

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

Lloyd Odell Ness; and Mary Ness,)
)
Plaintiffs,)
)
vs.)
)
Sampson Resources; Sampson Investments;)
KKR (Kravis, Kohlberg; Roberts);)
Magnum Hunter; Bakken Hunter; ONEOK)
Partners; ONEOK OKS;)
)
Defendants.)

**ORDER STAYING BRIEFING OF
PLAINTIFFS’ MOTIONS**

Case No. 4:15-cv-063

Between June 23 and July 13, 2015, each defendant filed a Motion to Dismiss. (Docket Nos. 14, 17, 37, 41, and 46). Plaintiffs subsequently filed, inter alia, a Motion for Summary Judgment (Docket No. 49) and Motions for Preliminary Injunction (Docket Nos. 70 and 71). In response, several of defendants filed motions requesting the court to stay the briefing of plaintiffs’ motions. (Docket Nos. 56 and 68).

On August 7, 2015, the court held a conference with the parties by telephone to discuss the aforementioned motions. During the conference, plaintiffs advised that they had no objection to the court holding their motions in abeyance pending the court’s ruling on defendants’ Motions to Dismiss. Accordingly, the court **GRANTS** defendants’ motions to stay the briefing of plaintiffs’ motions (Docket Nos. 56 and 68). The court shall suspend briefing of plaintiffs’ Motion for Summary Judgment and Motions for Preliminary Injunction pending its decision on defendants’ Motions to Dismiss. Once the court has ruled on defendants’ Motions to Dismiss, it shall follow up with the parties as necessary to formulate a scheduling and discovery plan and to establish a briefing

schedule for plaintiffs' remaining motions.

IT IS SO ORDERED.

Dated this 7th day of August, 2015.

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