduling/discovery plan at least two days prior to the status conference to undersigned at ndd J-Miller@ndd.uscourts.gov. The Markman hearing tentatively scheduled to commence on January 14, 2014, before Judge Hovland is cancelled with the understanding that it shall be rescheduled as necessary at a date and time to be determined.

IT IS SO ORDERED.

Dated this 10th day of September, 2013.

/s/ Charles S. Miller, Jr.

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