

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GARY R. BUTTERS, as Co-Trustee	:	CIVIL ACTION NO. 4:17-CV-797
of THE BUTTERS CLINTON	:	
COUNTY GAS PROTECTOR	:	(Chief Judge Conner)
TRUST, DAVID F. BUTTERS,	:	
individually, TERRY L. BUTTERS,	:	
individually, and GLEN E.	:	
BUTTERS, individually,	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
SWN PRODUCTION COMPANY, LLC,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 8th day of June, 2018, upon consideration of the motion (Doc. 15) by defendant SWN Production Company, LLC (“SWN”), seeking to dismiss plaintiffs’ amended complaint (Doc. 7), and the parties’ respective briefs in support of and opposition to said motion (Docs. 26, 28, 30, 34), it is hereby ORDERED that:

1. SWN’s motion (Doc. 15) to dismiss is DENIED.

2. To the extent SWN raised a dispute concerning plaintiffs’ jury demand (Doc. 47) in the context of its instant motion, resolution of that issue is DEFERRED and will be considered in full in the context of SWN’s amended motion (Doc. 51) to strike plaintiffs’ jury demand.

3. Plaintiffs' motion (Doc. 38) for oral argument is DENIED as moot.
4. SWN shall respond to plaintiffs' amended complaint (Doc. 7) in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania