

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Steven Enterprises, LLC; BSM Holdings Reinsurance, LTD.; All
Moxie Holdings Reinsurance, LTD.; Air Cap Holdings Reinsurance,
LTD.; and Brandon Steven v. BOKF, N.A.

Steven Enters. · No. 25-CV-00553 · Decided February 3, 2026

SUMMARY

The United States District Court for the Northern District of Oklahoma granted BOKF, N.A.’s motion to transfer the action to the District of Kansas under 28 U.S.C. § 1404(a). The court relied on the earlier-filed Kansas action involving substantially the same dispute and overlapping parties, the Kansas court’s application of the first-to-file rule, docket congestion in the Northern District of Oklahoma, and the plaintiffs’ lack of opposition to transfer.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
WRITING FOR THE COURT	Sara E. Hill
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	February 3, 2026
DOCKET	25-CV-00553
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant moved under 28 U.S.C. § 1404(a) to transfer the Oklahoma action to the United States District Court for the District of Kansas. While the motion was pending, the plaintiffs withdrew their opposition and consented to transfer.
STANDARD OF REVIEW	A motion to transfer under 28 U.S.C. § 1404(a) is committed to the district court's discretion and is evaluated through an individualized, case-by-case consideration of convenience and fairness. The moving party bears the burden of establishing that the existing forum is inconvenient.
PRECEDENTIAL VALUE	unpublished district court opinion

TOPICS

venue

civil procedure

commercial litigation

breach of contract

contracts

PRACTICE AREAS

civil procedure

commercial litigation

contracts

QUESTIONS PRESENTED

1. Whether the Oklahoma action should be transferred to the District of Kansas under 28 U.S.C. § 1404(a).
2. Whether the first-filed Kansas action, overlapping parties and disputes, docket congestion, and the parties' consent made transfer appropriate.

HOLDINGS

1. Transfer of the Oklahoma action to the District of Kansas was appropriate under § 1404(a), considering the first-filed Kansas action, the overlap in parties and disputes, the practical benefits of avoiding duplicative litigation, the relative docket conditions, and plaintiffs' consent.
2. A district court has discretion to decide a § 1404(a) transfer motion through an individualized, case-by-case evaluation of convenience and fairness, with the moving party bearing the burden of showing that the existing forum is inconvenient.

KEY QUOTATIONS

“Section 1404(a) is intended to place discretion in the district court to adjudicate motions for transfer according to an individualized, case-by-case consideration of convenience and fairness.” (Discussion)

“The Court further DIRECTS the Clerk of Court to take all necessary steps to transfer this case to the United States District Court for the District of Kansas.” (Conclusion)

FACTUAL BACKGROUND

BOKF filed a Kansas action more than two weeks before plaintiffs filed the Oklahoma action, and the two cases arose from essentially the same dispute and involved overlapping parties. The Kansas action asserted breach-of-contract and declaratory-judgment claims, while the Oklahoma action asserted tort claims arising from the same events. The Northern District of Oklahoma also noted its comparatively high caseload, and plaintiffs ultimately consented to transfer.

PROCEDURAL HISTORY

Plaintiffs filed the Oklahoma action on October 14, 2025. BOKF had previously filed a similar action in the District of Kansas, and the Kansas court determined that the first-to-file rule applied and that no exception applied. After a status conference, plaintiffs confirmed that they did not oppose transfer, and the Northern District of Oklahoma granted BOKF's motion and directed the Clerk to transfer the case to the District of Kansas.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Clerk of Court was directed to take all necessary steps to transfer the case to the United States District Court for the District of Kansas.

CASES CITED

- Chrysler Credit Corp. v. Country Chrysler, Inc., 928 F.2d 1509, 1515 (10th Cir. 1991)
- Emp'rs Mut. Cas. Co. v. Bartile Roofs, Inc., 618 F.3d 1153, 1167-68 (10th Cir. 2010)
- Harshaw v. CSAA Gen. Ins. Co., No. 4:25-cv-00338-JDR-SH, 2025 WL 2630926, at *3 (N.D. Okla. Sept. 12, 2025)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA STEVEN ENTERPRISES, LLC; BSM HOLDINGS REINSURANCE, LTD.; ALL MOXIE HOLDINGS REINSURANCE, LTD.; AIR CAP HOLDINGS REINSURANCE, LTD.; and BRANDON STEVEN Plaintiffs, v. Case No. 25-CV-00553 BOKF, N.A., Defendant. OPINION AND ORDER Before the Court is Defendant BOKF, N.A.'s ("BOKF") Motion to Transfer, [ECF No. 29].

For the reasons set forth below, the motion is granted. I. Background Plaintiffs initiated the above-captioned action (the "Oklahoma Action") on October 14, 2025. [ECF No. 2]. But more than two weeks before Plaintiffs initiated the Oklahoma Action, Defendant BOKF filed a similar action in the United States District Court for the District of Kansas. See generally BOKF, N.A. v. Hang10 Holdings, LLC et al., No 2:25-cv-02562-HLT-TJJ (D.

Kan) (the "Kansas Action"). After filing the Kansas action, BOKF filed the instant motion, [ECF No. 29], asking the Court to transfer the Oklahoma Action to the District of Kansas. Among other things, BOKF argues that the first-to-file rule requires transfer of this action to the District of Kansas, and that transfer to the District of Kansas is appropriate under 28 U.S.C. § 1404.

[Id. at 21–28]. While BOKF's motion to transfer was pending in the Oklahoma Action, United States District Judge Holly Teeter entered an order in the Kansas Action addressing the first-to-file rule. Judge Teeter determined that the Kansas Action was filed first, that "the first-to-file rule applie[d]," and that that the rule's "exceptions d[id] not" apply. [ECF No. 36-1 at 2].

In light of this ruling, the Court set the Oklahoma Action for a status conference. [ECF No. 37]. During the status conference, the Court asked Plaintiffs' counsel whether Plaintiffs still objected to BOKF's motion to transfer, and counsel confirmed that they did not object to transfer. [ECF No. 38]. Plaintiffs then filed a notice confirming the same. [ECF No. 39 at 1].

II. Discussion Under 28 U.S.C. § 1404(a), “[f]or the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented.” “The party moving to transfer a case pursuant to § 1404(a) bears the burden of establishing that the existing forum is inconvenient.” *Chrysler Credit Corp. v. Country Chrysler, Inc.*, 928 F.2d 1509, 1515 (10th Cir.

1991). A plaintiff’s choice of forum is usually afforded deference, but that deference is given less weight if the plaintiff does not reside in the judicial district or if the “facts giving rise to the lawsuit have no material relation or significant connection to the plaintiff’s chosen forum.” *Emp’rs Mut. Cas. Co. v. Bartile Roofs, Inc.*, 618 F.3d 1153, 1168 (10th Cir.

2010) (citation and quotation mark omitted). Ultimately, however, “[s]ection 1404(a) is intended to place discretion in the district court to adjudicate motions for transfer according to an individualized, case-by-case consideration of convenience and fairness.” *Chrysler Credit Corp.*, 928 F.2d at 1515 (citation and internal quotation marks omitted).

Therefore, in reaching its decision, the Court considers several factors, including: [1] the plaintiff’s choice of forum; [2] the accessibility of witnesses and other sources of proof, including the availability of compulsory process to insure attendance of witnesses; [3] the cost of making the necessary proof; [4] questions as to the enforceability of a judgment if one is obtained; [5] relative advantages and obstacles to a fair trial; [6] difficulties that may arise from congested dockets; [7] the possibility of the existence of questions arising in the area of conflict of laws; [8] the advantage of having a local court determine questions of local law; and [9] all other considerations of a practical nature that make a trial easy, expeditious and economical.

Emp’rs Mut. Cas. Co., 618 F.3d at 1167 (quoting *Chrysler Credit Corp.*, 928 F.2d at 1516). To the extent any factor weighs against transfer, Plaintiffs no longer oppose transfer of this case to the District of Kansas. [ECF No. 39]. Upon due consideration of all the factors and in light of the record and all applicable authority, several of the factors are worth highlighting.

First, as recently noted by another judge in this district, the Northern District of Oklahoma continues to experience a high volume of cases compared to other districts in this circuit. *Harshaw v. CSAA Gen. Ins. Co.*, No. 4:25-cv-00338-JDR-SH, 2025 WL 2630926, at *3 (N.D. Okla. Sept. 12, 2025); see also Administrative Office of the United States Courts, Federal Court Management Statistics September 2025.

This factor weighs in favor of transfer. Second, the practical considerations in this case also weigh heavily in favor of transfer. As Judge Teeter correctly noted, the Kansas Action was filed first, and “[t]he claims in [the Kansas Action and the Oklahoma Action] generally arise from the same

events even though the claims in Kansas are for breach of contract and declaratory judgment and the claims in Oklahoma are for torts.” [ECF No. 36-1 at 2, 5].

Because both cases involve essentially the same dispute and overlapping parties, the Kansas Action was filed first, and due to the higher caseload in the Northern District of Oklahoma, the Court finds that transfer is appropriate. III. Conclusion For the reasons stated above, Defendant BOKE, N.A.’s Motion to Transfer, [ECF No. 29], is GRANTED.

The Court further DIRECTS the Clerk of Court to take all necessary steps to transfer this case to the United States District Court for the District of Kansas. DATED this 3rd day of February, 2026.
Pen HO Sara E. Hill Me UNITED STATES DISTRICT JUDGE