

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

Northern Oil and Gas, Inc.,)
)
Plaintiff,)
)
vs.)
)
Carol Kay Moen and Orville A. Moen,)
)
Defendants and)
Third-Party Plaintiffs,)
)
vs.)
)
Limsco Limited Partnership,)
)
Third-Party Defendant.)

ORDER CANCELLING TRIAL

Case No. 4:13-cv-122

A bench trial in the above-captioned case is set to commence on November 24, 2014. On October 31, 2014, the parties filed a “Joint Request for Rule 16 Pretrial Conference” (Docket No. 38) requesting the court to set a pretrial conference to discuss disposition of the case. Later that day, Magistrate Judge Klein issued a Report and Recommendation regarding the pending summary judgment motions. If the Report and Recommendation is adopted, the case will be resolved without the need for a trial.

Under the circumstances, the court **ORDERS** the bench trial **CANCELLED** pending resolution of the summary judgment motions. A final pretrial conference will be set and the bench trial will be rescheduled if necessary.

Dated this 3rd day of November, 2014.

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