

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

LINDELL D. STEVENS,)
Plaintiff,)
vs.)
JOE WESLEY GRANTHAM,)
Defendant.)

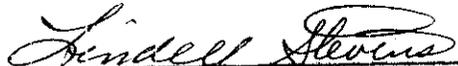
No. 6477 Civil

FILED

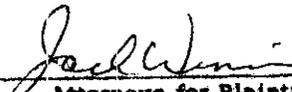
OCT - 3 1966

MOTION TO DISMISS WITH PREJUDICE NOBLE C. HOOD
Clerk, U. S. District Court

Comes now the plaintiff, and for good cause shown, moves
the Court to dismiss this action with prejudice to his rights to the bringing
of any other future action.

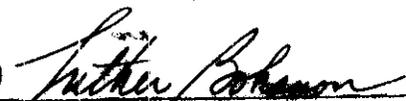

LINDELL D. STEVENS

GUDGEL AND WINN

By 
Attorneys for Plaintiff

ORDER OF DISMISSAL WITH PREJUDICE

For good cause shown, it is hereby ordered and directed that the
above entitled action be dismissed with prejudice.

(s) 
FEDERAL JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE GOLDSTON CO., INC., a
corporation

Plaintiff

vs.

No. 6089 Civil

SHANGRI-LA RECREATIONAL
COMPLEX, INC., and MOTEL
FACILITIES AND SUPPLY CO.,
corporations

Defendants

FILED

MOTEL FACILITIES AND SUPPLY
CO., a corporation

OCT -4 1966

Cross-Petitioner and/or
Third Party Plaintiff

NOBLE C. HOOD
Clerk, U. S. District Court

vs.

NATIONAL SURETY CORPORATION

Third Party Defendant

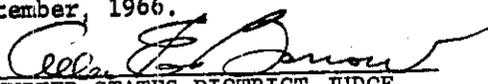
ORDER

This matter came on for hearing on this 27th day of September, 1966, on the motion of the defendant Shangri-La Recreational Complex, Inc., to dismiss the Complaint as to said defendant for the reason that said Complaint shows on its face to be based upon an oral guaranty which falls within the Statute of Frauds and upon which relief cannot therefore be granted against said defendant.

The Court being fully advised in the premises, it is
ORDERED:

The Motion to Dismiss filed by Shangri-La Recreational Complex, Inc., is sustained and the Complaint is dismissed as to said defendant.

Dated this 27th day of September, 1966.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

GEORGE L. MICHENER, JR.,

Plaintiff

vs

WILLIAM W. FERGUSON and HENRY L. FERGUSON,

Defendants

COURT OF RECORDS

CIVIL NO. 6378

FILED

OCT - 4 1966

NOBLE C. HOOD
Clerk, U. S. District Court

Now on this ^{4th} day of October, 1966, plaintiff appearing by and through his attorney, James G. Davidson, and defendants appearing by and through their attorney, Joseph F. Glass, and request that this cause of action be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above styled and numbered cause of action be, and the same is hereby, dismissed with prejudice to the rights of the filing of a future action.

Allen E. Barant

Clerk of the Court

**IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

State of Oklahoma, ex rel
Department of Highways of the
State of Oklahoma,

Plaintiff

vs

NO. 6472

Certain parcels of land in Washington
County, Oklahoma containing 1.70 acres,
more or less; Warren H. Longbone,
hair of Minnie Fourts, Cherokee No. 31315,
Deceased; and the United States of
America;

Defendants

FILED

OCT - 4 1966

NOBLE C. HOOD
Clerk, U. S. District Court

**ORDER APPROVING AND CONFIRMING
REPORT OF COMMISSIONERS**

Now on this 3 day of Oct, 1966, this matter comes on for
hearing, and plaintiff requests this court approve the condemnation proceedings and confirm the
plaintiff's appropriation of the hereinafter described property.

The court finds from an examination of the pleadings, notices, reports and records herein
that the plaintiff filed its petition on the 30th day of June, 1966, alleging
that it was necessary for plaintiff to appropriate the hereinafter described property for highway
purposes and that plaintiff was unable to secure same by purchase because of the refusal by the
defendant landowner(s) to grant same to the State for public purposes; that in such instances
the laws of the State of Oklahoma authorize the appropriation of same by condemnation proceed-
ings; the plaintiff therefore prayed the court to appoint three disinterested freeholders from the
current jury list of the District Court of this county, not interested in any like question, to in-
spect said property and consider the injury that would be sustained by the owner(s) thereof by
plaintiff's appropriation of same as well as the damages to the remainder of the real estate

owned by them, either directly or indirectly. The court finds that the records show that good and lawful notice of the date of hearing of said petition was given the defendant(s), and service upon the defendant(s) herein is approved.

The court further finds that on the 18th day of July, 1966, it duly and regularly appointed J. E. Devine, Frank W. Lewis and Warren Morris condemnation commissioners who filed their report with the Clerk of this Court on the 26th day of July, 1966, assessing plaintiff Two hundred sixty-two and 50/100 (\$262.50) Dollars, for the appropriation by said plaintiff of the lands and property sought by it in this proceeding, and for full and complete damages to any and all of the remaining land and property of said defendant(s).

The court finds that, pursuant to such award, plaintiff deposited with the Clerk of this Court on the 9 day of Aug, 1966, the said sum of Two hundred sixty-two and 50/100 (\$262.50) Dollars, and thereupon plaintiff became entitled to the immediate possession of the property concerned herein, and defendant(s) thereupon became entitled, by operation of law, to have said award disbursed to them by the court clerk, free and clear of all poundage or other fees.

The court finds that the statutory limitation period within which the parties to said proceedings might have filed a demand for jury trial or otherwise objected has elapsed without there having been a demand for jury trial, or other objection, filed herein, and that these proceedings have therefore become final and complete and that plaintiff is entitled to an order of this court approving the said proceedings and confirming the appropriation by plaintiff of the right, title and interest taken by it in the property described on the sheet attached hereto.

IT IS THEREFORE by the court considered, ordered, adjudged and decreed that plaintiff's taking of the right and interest sought by it in these proceedings as acquired by it on the 9th day of Aug, 1966, in the hereinafter described property is hereby approved and confirmed.



DISTRICT JUDGE

APPROVED:

Attorney for Plaintiff,
512 Capitol Office Building,
Oklahoma City, Oklahoma

A grant for the purpose of opening and maintaining a stream channel on the following described tract:

A strip, piece or parcel of land lying in the E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 27 N, R 13 E, in Washington County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Beginning at the SW corner of said E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, thence North along the West line of said E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 149.2 feet, thence Southeasterly on a curve to the right having a radius of 893.5 feet a distance of 478 feet, thence S 30°00'E a distance of 100 feet, thence S 60°00'W a distance of 150 feet, thence N 30°00'W a distance of 100 feet, thence Northwesterly on a curve to the left having a radius of 743.5 feet a distance of 310.4 feet to a point on the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence North along said West line a distance of 28.8 feet to point of beginning.

Containing 1.70 acres, more or less, together with the permanent right of ingress and egress for plaintiffs, officers, agents, contractors and employees, tools and equipment to go upon said parcel of land to construct, build, maintain and inspect a stream channel upon the above described tract of land.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DEAN COHEN,

Plaintiff,

vs.

ALPHA CONSTRUCTION COMPANY,
an Oklahoma corporation, and
THE FIDELITY AND CASUALTY COMPANY
OF NEW YORK, a foreign corporation,

Defendants.

No. 6486 Civil

FILED

OCT - 4 1966

NOBLE C. HOOD
Clerk, U. S. District Court

SHIRLEY WEAVER SAGE

Plaintiff, Dean Cohen, claiming to be a sub-contractor and one furnishing materials and performing labor for the defendant; Alpha Construction Company (Alpha) sees Alpha and the defendant, Fidelity and Casualty Company of New York (Fidelity) who furnish- ed contractor's bonds to Alpha in connection with several Rural Electrification Administration projects.

The defendants have removed the case to this Court from State Court claiming that the plaintiff was a joint adventurer with Alpha in connection with the projects involved and by reason thereof the joinder by the plaintiff of Alpha in the case is fraudulent in that the plaintiff has no cause of action against Alpha and that the case is, therefore, removable by Fidelity on grounds of diversity.

The bonds involved name Alpha as the principal. No mention is made of the plaintiff as a joint adventurer in the bonds.

Nothing has been presented to the Court in support of the bare allegation and conclusion that the plaintiff was a joint adventurer with Alpha on the projects involved.

The defendants have the burden to show that the joinder of Alpha is fraudulent and void without reasonable basis. SHANE V. HUNTER-SIX SOUTHERN Ry. Co., 121 F. Supp. 406 (W. N. Ark.-1954.) Clear and convincing evidence should be produced in support of this alleged fraudulent joinder. SHANE V. HUNTER-SIX SOUTHERN Ry. Co., supra. In the absence of such the Court should look to the petition and if the same appears to fairly state a cause of action against both defendants the case should be remanded to State Court. Smith v. Southern Pac. Co. 157 F. 2d 397 (Ninth Cir. 1948), cert. denied 342 U. S. 823.

Even what has been presented to the Court it appears that the plaintiff has alleged a valid cause of action against Alpha on the basis that as a sub-contractor plaintiff performed labor and furnished materials to Alpha who is under bond by fidelity and that plaintiff is entitled to bring an action against both to recover the amounts claimed to be due for materials and labor furnished to the various NEA projects. The Court fails to find a fraudulent joinder.

It is therefore ordered that this case be and the same is

herby removed to State Court. All other pending Motions on file herein are referred to the State Court for disposition. The Clerk of this Court will take the necessary action to effect the removal of this case to the appropriate State Court from which it was removed.

Dated this 4 day of October, 1966.

J. Fred Daugherty
United States District Judge

UNITED STATES DISTRICT COURT }
NORTHERN DISTRICT OF OKLAHOMA } SS
I HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY OF THE ORIGINAL ON FILE
IN THIS COURT.
NOBLE C. HOOD, CLERK
BY *[Signature]*
DEPUTY

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JOHN A. PETRICK, Administrator of
the Estate of JOHN RAY PETRICK,
deceased,

Plaintiff,

vs.

CHEVALLEY MOVING & STORAGE OF DEWEY,
INC., an Oklahoma Corporation; WALTER L.
BELLMYER; and TRUCK INSURANCE EXCHANGE,
a Reciprocal Insurance Company,

Defendants.

NO. 6366

FILED

OCT - 6 1966

NOBLE C. HOOD
Clerk, U. S. District Court

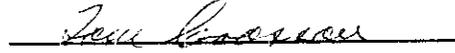
STIPULATION FOR DISMISSAL

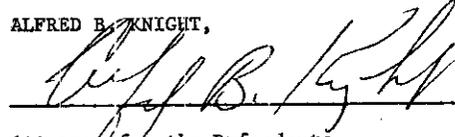
COMES now the plaintiff and the defendants, and move the Court
to dismiss, with prejudice, the above captioned cause, for the reason
and upon the grounds that the cause has been compromised, settled, and
resolved.

WHEREFORE, premises considered, the plaintiff and the defendants,
pray that the Court dismiss the above captioned cause, with prejudice.

JOHN M. HOLLIMAN


TOM CROSSAN


Attorneys for the Plaintiff,

ALFRED B. KNIGHT,

Attorney for the Defendants.

ORDER

NOW, on this 5 day of October, 1966, the above captioned
cause, by Order of the Court, is dismissed with prejudice, on stipulation
of the parties hereto.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 6 1966

Randall Paul Blevins, administrator)
of the L. Jake Blevins estate)
Plaintiff

NOBLE C. HOOD
Clerk, U. S. District Court

vs.

Civil Action

Continental Casualty Co.)
an insurance Co.)
Defendant

No. 6459

MOTION OF PLAINTIFF TO DISMISS WITH PREJUDICE

Comes the Plaintiff and his Attorneys, Arthurs, Blackstock
and McMillan, and moves the Court to Dismiss this cause with
prejudice and states to the Court that said cause has been settled
and disposed of.

Randall Paul Blevins
Randall Paul Blevins, administrator
of the L. Jake Blevins estate

Arthur, Blackstock & McMillan
via Robert W. Blackstock, Partner
Arthurs, Blackstock & McMillan,
Plaintiff's Attorneys

ORDER OF THE COURT

On Plaintiff's motion to dismiss with prejudice, and the Court
being fully advised in the premises, does hereby dismiss this case with
prejudice.

Judge of the U. S. District Court

IN THE UNITED STATES DISTRICT COURT SEATED FOR THE DISTRICT OF COLUMBIA

ALBERT RODGERS and GEORGE
RODGERS, husband and wife,

Plaintiffs,

vs.

NO. 6488

WASHINGTON UNIVERSITY COMPANY,
a single corporation, defendant,
and GEORGE W. BROWN, JR.,
and LEONARD BROWN, JR.,
Defendants.

FILED

OCT 10 1966

NOBLE C. HOOD
Clark, U. S. District Court

VERIFICATION

Come now the plaintiffs, Albert Rodgers and George Rodgers,
husband and wife, and urge the Court to dismiss the above styled and num-
bered cause as to all defendants, at least to the plaintiffs, and on grounds
hereby respectfully shown:

That all matters in controversy in this suit between plaintiffs and
defendants have been fully called and compromised by agreement, and that
there is no further occasion for the prosecution of this suit.

Albert Rodgers
Plaintiff

ORDER

Now, on this 10th day of October, 1966, the Court came on for
hearing on plaintiffs' motion to dismiss the Court being fully advised in the
premises that the cause and all issues herein have been fully called and
compromised as between the parties, and the Court further finds that the cause
should be and is hereby dismissed with prejudice, at least to the plaintiffs.

IT IS HEREBY ORDERED, APPROVED AND SIGNIFIED that this
cause is dismissed with prejudice, at least to the plaintiffs.

5) Fred Dougherty
Clerk

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. **6075**

William M. Green,

vs.

Charison Pipe Line Company, a Corporation

FILED

JUDGMENT
OCT 11 1966

NOBLE C. HOOD
Clerk, U. S. District Court

This action came on for trial before the Court and a jury, Honorable **Fred Laugherty**, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

It is Ordered and Adjudged that the plaintiff, **William M. Green**, have and recover judgment from the defendant, **Charison Pipe Line Company, a Corporation**, in the sum of **FOURTEEN THOUSAND TWO HUNDRED THIRTY-ONE AND 55/100 (\$14,231.55) DOLLARS**, and costs.

Dated at **Tulsa, Oklahoma**
of **October**, 19**66**

, this **10th** day

NOBLE C. HOOD

Clerk of Court

By *Ben B. Ballenger*
Ben B. Ballenger, Deputy

MIU:cg
8/30/66

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

WAYNE BALDRIDGE,)
)
Plaintiff,)
)
vs.)
)
HUMPTY-DUMPTY SUPER MARKETS,)
INC.,)
)
Defendant.)

CIVIL NO. 6341

FILED

OCT 11 1966

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above-entitled action came on for trial before the Court without a jury, on the 29th day of August, 1966, at Tulsa, Oklahoma, the plaintiff appearing in person and by his attorneys, Ungerman, Grabel, Ungerman & Leiter by Maynard I. Ungerman, and the defendant appearing by its counsel, Johnston & Johnston by David C. Johnston, Jr., and the Court having heard an oral stipulation of judgment by the parties, it is hereby

ORDERED AND ADJUDGED that the plaintiff, Wayne Baldrige, have judgment against the defendant in the sum of \$850.00 and that the defendant further be ordered to pay plaintiff's attorneys, Ungerman, Grabel, Ungerman & Leiter the additional sum of \$100.00, the balance of any attorneys' fees to be paid by plaintiff, and that the plaintiff is to pay the costs of this action.

Nathan Bohannon
Judge

APPROVED:

UNGERMAN, GRABEL, UNGERMAN & LEITER

By *Maynard I. Ungerman*
Maynard I. Ungerman
625 Wright Building
Tulsa, Oklahoma

JOHNSTON & JOHNSTON

By *David C. Johnston, Jr.*
David C. Johnston, Jr.
945 Commerce Exchange Building
Oklahoma City, Oklahoma

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

United States District Court

FOR THE

SOUTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. **6403**

Clester V. Eater,

vs.

Frank Hittel and Interstate Bakeries,

FILED

JUDGMENT 1966
OCT 13

NOBLE C. HOOD
Clerk, U. S. District Court

This action came on for trial before the Court and a jury, Honorable **Fred Daugherty**, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

It is Ordered and Adjudged **that the plaintiff, Clester V. Eater have and recover judgment from the defendant, Interstate Bakeries, the sum of SEVENTEEN THOUSAND FOUR HUNDRED TWENTY-THREE and 32/100 (\$17,423.32) DOLLARS and costs of this action.**

Dated at **Tulsa, Oklahoma**
of **October**, 19**66**

, this **13th** day

NOBLE C. HOOD

Clerk of Court

Ben H. Hallinger
Ben H. Hallinger,
Deputy

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Irene Ervin, . . . Plaintiff,)
vs.) No. 6489
David L. Somrod, . . . Defendant.)

FILED

OCT 13 1966

NOBLE C. HOOD
Clerk, U. S. District Court

STIPULATION FOR DISMISSAL
WITH PREJUDICE

All issues involved herein having been fully settled and compromised,
it is hereby stipulated and agreed that the above case be dismissed with prejudice
to the bringing of a future action.

Dated this 11 day of October, 1966.

Irene H. Ervin
Plaintiff

B. J. M. George
Attorney for Plaintiff

[Signature]
Attorney for Defendant

ORDER

Pursuant to Rule 28 U. S. D. C., it is hereby ordered that the above
captioned and numbered cause of action be dismissed with prejudice to the right
to bring a future action.

Dated this 13th day of October, 1966.

[Signature]
Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

W. DAN WILBANKS,

Plaintiff,

vs.

LIBERTY MUTUAL INSURANCE
CO.,

Defendant,

vs.

BEN HASKIN^sd/b/a BEN HASKINS
CONSTRUCTION COMPANY,

Third Party Defendant.

NO. CIVIL 6 3 3 3

FILED

OCT 17 1966

NOBLE C. HOOD
Clerk, U. S. District Court

JOURNAL ENTRY OF JUDGMENT

The above cause coming on regularly for trial to a jury on the 3rd day of October, 1966 at 9:30 o'clock A. M. and the parties appearing in person and by their attorneys of record and both sides announcing ready, and a jury having been duly impaneled and sworn and said cause proceeding to trial before a jury, and the plaintiff having introduced his evidence and rested, said cause having been continued until the 4th day of October, 1966 at which time trial was resumed; and the defendant and the third party defendant each respectively having interposed their demurrer to the evidence and said demurrers being overruled, and the defendant and the third party defendant having introduced their evidence and said trial having been continued until the 5th day of October, 1966; and the plaintiff having introduced rebuttal evidence upon the conclusion of all of the evidence, the defendant and the third party defendant having moved the Court for a directed verdict which motions were overruled and argument having been presented to the jury, and the Judge having duly instructed the jury and the jury having retired to consider their verdict; and said jury having duly returned to court and having duly returned into court their unanimous verdict in favor of the plaintiff and against the defendant Liberty Mutual Insurance Co. which verdict having determined the damages to be in the sum of \$750.00 and the jury having returned a unanimous verdict in favor of the defendant Liberty Mutual Insurance Co. and against the third party defendant Ben Haskins and having fixed the damages in the sum of \$750.00; and the plaintiff having moved in open court for a judgment for the full amount sued for by the plaintiff non obstante veredicto, and the Court having overruled the plaintiff's motion for judgment non obstante veredicto, and the Court having ordered the verdict of the jury to be received and filed;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiff, W. Dan Wilbanks, have and recover a judgment of and from the Liberty Mutual Insurance Co. in the sum of \$750.00 together with the costs of the action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Liberty Mutual Insurance Co. have and recover a judgment of and from the third party defendant,

Ben Haskin in the sum of \$750.00 together with the costs of this action.
For all of which let execution issue.

Eithen Bohannon

United States District Judge

APPROVED AS TO FORM:

Thomas R. Goodrich, Jr.

Attorney for Plaintiff

B. W. Walker

Attorney for Defendant

L. W. ...

Attorney for Third Party Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF OKLAHOMA

United States of America,

Plaintiff,

Civil No. 498

vs.

Francis L. Berry, et al
Francis L. Berry and
Francis L. Berry, husband and
wife, and Kansas Corporation,

Defendant.

FILED

OCT 17 1966

NOBLE C. HOOD
Clerk, U. S. District Court

S U M M A R Y

THIS MATTER COMES on for consideration on Motion of the Plaintiff and by agreement of the parties and the Court having reviewed the files finds that this is an action for money judgment on a mortgage note and for foreclosure of real property mortgage securing said note.

The Court finds that the defendant, Francis L. Berry, was duly served with summons herein more than 30 days prior hereto and that said defendant has failed to answer or plead herein and is hereby adjudged to be in default.

The Court further finds that the material allegations of Plaintiff's Complaint are true; that on July 8, 1954, the defendants, Francis L. Berry, et al, Francis L. Berry and Francis L. Berry, executed and delivered their mortgage note in the sum of \$2,100.00 to F. S. Gleson, Jr., as Administrator of Veterans Affairs, and assign, which note was payable in monthly installments of principal, with interest on the unpaid balance at the rate of 1 1/2% per annum.

The Court further finds that said defendants on July 8, 1954, executed and delivered a real property mortgage to F. S. Gleson, Jr., as Administrator of Veterans Affairs, his successors and assigns, as security for the prompt and punctual payment of the aforesaid note, which mortgage covered the following described property:

Lot 17, Block 6, Sherman Acres, Third Addition
to the City of Tulsa, Tulsa County, Oklahoma,
according to the recorded plat thereof.

The Court further finds that the said defendants, ~~Francis B. Eury~~ and Francis B. Eury, have made default under the terms of the aforesaid note and mortgage by reason of their failure to make the installment payment due on January 1, 1966, prior to the due date of the next ensuing installment, and that there is now due and owing to Plaintiff on said note the sum of \$2,344.04, with interest thereon at the rate of 12% per annum from January 1, 1966.

The Court further finds that the defendant, Francis B. Eury, a/k/a Francis B. Eury, was duly discharged in bankruptcy on the 19th day of August 1964, and that said defendant did fully list the aforesaid indebtedness which was contractually payable in bankruptcy and dischargeable under Section 57 of the Bankruptcy Act and was discharged.

The Court further finds that the defendant, Finance Corporation, has disclaimed any interest in or to the above described real property and that the Plaintiff by virtue of the real estate mortgage has a first and junior lien thereon.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Plaintiff have judgment in and against the defendant, Francis B. Eury, a/k/a Francis B. Eury and judgment in process against the defendant, Francis B. Eury, for the sum of \$2,344.04, with interest thereon at the rate of 12% per annum from January 1, 1966, together with the costs of this action accrued and ~~incurred~~.

The Plaintiff electing under the terms of the mortgage to have the real property hereinafore described sold with appointment, such election is approved and it is further ordered, adjudged and decreed that upon the failure of the defendants, Francis B. Eury, a/k/a Francis B. Eury, and Francis B. Eury, to satisfy the money judgment to Plaintiff, an order of sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise for sale with appointment the above-described property and apply the proceeds thereof to the payment of the Plaintiff's judgment including the costs of said sale and the expenses if any to be paid to the Clerk of this Court to enable further order of the Court.

If the amount derived from said sale is insufficient to satisfy Plaintiff's judgment, then execution shall issue against the defendant, **Ernest L. Barry**, for the remainder unpaid.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that from and after the sale of the said real property the defendants and each of them and all persons claiming under them upon the filing of the complaint herein be, and they are forever barred and discharged of any right, title, interest or claim therein.

Dated this _____ day of _____ 1966.

~~VERIFIED UNDER PENALTY OF PERJURY~~

~~ADJUDGED~~

ERNEST L. BARRY
Defendant

Ernest L. Barry
Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

THOMAS E. ROBERTSON,)
Plaintiff,)
vs.) No. 6227 Civil)
ROY L. MORGAN PRODUCTION CO.,)
an Oklahoma corporation; and,) **FILED**)
ROY L. MORGAN, an individual,) **OCT 18 1966**)
Defendants and)
Third Party)
Plaintiff,)
INTERNATIONAL CARBON, INC.,) **NOBLE C. HOOD**)
a corporation,) **Clerk, U. S. District Court**)
Third Party)
Defendant.)

CONSOLIDATED

THOMAS E. ROBERTSON,)
Plaintiff,)
vs.) No. 6228 Civil)
ROY L. MORGAN,)
Defendant and)
Third Party)
Plaintiff,)
vs.)
CARBON MANAGEMENT, INC.; and)
GENERAL COLLOIDAL CARBON, INC.,)
a corporation,)
Third Party)
Defendants.)

DISMISSAL WITHOUT PREJUDICE

On the 20th day of July, 1966, the Court filed a written Order herein directing each party to file a list of his expert witnesses within 15 days from the date thereof, and a summary of the direct testimony of each expert witness within 45 days from the date thereof.

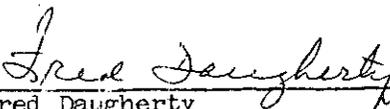
All parties have failed to comply with this order of the Court. The time for compliance has long since passed. No request has been made to the Court for an extension of time by any party within which to comply with said order. At the direction of the

Court the Clerk of the Court telephoned the attorneys involved and reminded them of said order and that they were in default. Considerable time has passed since these calls were made and the order has not been complied with or a request made for an extension of time within which to comply by any party. The aforesaid order of the Court was directed to the parties in an effort to solve complex problems of expert proof and thereby minimize complexity and poor preparation, simplify the issues, and facilitate disposition. See "Techniques for Proof of Complicated Scientific and Economic Facts," 40 F.R.D. 33, 39. The medley of claims and counterclaims herein, coupled with flagrant disobedience of the said order of the Court tends to indicate (without finding) that the aforesaid claims and counterclaims are vexatious and fictitious.

In view of the foregoing, the Court, sua sponte, under its inherent powers as recognized by Rule 41, Federal Rules Civil Procedure, 28 U.S.C.A. hereby dismisses without prejudice the complaints filed in each case and all counterclaims, cross-claims and third party complaints filed in the cases. Link v. Wabash Railroad Co., 370 U.S. 626, 8 L.Ed.2d 734, 82 S.Ct. 1386 (1962), rehearing denied 371 U.S. 873; O'Brien v. Sinatra, 315 F.2d 637 (Ninth Cir. 1963); Janousek v. French, 287 F.2d 616 (Eighth Cir. 1961).

It is so ordered.

Dated this 18th day of October, 1966.



Fred Daugherty
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

GLENDIA DIANE LECROY, a Minor
by and through her Guardian
ad litem, Clyde R. Bradley,

Plaintiff,

vs.

ROBERT E. WAGONER and HARTFORD
ACCIDENT & INDEMNITY COMPANY,
a corporation,

Defendants.

OCT 20 1966

NOBLE C. HOOD
Clerk, U. S. District Court

No. 6481 Civil

ORDER

The Court has for consideration the motion of the defendants for a change of venue, and being fully advised in the premises, finds:

1. That this is an action that could have been brought in the Western District of Oklahoma, as well as the Northern District of Oklahoma.
2. That the witnesses and the parties to this action either reside in the Western District of Oklahoma, or reside closer to Oklahoma City than to Tulsa.
3. That for the convenience of the parties and witnesses in the interest of justice, this cause should be transferred to the Western District of Oklahoma.

IT IS, THEREFORE, ORDERED that this cause be and the same is hereby transferred to the United States District Court for the Western District of Oklahoma in Oklahoma City, Oklahoma.

ENTERED this 20th day of October, 1966.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 20 1966

FRANKLIN LECROY,
Plaintiff,

vs.

ROBERT E. WAGONER and HARTFORD
ACCIDENT AND INDEMNITY COM-
PANY, a corporation,
Defendants.

)
)
) NOBLE C. HOOD
) Clerk, U. S. District Court

) No. 6516 Civil
)
)
)
)
)
)

ORDER

The Court has for consideration the motion of the defendants for a change of venue, and being fully advised in the premises, finds:

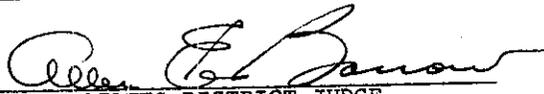
1. That this is an action that could have been brought in the Western District of Oklahoma, as well as the Northern District of Oklahoma.

2. That the witnesses and the parties to this action either reside in the Western District of Oklahoma, or reside closer to Oklahoma City than to Tulsa.

3. That for the convenience of the parties and witnesses in the interest of justice, this cause should be transferred to the Western District of Oklahoma.

IT IS, THEREFORE, ORDERED that this cause be and the same is hereby transferred to the United States District Court for the Western District of Oklahoma in Oklahoma City, Oklahoma.

ENTERED this 20th day of October, 1966.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

THE YOUNGSTOWN SHEET AND TUBE COMPANY,)

Plaintiff,)

vs.)

SELLERS PETROLEUM COMPANY,)

Defendants.)

CIVIL NO. 6532

FILED

OCT 24 1966

NOBLE C. HOOD
Clerk, U. S. District Court

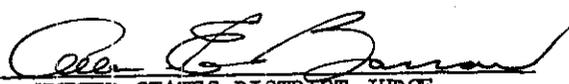
SUMMARY JUDGMENT

The Motion of the plaintiff for Summary Judgment pursuant to Rule 56(c) of the Rules of Civil Procedure having been presented and the Court being fully advised,

The Court finds that the defendant has waived the notice of 10 days specified in Rule 56(c) and that the plaintiff is entitled to a Summary Judgment pursuant to its Motion as a matter of law.

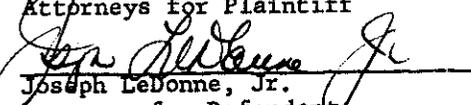
IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED, that the plaintiff's Motion for Summary Judgment be, and the same hereby is granted, that the plaintiff have and recover from the defendant the sum of \$10,221.37, accrued interest to August 31, 1966, in the sum of \$531.67 and interest accruing from August 31, 1966, on the sum of \$10,221.37 at the rate of 7 per cent per annum together with a reasonable attorney's fee in the amount of \$2,500.00 and its costs herein expended.

ENTERED this 24th day of October, 1966.


UNITED STATES DISTRICT JUDGE

Form Approved:


OF ROESCHE, McDERMOTT & ESKRIDGE
Attorneys for Plaintiff


Joseph LeDonne, Jr.
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA

RUDOLPH E. COLLISON, Guardian of the)
Estate of Nancy Lynn Collison, a minor,)
Plaintiff,)

vs.)

GLADYS L. KING and EDWIN A. KING, et al,)
Defendants.)

No. 6098

FILED

OCT 26 1966

NOBLE C. HOOD
Clerk, U. S. District Court

ORDER OF DISMISSAL

This cause coming on before me, the undersigned Judge, this 26
day of October, 1966, on the application of the plaintiff by his attorney,
Jack R. Givens, for leave to dismiss his action as against the defendant, Liberty
State Bank of Tahlequah, Oklahoma, and Earl Squyres, with prejudice to the bringing
of another action for the same, all at his own costs; and the Court being satisfied
that an order allowing such dismissal with prejudice should be entered forthwith;

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED
that the plaintiff's action as against the defendants, Liberty State Bank of Tahlequah,
Oklahoma, and Earl Squyres, be and the same is hereby dismissed with prejudice
to the bringing of another action for the same, all at the costs of the plaintiff.

Lrea Daugherty
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 1966, I mailed
a true, correct and exact copy of the above and foregoing Order of Dismissal to
Gable, Gotwals, Hays, Rubin & Fox, Beacon Building, Tulsa, Oklahoma; and to
Best, Sharp, Thomas and Glass, 308 Wright Building, Tulsa, Oklahoma, with
proper postage thereon fully prepaid.

Jack R. Givens
Jack R. Givens

IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA

RUDOLPH E. COLLISON, Guardian
of the Estate of Nancy Lynn Collison,
a minor,

Plaintiff,

vs.

GLADYS L. KING and EDWIN A.
KING, et al.,

Defendants.)

NO. 6096

FILED

OCT 26 1966

ORDER OF DISMISSAL

NOBLE C. HOOD
Clark, U. S. District Court

This cause coming on before me, the undersigned Judge, this 24th day of October, 1966, on the Application of defendants, Earl Squires and Liberty State Bank, by their attorneys, Gable, Gamble, Mays, Rubin & Fox, by James M. Stordivant, for leave to dismiss the cross-petition as against Edwin A. King and Gladys L. King, with prejudice to the bringing of another action for the same, all at its own cost; and the Court being satisfied that an Order allowing such dismissal with prejudice should be entered forthwith.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the action of defendants, Earl Squires and Liberty State Bank, against defendants Gladys L. King and Edwin A. King, be, and the same hereby is dismissed with prejudice to the bringing of another action for the same.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ROBERT E. COLLIER, Guardian of the
Estate of Nancy Lynn Collins, a minor,
Plaintiff,
vs.

**GLADYS L. KING, EDWIN A. KING, EARL
SQUIRES and the LIBERTY STATE BANK OF
TULSAPARK, OKLAHOMA.**
Defendants.

No. 6098
FILED

OCT 26 1966

NOBLE C. HOWE
Clerk, U.S. District Court

FINAL ENTRY OF JUDGMENT

This cause coming on before me, the undersigned Judge, for trial this
26 day of October, 1966, and the plaintiff appearing by his attorney,
Jack E. Glavin, and the defendants, Gladys L. King and Edwin A. King appearing
by their attorney, Jack Thomas, and the Court noting that the plaintiff's action as
against the defendants, Liberty State Bank of Tulsa, Oklahoma, and Earl Squires
had been dismissed with prejudice and that the cross-claims of said bank and Earl
Squires against Gladys L. King and Edwin A. King have been likewise dismissed
with prejudice, and all parties present before the Court having concurred and stip-
ulated that the parties had agreed to the entry of a judgment in favor of the plaintiff
as against the defendants, Gladys L. King and Edwin A. King, in the sum of \$7,000.00;
IT IS HEREBY COME CONSIDERED ORDERED, ADJUDGED AND DECREED that the
plaintiff, Robert E. Collier, Guardian of the Estate of Nancy Lynn Collins, a
minor, do, and he is hereby granted a joint and several judgment as against the de-
fendants, Gladys L. King and Edwin A. King, in the sum of \$7,000.00, together with
interest at the rate of 6% per annum from date until fully paid and satisfied.

s/ Fred Daugherty
Clerk of the Court

By Robert E. Collier
Guardian of the Estate of Nancy Lynn Collins, Plaintiff.

By Jack E. Glavin
Attorney for Plaintiff.

By Gladys L. King
Defendant.

By Edwin A. King
Defendant.

By Jack Thomas
Attorney for Defendants.

IEU:lg
10/26/66

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

LEIDIGH & HAVENS LUMBER COMPANY,
a corporation,

Plaintiff

vs.

STANDARD TITLE INSURANCE COMPANY
OF TULSA, OKLAHOMA, a corporation,

Defendant

Civil Action

No. 6370

FILED

OCT 26 1966

ORDER OF DISMISSAL

NOBLE C. HOOD
Clerk, U. S. District Court

It having been shown to the satisfaction of this Court that
all matters involved herein being settled by the respective parties involved
that an order of dismissal should be entered herein.

IT IS HEREBY ORDERED BY THIS COURT that the above styled and
numbered action be and the same is hereby ordered dismissed at the cost of
the plaintiff herein.

Dated at Tulsa, Oklahoma, this 26th day of October 1966.

Ired Daugherty
United States District Judge

LAW OFFICES
UNGERMAN
BRADY
UNGERMAN
& LETTER
SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA