

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

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| NORTHER NATURAL GAS COMPANY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 08-1405-WEB-DWB |
| |) | |
| L.D. DRILLING, INC., VAL ENERGY, |) | |
| INC., and NASH OIL & GAS, INC., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

ORDER

On August 11, 2011, a status conference was held in this case before the undersigned magistrate judge. Plaintiff Northern Natural Gas Company appeared through counsel Mark D. Coldiron, Corey A. Neller and Richard A. Olmstead. Defendant L.D. Drilling, Inc. (the LD Group) appeared through counsel Timothy B. Mustaine. Defendant Nash Oil & Gas, Inc. (Nash Group) appeared through counsel Brian J. Madden. Defendant Val Energy, Inc.(Val Energy Group) appeared through counsel Will B. Wohlford. The parties had submitted a Report of Parties' Planning Conference to the court prior to the conference.

The parties state in their planning report that the following parties who were joined in this case by Plaintiff's Amended Complaint (Doc. 168) have never filed their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1). Those parties are as

follows:

Allam Exploration, LLC; Apollo Energies, Inc.; Bill R. Milton; Brenda M. Riffey; Carl Dudrey; Dale L. Smith and Mae D. Smith Revocable Trust Dated 12/5/2007; Dale L. Smith, Trustee of the Dale L. Smith and Mae D. Smith Revocable Trust Dated 12/5/2007; Mae D. Smith, Trustee of the Dale L. Smith and Mae D. Smith Revocable Trust Dated 12/5/2007; David Munro; Eric D. Stinson Trust Dated January 25, 2007; Eric D. Stinson, Trustee of the Eric D. Stinson Trust Dated January 25, 2007; HJB, Inc.; Ivan W. Milton; John P. Hastings; Kim B. Shoemaker, Nancy H. Shoemaker; L.D. Davis; Larry D. Riffey; Larry E. Keenan; Lies Exploration, LLC; Lisa M. Milton; Paul J. Beaver; Robert P. Bayer, II; Steven Eugene Young; Tammy Milton; Timothy R. Keenan; Tri-K Ventures, Inc.; Vision Investments, LLC a/k/a Vision Investments of Pratt, LLC; Vosburgh Exploration, LLC; and Whitetail Energy, Inc.

Newly-added parties are normally required to serve their initial disclosures within 30 days after being served or joined unless a different time is set by stipulation or by court order. Fed. R. Civ. P. 26(a)(1)(D). These entities are also parties in the related condemnation case, Case No. 10-1232-WEB-DWB, and as such, they have made initial disclosures in that condemnation case. They should make similar initial disclosures in this case, and they are hereby ORDERED to serve such initial disclosures on or before **September 12, 2011**.

As previously noted, this case is closely related to a pending condemnation proceeding, Case No. 10-1232-WEB-DWB. A scheduling conference in the condemnation case was also held on August 11, 2011, and deadlines and procedures for discovery were set in that case. The court was advised that the

parties anticipate a multi-track deposition schedule in the condemnation case which may commence shortly. All of the parties in this case are also parties in the condemnation case. In addition, there are several landowner-group defendants in the condemnation case that are not parties in the present case. Conducting discovery in both cases at the same time may well lead to confusion and possible duplication of discovery between the two cases. The court believes that at this time it would be more efficient to focus on the discovery in Case No. 10-1232 rather than on discovery in the present case.

In addition, there are pending motions in the present case that are ripe for decision which may affect the scope of discovery in this case, and there is a pending appeal which has been argued, but not yet decided, in the Kansas Supreme Court that is important to further proceedings in this case. Considering all of these matters, the court therefore temporarily STAYS any further discovery in this case pending further order of the court, except for the requirement in this Order that the newly-added defendants serve their initial disclosures by **September 12, 2011**.

IT IS SO ORDERED.

Dated this 11th day of August, 2011 at Wichita, Kansas.

s/ DONALD W. BOSTWICK
Donald W. Bostwick
United States Magistrate Judge