



IT IS FURTHER ORDERED THAT Doyle W. Parsons, United States Marshal  
for the Northern District of Oklahoma, make and present to the purchaser,  
Veterans Administration, a good and sufficient bond for such proceeds.

---

WILLIAM HENRY JONES

APPROVED:

---

WILLIAM HENRY JONES  
Assistant U. S. Attorney

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

LEROY M. STRAIN,

Plaintiff,

vs.

JOHN GARDNER, Secretary of  
Health, Education and Welfare,

Defendant.

Civil No. 6518 ✓

**FILED**

JAN - 5 1967

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

ORDER

THIS MATTER COMES on for consideration on Motion of the defendant,  
John Gardner, Secretary of Health, Education and Welfare, to remand this  
case to said defendant.

The Court, being fully advised herein, finds and it is hereby ORDERED  
that this case be remanded to the defendant, John Gardner, Secretary of  
Health, Education and Welfare, pursuant to the provisions of Section 205(g)  
of the Social Security Act (42 U.S.C. 405(g)).

*Luther Johnson*  
UNITED STATES DISTRICT JUDGE

APPROVED:

*S. E. Taylor*  
SAM E. TAYLOR  
Assistant U. S. Attorney

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

MURK H. STRAIN,

Plaintiff,

Civil No. 6518

vs.

JOHN GARDNER, Secretary of  
Health, Education and Welfare,

Defendant.

FILED

JAN - 5 1967

ORDER

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

THIS MATTER COMES on for consideration on Motion of the defendant,  
John Gardner, Secretary of Health, Education and Welfare, to remove this  
case to said defendant.

The Court, being fully advised herein, finds and it is hereby ORDERED  
that this case be removed to the defendant, John Gardner, Secretary of  
Health, Education and Welfare, pursuant to the provisions of Section 205(g)  
of the Social Security Act (42 U.S.C. 405(g)).

(s) Arthur Bohannon  
Clerk, U. S. District Court

APPROVED:

Sam E. Taylor  
Clerk, U. S. District Court

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

TREO, INC., a Delaware cor-  
poration, et al.,

Plaintiffs,

vs.

JOHN H. HOLT,

Defendant.

FILED 6569

JAN - 5 1967

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

ORDER

The Court, under a duty at all times, to inquire into  
its jurisdiction, finds:

That this cause was removed from the District Court  
of Nowata County on October 26, 1966.

The Court further finds that the proper diversity  
has not been alleged in the petition for removal in that the  
defendant has alleged the citizenship of the individual plain-  
tiffs and the state of incorporation and principal place of  
business of the corporate plaintiff, but has not alleged the  
citizenship of the defendant.

The Court, therefore, finds that the allegations of  
jurisdiction are fatally defective, and this cause should  
be remanded to the District Court of Nowata County, Oklahoma.

IT IS, THEREFORE, ORDERED that this cause be and the  
same is hereby remanded to the District Court of Nowata County,  
Oklahoma.

DATED this 5th day of January, 1967.

  
UNITED STATES DISTRICT JUDGE

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

JUDY VAUGHAN,

Plaintiff,

vs.

LEONA MILDRED TAYLOR,

Defendant.

CIVIL NO. 6607

**FILED**

JAN - 5 1967

ORDER

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

The Court, being under a duty at all times, to inquire into its own jurisdiction, finds:

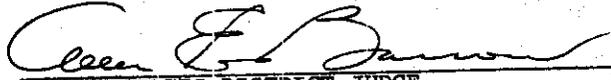
That this cause was removed from the District Court of Tulsa County, Oklahoma, on December 2, 1966.

The Court further finds that the allegation of jurisdiction in the petition for removal is defective in that defendant has not alleged the citizenship of the plaintiff and defendant, at the time of removal.

The Court further finds that the defect in the jurisdictional allegation is fatally defective and the cause should be remanded to the District Court of Tulsa County, Oklahoma.

IT IS, THEREFORE, ORDERED that this cause be and the same is hereby remanded to the District Court of Tulsa County, Oklahoma.

DATED this 5th day of January, 1967.

  
UNITED STATES DISTRICT JUDGE

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

R. V. MCGINNIS THEATRES  
and PAY T. V., INC., a  
Corporation,

Plaintiff,

vs.

VIDEO INDEPENDENT THEATRES,  
INC., a corporation, et al.,

Defendants.

No. 6015 Civil

**FILED**

JAN - 9 1967

ORDER

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

Based upon the Opinion filed in this cause, and for  
the reasons therein stated, it is

ORDERED that the Motion to Dismiss filed herein by  
the several defendants should be, and the same is hereby sus-  
tained and this cause dismissed, without prejudice.

DATED this 4<sup>th</sup> day of January, 1967.

*Ruthie Bohanon*  
UNITED STATES DISTRICT JUDGE

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

L & A CONTRACTING COMPANY,  
a Mississippi Corporation,

Plaintiff,

-vs-

JOHN T. OXLEY,

Defendant.

No. 6238 Civil

FILED

JAN - 6 1967

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

J U D G M E N T

A MEMORANDUM OPINION having been rendered herein on December 16, 1966, wherein the findings of the Court and conclusions of the law of this action are set out in detail and the issues found in favor of the plaintiff and against the defendant on its complaint and in favor of the plaintiff and against the defendant on the counterclaim of the defendant.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Court that the counterclaim of the defendant, John T. Oxley, be and the same is hereby and by these presents dismissed with prejudice.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, L & A Contracting Company, a Mississippi corporation, have and recover judgment of and from the defendant, John T. Oxley, for the sum of \$40,107.28, with interest thereon at the rate of 6% per annum from March 9, 1965, until paid in full.

FD

DATED this 6 day of January, 1969.

Fred Daugherty  
FRED DAUGHERTY, UNITED STATES  
DISTRICT JUDGE,

APPROVED AS TO FORM:

David Sanders  
Attorney for Plaintiff.

Her Crowlout  
Attorney for Defendant.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

JAN - 9 1967

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

Elizabeth Daniels and  
Reta Marie Kennerly,  
Complainants, )

versus

Howard F. Johnson, Superintendent  
of the Osage Indian Agency, and  
Stewart Udall, Secretary of the  
Interior, )  
Defendants. )

CIVIL NUMBER 6443

DISMISSAL OF APPEAL

Come now the defendants, Elizabeth Daniels and Reta Marie  
Kennerly, Complainants, and pursuant to a family contract of  
settlement involving the subject matter of the above cause  
of action hereby dismiss said cause with prejudice at the cost  
of Complainants.

*Shoemaker & Briggs*  
SHOEMAKE & BRIGGS

Attorneys for Complainants

*Shoemaker & Briggs*

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

Reba Ann Batman,  
Plaintiff,

vs.

Magnolia Homes Manufacturing  
Corporation, and Willie G.  
Reynolds, an individual,

Defendants.

CIVIL NO. 6597

FILED

JAN -9 1967

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

ORDER

The Court being under a duty at all times to in-  
quire into its jurisdiction, finds:

This action was originally commenced in the Dis-  
trict Court of Tulsa County on November 2, 1966, and was re-  
moved to this Court by Magnolia Homes Manufacturing Corpora-  
tion, on November 23, 1966.

The defendant, Willie G. Reynolds did not join in  
the removal and the removal petition stated that no praecipe  
or summons was ever issued as to Willie G. Reynolds, and no  
attempt has been made by the plaintiff to make him a party  
to this suit.

The Court finds that nowhere in the original com-  
plaint, the petition for removal, or the answer of the defen-  
dant, Magnolia Homes Manufacturing Corporation is the citizen-  
ship of the defendant, Willie G. Reynolds, alleged.

The Court further finds that where a non-citizen has  
not been served, removal is proper and where a citizen has not  
been served it is not. But in the instant case the Court  
does not know whether the party who has not been served is a  
citizen or a non-citizen of the State of Oklahoma. The burden  
of disclosure is upon the removing party. *Wolsum v. J. W.  
Bateson Company*, 182 F.Supp 879; *Pullman Co. v. Jenkins*, 305  
U.S. 534.

The Court, therefore, finds that said cause should  
be remanded.

IT IS, THEREFORE, ORDERED that this cause be and the  
same is hereby remanded to the District Court of Tulsa County,  
Oklahoma.

DATED this 9th day of January, 1967.

  
UNITED STATES DISTRICT JUDGE

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

UNITED STATES OF AMERICA  
for the use and benefit of  
CIRCLE-L-ELECTRIC COMPANY,  
a partnership,

Plaintiff,

vs.

HYDE CONSTRUCTION COMPANY, INC.,  
a corporation; UNITED STATES  
FIDELITY AND GUARANTY COMPANY,  
a corporation; NATIONAL SURETY  
CORPORATION, a corporation, and  
AETNA CASUALTY AND SURETY  
COMPANY, a corporation,

Defendants.)

*filed 1-10-67*

No. 5994 Civil

**FILED**

JAN 10 1967

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

AMENDED JUDGMENT

A MEMORANDUM OPINION having been filed by the Court herein on December 29th, 1966, wherein the Findings of Fact and Conclusions of Law are set out in detail and the issues resolved in favor of the plaintiff against the defendant, HYDE CONSTRUCTION COMPANY, INC., a corporation, only, for the sum of EIGHT THOUSAND SEVEN HUNDRED SEVENTY-TWO AND 02/100 DOLLARS (\$8772.02), with interest.

NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff have judgment against the Hyde Construction Company, Inc., a corporation, only, for the sum of EIGHT THOUSAND SEVEN HUNDRED SEVENTY-TWO AND 02/100 DOLLARS (\$8772.02), with 6% interest payable as follows:

Six per cent (6%) interest on SIX THOUSAND THREE HUNDRED TWENTY AND 28/100 DOLLARS (\$6320.28), from September 1st, 1961; and

Six per cent (6%) interest on TWO THOUSAND FOUR HUNDRED FIFTY-ONE AND 64/100 DOLLARS (\$2451.64), from June 25th, 1963; and the costs of this action.

*Fred Daugherty*  
FRED DAUGHERTY  
UNITED STATES DISTRICT JUDGE.

O. K. AS TO FORM:

*Ray H. Williams*  
Attorney for Plaintiff

*David J. Sanders*  
Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

HERMAN HAYES,

Plaintiff,

vs.

WINDMILL OIL FIELDS, INC.,

Defendant.

No. 6468 Civil

FILED

JAN 10 1967

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

~~CONFIDENTIAL~~

This matter came on for consideration of the Court upon motion of Windmill Oil Fields, Inc., defendant, for a change of venue pursuant to 28 U.S.C.A. 1404(b). The Court, having carefully considered the motion file, together with the Motion for Change of Venue, and the affidavits submitted therein, and being otherwise fully advised in the premises, is of the opinion that for the convenience of the parties and witnesses, and in the interest of justice, the defendant's Motion to transfer or change the venue of this cause should be granted.

IT IS THEREFORE THE ORDER AND ADJUDGMENT OF THIS COURT that this cause be transferred to the United States District Court for the District of Columbia.

The Clerk of this Court is ordered to administer the transfer of this cause to the United States District Court for the District of Columbia.

DATED this 9th day of January, 1967.

(s) Luther Bohannon  
CLERK OF THE DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

~~\_\_\_\_\_~~

Defendant.

CIVIL NO. ~~\_\_\_\_\_~~

**FILED**

JAN 10 1967

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

DEFAULT JUDGMENT BY THE CLERK

This cause came on to be heard on motion of the plaintiff for default judgment for the relief demanded in the complaint, and it appearing the complaint and summons in this action were served on the defendant on ~~\_\_\_\_\_~~ as appears from the Marshal's return of service of said summons; that the time within which the defendant may answer or otherwise move as to the complaint has expired; that the defendant has not answered or otherwise moved and that the time for defendant to answer or otherwise move has not been extended.

It further appearing, as evidenced by the affidavit of the plaintiff, that the defendant is neither an infant nor incompetent person, and that the defendant is not in the military service of the United States.

It further appearing plaintiff's claim against the defendant is for a sum certain which can by computation be made certain.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiff recover of the defendant the amount prayed for in the sum of \$ ~~\_\_\_\_\_~~ with interest on the sum of ~~\_\_\_\_\_~~ at the rate of ~~\_\_\_\_\_~~ % per annum from ~~\_\_\_\_\_~~ 19 ~~\_\_\_\_\_~~, until paid, and the costs of this action.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 ~~\_\_\_\_\_~~ 67.

NOBLE C. HOOD  
Clerk, United States District  
Court for the Northern District of  
Oklahoma

By M. M. Ewing  
Deputy

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

LEE NORA SWINFERD, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 JACKSON JONES, et al., )  
 )  
 Defendants. )

NO. 6399 - Civil

**FILED**

JAN 11 1967

ORDER OF DISMISSAL

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

Now on this 7 day of November, 1966, comes on for

consideration the Notice of Dismissal filed by plaintiff herein upon examination thereof, and being duly advised in the premises, this Court finds that the same should <sup>be</sup> granted and allowed and the instant case dismissed forthwith.

<sup>^</sup> IT IS THEREFORE ORDERED AND DECREED; that the within cause be and the same is herewith dismissed at the cost of plaintiff.

Fred Dougherty  
United States District Judge

Approved as to form and substance.

H. D. McClellan  
H. D. McClellan  
Attorney For Plaintiff

John Markham Freese  
John Markham Freese  
Attorney For Defendants

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

**FILED**

JAN 13 1967

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

WELL SURVEYS, INC., (now )  
by change of name DRESSER )  
SIE, INC.,) AND DRESSER )  
INDUSTRIES, INC., )

Plaintiffs, )

vs. )

CIVIL ACTION NO. 4271 ✓

McCULLOUGH TOOL COMPANY, )

Defendant. )

McCULLOUGH TOOL COMPANY, )

Plaintiff, )

vs. )

CIVIL ACTION NO. 6467 ✓

DRESSER INDUSTRIES, INC., )

Defendant. )

J U D G M E N T

NOW on this 12th day of January, 1967, the above-captioned causes came on for pretrial hearing having been regularly set for pretrial.

Well Surveys, Inc., and Dresser Industries, Inc., appeared by their attorneys, Rufus S. Day, Jr., Robert J. Woolsey, and Robert K. Schumacher, and the defendant, McCullough Tool Company, appeared by its attorneys, R. Welton Whann and R. B. McDermott. The Court having considered the record in Case No. 4271 and the record in Case No. 6467 and the affidavits, exhibits, responses, briefs, memoranda and other papers on file in connection with the various motions and citations filed since the mandate in Case No. 4271, as well as the trial record, Findings of Fact and Conclusions of Law in Case No. 4271, and the opinion of the Court of Appeals for the Tenth Circuit in the appeal from Case

No. 4271, finds that there remains no issue of material fact to be tried in either Case No. 4271 or Case No. 6467, that McCullough Tool Company has failed to show cause why it should not be held in contempt of the order of injunction entered by this Court June 15, 1966, and that judgment should be rendered for Well Surveys, Inc., and Dresser Industries, Inc., as a matter of law, against McCullough Tool Company, a corporation, as hereinafter set forth.

THE COURT FINDS that Well Surveys, Inc., and Dresser Industries' Motion for Order Citing McCullough for Contempt in Civil Action No. 4271 should be sustained, and that McCullough Tool Company should be adjudged to be in contempt of the order of injunction herein entered on June 15, 1966.

THE COURT FURTHER FINDS that the Motion of Well Surveys, Inc., and Dresser Industries, Inc., for Summary Order filed herein on December 21, 1966, in Cases No. 4271 and 6467 should be sustained and that an order should be entered adjudging McCullough Tool Company in contempt of this Court for failure to comply with the order of injunction entered herein June 15, 1966, and that an order should also be entered precluding McCullough Tool Company from introducing any evidence in defense of the motion that it be held in contempt of such order.

THE COURT FURTHER FINDS that the motion of McCullough Tool Company termed "Counter Motion to Dismiss said Plaintiffs' Motion" for order citing McCullough for contempt should be overruled.

THE COURT FURTHER FINDS that the Motion to Dismiss of Dresser Industries, Inc., filed in Case No. 6467 should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that, there remaining no genuine issue of material fact to be tried in either Case No. 4271 or Case No. 6467, summary judgment be rendered for Well Surveys, Inc., and Dresser Industries, Inc., as a matter of law, against McCullough Tool Company, a corporation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Well Surveys, Inc., and Dresser Industries, Inc.'s Motion for Order Citing McCullough Tool Company for Contempt in Civil Action No. 4271 be, and the same is hereby sustained, and it is further ordered that McCullough Tool Company be, and the same is hereby adjudged to be in contempt of the order of injunction herein entered on June 15, 1966.

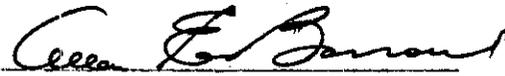
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Motion of Well Surveys, Inc., and Dresser Industries, Inc., for Summary Order filed herein on December 21, 1966, in Case No. 4271 and Case No. 6467 be, and the same is hereby sustained, and it is further ordered that no further evidence may be introduced on behalf of McCullough Tool Company, a corporation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the motion of McCullough Tool Company termed "Counter Motion to Dismiss said Plaintiffs' Motion" for order citing McCullough for contempt be, and the same is hereby overruled.

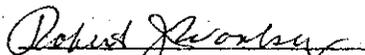
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Motion to Dismiss of Dresser Industries, Inc., filed in the declaratory judgment action, Case No. 6467, be, and the same is hereby sustained, and said cause of action and Complaint are hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the injunction be stayed for a period of twenty (20) days from January 12, 1967, pending the filing of a bond

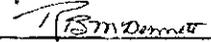
with sufficient sureties in the sum of \$125,000.00, and that upon the filing of said bond the injunction be stayed pending an appeal by McCullough Tool Company and during said appeal, or until further order of the Court. In the event no bond is filed within said time, or no appeal be taken, the injunction shall be in full force and effect.

  
JUDGE

APPROVED AS TO FORM:

  
One of the Attorneys for  
Well Surveys, Inc., and  
Dresser Industries, Inc.

*Service of this order is acknowledged on Jan. 13, 1967  
approval of the order is declared.*

  
One of the Attorneys for  
McCullough Tool Company

FILED

JAN 13 1967

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

NOBLE C. HOOD

Clerk, U. S. District Court

HOOLEY MILLER,	)	
	)	
	)	Petitioner
	)	
-vs-	)	No. 67-C-10
	)	
UNITED STATES, Et Al,	)	
	)	Respondent

O R D E R

Now, on this 13~~th~~ day of January, 1967, the Court has for consideration the Petition for Writ of Habeas Corpus of Hooley Miller, and being fully advised in the premises, finds:

Petitioner complains in this petition that a detainer has been wrongfully placed upon him by the United States Attorney General's Office, in violation of his constitutional rights.

The Court finds that petitioner was sentenced to two concurrent five year terms in the District Court of Oklahoma for the Northern District of Oklahoma on January 14, 1955, said terms to commence at the expiration of a sentence he was currently serving in the Oklahoma State Penitentiary. On January 27, 1962, petitioner was released to the custody of the Federal authorities, and was mandatorily released on June 9, 1965. Said release provided that petitioner remain under supervision until July 30, 1966,

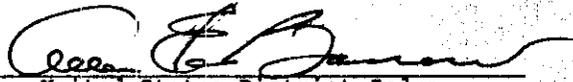
The Court finds that in July, 1966, petitioner was sentenced on a felony charge to a term of four years in the Oklahoma State Penitentiary.

The Court finds that a parole violator's warrant was issued on July 20, 1966, and a detainer filed at

the Oklahoma State Penitentiary on July 26, 1966, while petitioner was still under supervision.

The Court finds that the Parole Board and its members have been granted sole authority to issue a warrant for the arrest and return to custody of a prisoner who violates his parole. Title 18 USCA 4205; Zerbst v. Kidwell, 304 U.S. 359; Jones v. Crouse, 360 F.2d 157. Revocation of a parole or conditional release is within the discretion of the parole board. Freedman v. Looney, 210 F.2d 56.

IT IS, THEREFORE, ORDERED that the Petition for Writ of Habeas Corpus is denied.

  
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA

ONE JOHN HENRY,

Respondent,

vs.

Civil No. 6533

JOHN GARDNER, Secretary of the  
Department of Health, Education,  
and Welfare,

Plaintiff.

FILED

JAN 18 1967

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

\*\*\*\*\*

THIS MATTER came on before me upon Motion of the Defendant,  
John Gardner, Secretary of the Department of Health, Education, and  
Welfare, for remand to the Secretary and further administrative pro-  
ceedings and development necessary to a proper consideration of this  
case. After a careful review of the files, records, proceedings and  
all pleadings filed herein, the Court finds that such requested remand  
is authorized and made pursuant to Section 505(g) of the Social Security  
Act, 42 U.S.C. 405(g). The Court further finds that the administrative  
decision in this case was rendered prior to the decision in *Hiby vs.  
Gardner*, 10th Circuit, 1966.

IT IS THEREFORE ORDERED that the case herein be remanded  
to the Secretary for further consideration in conformity to the re-  
quirements of law.

(3) *Allen E. Baynes*  
U.S. DISTRICT COURT

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

WAYNE M. WHITLOW,

Plaintiff,

-vs-

JOHN W. GARDNER, SECRETARY OF  
HEALTH, EDUCATION AND WELFARE,

Defendant.

CIVIL NO. 6346

**FILED**

JAN 19 1967

JOURNAL ENTRY

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

Upon consideration of a motion of the defendant for rehearing, and for amendment of the findings in the above case, together with the briefs filed in regard thereto, the Court finds:

1. The findings of the Secretary of Health, Education and Welfare as to facts in a social security case, if supported by substantial evidence, are conclusive.

2. The Secretary found that the plaintiff retains the physical and mental capacity to engage in those types of work in which he has experience.

3. The decision of the Secretary that the plaintiff has the physical and mental ability to engage in his former occupation of cattle raising is not supported by substantial evidence.

4. However, in order to sustain his burden of proof, a claimant must prove, not only that he is unable to engage in the last remunerative job he held, but also his inability to engage in any other type of work in which he had experience. *Johnson v. Ribicoff*, 208 F. Supp. 28; *Hardridge v. Celebrezze*, 245 F. Supp. 7. The plaintiff did not sustain his initial burden of showing prima facie inability of engaging in the business of selling insurance, an occupation in which he had engaged in the past.

5. The transcript discloses that the plaintiff had a full and fair hearing, and the finding that he was not disabled to the extent required under the Social Security Act is supported by substantial evidence.

6. The Court, therefore, finds that the order entered on December 21, 1966, and the memo filed in support thereof should be set aside and judgment entered affirming the decision of the Secretary.

IT IS, THEREFORE, ORDERED that the order entered on December 21, 1966, and the memo filed in support thereof, is set aside.

IT IS FURTHER ORDERED that the decision of the Secretary is affirmed.

DATED at Tulsa, Oklahoma, on this 19<sup>th</sup> day of January, 1967.

  
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

v.

James J. Jones, et al. Plaintiffs  
vs.  
The United States of America, Defendant  
et al. et al. et al. et al.

Defendants.

Case No. 200

FILED

JAN 20 1967

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

ORDER OF SALE

On this 18th day of January 1967, there coming on for consideration the motion of the Plaintiff, United States of America, to confirm the sale of real property made by the United States Marshal for the Northern District of Oklahoma, on January 4, 1967, under an order of sale dated November 2, 1966, and issued in this cause out of the Office of the Court Clerk for the United States District Court for the Northern District of Oklahoma, of the following described property, to-wit:

Lot 22, Block 4, Newton Acres, United Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof,

and the Court having examined the proceedings of the United States Marshal under the aforesaid order of sale and no one appearing in opposition thereto and no objection being then filed, finds that due and legal notice of the sale was given by publication once a week for at least two (2) weeks prior to the date of sale in the Tulsa Daily World News, a newspaper published and of general circulation in the County of Tulsa, State of Oklahoma, and that on the day fixed therein the above described property was sold to the Veterans Administration, it being the highest and best bidder therefor.

The Court further finds that the sale was made in all respects in conformity with the law and judgments of this Court and that the sale was legal in all respects.

It is therefore ordered, advised and decreed that the United States Marshal's sale and all proceedings under the order of sale issued herein, be and the same are hereby approved and confirmed.

It is further ordered that Judge T. [Name], United States Marshal for the Northern District of Oklahoma, make and execute to the purchaser, Veterans Administration, a good and sufficient deed for each premises.

WITNESSE MY HAND AND SEAL

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

BERNARD I. FRATER, Trustee for  
the Benefit of Rebecca M. Frater;  
Joseph A. Frater, IV; and  
Stephen I. Frater,

Plaintiff,

vs.

COMMUNITY NATIONAL LIFE INSURANCE  
COMPANY and JIMMIE J. RYAN,

Defendants.

No. 67-C-14

FILED

JAN 20 1967

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

ORDER DISMISSING COMPLAINT

Now on this 20<sup>th</sup> day of January, 1967, upon motion of the  
plaintiff to dismiss her Complaint filed in the above entitled matter,

IT IS ORDERED that the above entitled matter be and the same is  
hereby dismissed without prejudice to any future action, at the cost of  
plaintiff.

  
Allen E. Barron  
United States District Judge

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

MARTHA JANE JACKSON, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 PATSY McCLOUD, )  
 )  
 Defendant. )

CIVIL NO. 6527

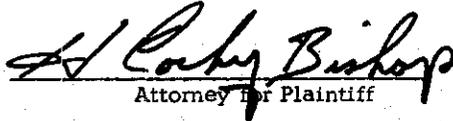
**FILED**

JAN 23 1967

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

APPLICATION

Comes now the plaintiff, by and through her attorney, H. Corky Bishop, and shows the Court that all disputes between the parties have been compromised and settled, and that the plaintiff prays for an Order of the Court dismissing the above styled matter with prejudice to the rights of the plaintiff to bring a future action.

  
Attorney for Plaintiff

ORDER

And now, on this 23 day of January, 1967, there came on before the undersigned Judge of the United States District Court for the Northern District of Oklahoma the plaintiff's Application for a dismissal with prejudice. It being shown to the Court that the above captioned matter has been compromised and settled, IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the above captioned case is dismissed with prejudice to the bringing of a future action.

  
Judge

RECEIVED

JAN 23 1967

U.S. Attorney

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

KAMO Electric Cooperative, Incorporated,

Plaintiff,

vs.

42 acres of land, more or less for easements across same, situate in Creek County, Oklahoma, and Clarence Deer Wesley, et al.,

Defendants.

Civil No. 6578

FILED

JAN 23 1967

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

JUDGMENT AND ORDER DIRECTING PAYMENT OF AWARD OF COMMISSIONERS.

This matter coming to be heard on this 23rd day of January, 1967, pursuant to regular assignment, and it appearing that all of the defendants have been duly served as required by the Court and Rule 71A of the Rules of Civil Procedure more than twenty days prior to this date, and that none of said defendants have filed an Answer in this cause raising any issue as to the right of the plaintiff to take and appropriate the easements hereinafter described, and that plaintiff is entitled to judgment condemning and vesting in plaintiff the rights-of-way hereinafter described, all as prayed for in its Petition; and

It further appearing that the commissioners appointed herein have made and returned to this Court their Report of the compensation and damages to which the restricted owners are entitled for the taking and appropriation of said rights-of-way.

That the United States of America has not filed any exceptions to the commissioners' award nor demand for jury trial, and that none of the other defendants have filed a demand for jury trial or exception to the Report of the Commissioners, and that the time for filing such demand and exceptions has expired.

IT IS, THEREFORE, ORDERED AND DECREED that plaintiff have and recover judgment against the defendants and each of them, condemning and vesting in plaintiff a perpetual easement and right-of-way for the construction, operation and maintenance of an electric transmission system of wires, cables and fixtures aeriually suspended from and supported by structures limited as to number and location, as set forth in the Complaint, for the transmission of electric current and energy at such voltages as may be desired by the plaintiff in the operation of plaintiff's electric transmission system over and across the following described tracts of land:

together with the right, privilege and authority of entering upon said tracts for the purpose of erecting, operating, maintaining and removing said transmission lines and systems, and the right to cut, trim or remove any trees within the limits of said rights-of-way, and the right to remove any structure or obstruction now or hereafter located within the limits of said rights-of-way, if in plaintiff's judgment such trees or structures are likely to endanger said transmission system or interfere with its operation, construction and maintenance, and such other rights and privileges as may be necessary or proper for the construction, maintenance, operation or removal of said electric transmission system, by plaintiff, its successors and assigns; but nevertheless reserving to each of the defendants the right to make any use of the above described tracts which is consistent with the use thereof by the plaintiff for the purposes above mentioned, and which will not endanger or interfere with the operation or maintenance of said electric transmission system.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Report of Commissioners dated January 4, 1967, heretofore filed in this cause, be and the same is hereby ratified, confirmed and approved.

It is further ordered that the plaintiff pay by checks the said awards which checks are to be drawn payable to the Area Director, Bureau of Indian Affairs, Muskogee Area Office; and that the checks to the Area Director, Bureau of Indian Affairs, Muskogee Area Office be in the following amounts as set opposite each tract, to-wit:

Tract No. 1-----	\$400.00
Tract No. 2-----	\$300.00
Tract No. 3-----	\$400.00
Tract No. 4-----	\$300.00

That the Court further adjudges and decrees that when the amounts above set forth have been so paid that the case be closed, and that the checks so ordered paid herein be placed in the hands of the Honorable Hubert A. Marlow, Attorney of Record herein for the United States of America, who is then directed to forward the same to the Area Director, Bureau of Indian Affairs, Muskogee Area Office.

*Allen E. Snow*  
United States District Judge.

OK AS TO FORM:  
*John D. Ross*  
Attorney for Plaintiff

*Hubert A. Marlow*  
Attorney for United States of America

TRACT NO. I

APPROXIMATE NUMBER OF STRUCTURES: 5      AWARD \$ 400.00

OWNERS: Clarence Deer Wesley, Betty Ann Wesley, now Tilley, Richard Marlow Wesley, Darryl Dean Wesley, Terry Wayne Barnett, Carol Anne Barnett, Buster Leon Harjo, Bennie Duke Harjo and Virginia Marie Ballard.

A strip of land one hundred (100) feet in width, including any areas in this tract on the 100-foot strip which extend beyond the entry or exit point of the centerline due to the angle of the centerline with the property line, in the northeast quarter (NE $\frac{1}{4}$ ) of Section 21, Township 18 North, Range 3 East, Creek County, Oklahoma, the centerline of which is described as follows:

Beginning at a point approximately two hundred ninety-eight (298) feet south of the northwest corner of said tract, thence in a southeasterly direction approximately two thousand seven hundred eleven (2,711) feet to a point approximately one thousand three hundred fifty-seven (1,357) feet east of the southwest corner of said tract.

TRACT NO. II

APPROXIMATE NUMBER OF STRUCTURES: 3      AWARD \$ 300.00

OWNER: Sarty Fry

A strip of land one hundred (100) feet in width, including any areas in this tract on the 100-foot strip which extend beyond the entry or exit point of the centerline due to the angle of the centerline with the property line, in the south half of the southwest quarter (S $\frac{1}{2}$  SW $\frac{1}{4}$ ) of Section 12, Township 17 North, Range 8 East, Creek County, Oklahoma, the centerline of which is described as follows:

Beginning at a point approximately four hundred twenty-seven (427) feet east of the northwest corner of said tract, thence in a southeasterly direction approximately one thousand eight hundred twenty-seven (1,827) feet to a point approximately one thousand six hundred eighty-eight (1,688) feet east of the southwest corner of said tract.

TRACT NO. III

APPROXIMATE NUMBER OF STRUCTURES: 4      AWARD \$ 400.00

OWNER: Ada Tiger Lozier Barnard

A strip of land one hundred (100) feet in width, including any areas in this tract on the 100-foot strip which extend beyond the entry or exit point of the centerline due to the angle of the centerline with the property line, in the east half of the southeast quarter (E $\frac{1}{2}$  SE $\frac{1}{4}$ ) of Section 32, Township 17 North, Range 9 East, Creek County, Oklahoma, the centerline of which is described as follows:

Beginning at a point approximately one thousand fifty-four (1,054) feet west of the northeast corner of said tract, thence in a southeasterly direction approximately six hundred thirty (630) feet to a point approximately seven hundred ninety-eight (798) feet west and five hundred seventy-four (574) feet south of said northeast corner, thence in a southeasterly direction approximately one thousand five hundred eighteen (1,518) feet to a point approximately seven hundred eighty-nine (789) feet north of the southeast corner of said tract.

Plus a strip of land thirty (30) feet in width lying southwest of and adjacent to the one hundred (100) foot strip of land described for a distance of twenty-five (25) feet on each side of the point approximately seven hundred ninety-eight (798) feet west and five hundred seventy-four (574) feet south of the northeast corner of said tract.

TRACT NO. IV

APPROXIMATE NUMBER OF STRUCTURES: 3      AWARD \$ 300.00

OWNERS: Daniel Stephen Buck, Tony Buck, Evelyne Buck Trot,  
Estherline Buck Gee, Pauline Green Buck, William Buck,  
Helen Sue Buck, Alex Buck, and Albert Coachman, Guardian  
of Alex Buck, an incompetent person.

A strip of land one hundred (100) feet in width, including any areas in this tract on the 100-foot strip which extend beyond the entry or exit point of the centerline due to the angle of the centerline with the property line, in the northeast quarter of the northeast quarter (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 31, Township 14 North, Range 10 East, Creek County, Oklahoma, the centerline of which is described as follows:

Beginning at a point approximately seven hundred seven (707) feet west of the northeast corner of said tract, thence in a southeasterly direction approximately one thousand three hundred twenty-seven (1,327) feet to a point approximately six hundred fifty-one (651) feet west of the southeast corner of said tract.

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

JAMES A. FOGLEY, d/b/a  
STARDUST SUPPER CLUB,

PLAINTIFF,

-vs-

CLYDE A BICKERSTAFF,  
District Director of  
Internal Revenue; and  
JOHN DICKEY, Internal  
Revenue Agent,

DEFENDANTS.

Civil No. 6579

**FILED**

JAN 23 1967

ORDER

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

This matter comes on before me, the undersigned Judge  
for the United States District Court for the Northern District  
of Oklahoma, upon the application of the plaintiff herein, to  
dismiss his cause of action; and upon consideration thereof,  
said application is granted and plaintiff is permitted and  
allowed to dismiss this cause at his costs.

Dated this 18<sup>th</sup> day of January, 1967.

*It is so ordered*

*Ruth B. Bohannon*

UNITED STATES DISTRICT JUDGE

APPROVED:

*Joe Richard*  
ATTORNEY FOR PLAINTIFF

*William M. ...*  
ASSISTANT U. S. ATTORNEY  
Room 335 Federal Building  
Tulsa, Oklahoma

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Libelant,

vs.

CIVIL ACTION NO.

6595

Articles of drug consisting of the following:

6 cartons, more or less, of an article labeled in part: (carton) "10 - 1 cc Syringes, No. 902, Saffcel Cyanocobalamin Inj., U.S.P. \*\*\* Mfg. for Kay Pharmacal Co., Tulsa, Oklahoma"; (syringe) "Saffcel Cyanocobalamin, U.S.P., Vitamin B12, 1 cc., Size 1,000 mcg. per cc., Manufactured by Safety Syringe Corp., Canton, Ohio, U.S.A." (carton and syringes coded 5235).

97 cartons, more or less, of an article labeled in part: (carton) "10 - 1.3 cc Syringes, No. 903, Saffcel Proteolytic Enzyme \*\*\* Mfg. for Kay Pharmacal Co., Tulsa, Oklahoma." (syringe) "Saffcel Proteolytic Enzyme, 100 mgm. per cc., 1.3cc. Size, Distributed by Kay Pharmacal Co., Tulsa, Okla." (carton and syringes coded 5197).

97 cartons, more or less, of an article labeled in part: (carton) "10 - 1cc Syringes, No. 904, Saffcel Prednisolone Acetate \*\*\* Manufactured by Safety Syringe Corporation, Canton, Ohio." (syrings) "Saffcel Prednisolone Acetate, 25 mg. per cc., 1 cc. Size I.M. or Intra-Articular Injection, Manufactured by Safety Syringe Corp., Canton, Ohio." (carton and syringes coded 5118).

26 cartons, more or less, of an article labeled in part: (carton) "10 - 1 cc Syringes, No. 906, Saffcel Liver Injection, N.F. \*\*\* Mfg. for Kay Pharmacal Co., Tulsa, Oklahoma." (syringe) "Saffcel Liver Injection, N.F., Vitamine B12 Activity, 20 mcg./cc, Distributed by Kay Pharmacal Co., Tulsa, Okla." (carton and syringe coded 5163).

32 cartons, more or less, of an article labeled in part: (carton) "10 - 1 cc Syringes, No. 907, Saffcel Estradiol Valerate Inj. \*\*\* Mfg. for Kay Pharmacal Co., Tulsa, Oklahoma." (syringe) "Saffcel Estradiol Valerate, 10 mg. per cc., 1 cc. Size, Distributed by Kay Pharmacal Co., Tulsa, Okla." (carton and syringes coded 5218).

50 cartons, more or less, of an article labeled in part: (carton) "10 - 1 cc Syringes, No. 901, Saffcel Estrogenic Hormones \*\*\* Mfg. for Kay Pharmacal Co., Tulsa, Oklahoma." (syringe) "Saffcel Estrogenic Hormones, 20,000 I.U. Per cc., Manufactured by Safety Syringe Corp., Canton, Ohio." (carton and syringes coded 5072),

Respondent.

**FILED**

JAN 23 1967

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

D E C R E E

This matter coming on before me this \_\_\_\_\_ day of January, 1967, and the Libelant, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimant herein, Kay Pharmacal Co., 1312 North Utica, Tulsa, Oklahoma, appearing neither in person nor by counsel, and

It appearing to the Court, after having examined the Libel of Information and Monition heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the Libel of Information are misbranded, as set forth in the Libel of Information, and are therefore subject to seizure and destruction, pursuant to the provisions of Title 21 U.S.C., Sec. 301, et seq.

It further appearing to the Court that the claimant herein, Kay Pharmacal Co., Tulsa, Oklahoma, the corporation from whom the captioned articles were seized, has through its President, Charles Kukal, by letter dated January 20, 1967, addressed to Mr. Larry McSoud, in care of the Office of the United States Attorney, Tulsa, Oklahoma, has relinquished any interest it may have had in such articles and has further advised that Kay Pharmacal Co. will not oppose the seizure nor make any claim to any of the articles which are the subject matter of this case and has further consented to disposition and destruction of the articles of hazardous substance as this Court might effect.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered condemned and destroyed by the United States Marshal or his authorized deputy or representative.

---

UNITED STATES DISTRICT JUDGE



FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

JAN 23 1967

UNITED STATES OF AMERICA,  
vs. Libelant,

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

Articles of food consisting of the following:

956 cartons, more or less, of an article labeled in part: (carton) "contents 1 quart liquid Vita-Fresh --- orange juice from concentrate and orange juice --- packed by Cal-Tex Citrus Juice, Inc., Houston, Texas, and Central States Processors, Inc., Columbia, Missouri", and an undetermined quantity of leaflets, entitled "Vita-Fresh Brand --- orange juice helps prevent flu and colds ---", shipped on or about November 4, 1966 (leaflets), and November 25, 1966 (cartons) by Vita-Fresh Sales, Inc., P. O. Box 7704, Houston, Texas, via shipper's truck, to Meadowgold Dairy (Beatrice Food Co.), 215 North Denver, Tulsa, Oklahoma,

Respondent

D E C R E E

This matter coming on before me this 23<sup>rd</sup> day of January, 1967, and the Libelant, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimant herein, Meadowgold Dairy (Beatrice Food Co.), 215 North Denver, Tulsa, Oklahoma, appearing neither in person nor by counsel, and

It appearing to the Court, after having examined the Libel of Information and Monition heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the Libel of Information are misbranded, as set forth in the Libel of Information, and are therefore subject to seizure and destruction, pursuant to the provisions of Title 21 U.S.C., Sec. 301, et seq.

It further appearing to the Court that the claimant herein, from whom the articles were seized, has neither answered nor made claim thereto of said articles which are the subject matter of this case and is hereby in default.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered condemned and destroyed by the United States Marshal or his authorized deputy or representative.

*W. Allen L. Burrow*  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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

JAN 20 1967

WILLIAM R. RAGAN, ROBERT HICKS,  
NEWTON COLE, BRAD H. BURRIS,  
LYNN D. DAVIS, ROBERT F. WINTER,  
J. C. DEW, and CHARLES PENROSE,

Plaintiffs,

vs.

AUBURN-CORD-DUESENBERG COMPANY,  
Broken Arrow, Oklahoma, and  
GLENN PRAY,

Defendants.

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

Civil Action,

File No. 6630 ✓

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Comes now the plaintiffs and dismiss without prejudice their cause of action against the defendant, but reserving the right to re-file the litigation in the event satisfaction is not made as agreed, to-wit:

Promissory notes filed as admission of debt owing by defendant to plaintiffs.

*Phil Frazier*  
Phil Frazier,  
Attorney for Plaintiffs

*I hereby certify that a true & correct copy of the above was mailed, postage prepaid, to defendants at Broken Arrow, Oklahoma, on Jan 20, 1967*

*Phil Frazier*

# United States District Court

FOR THE

**SOUTHERN DISTRICT OF CALIFORNIA**

CIVIL ACTION FILE NO. **6973**

**Paul W. Swartz,**  
 Plaintiff,  
 vs.  
**Carl J. Moore, James E. L. Morgan,**  
**Joseph Hunter,**  
 Defendants.

## JUDGMENT

This action came on for trial before the Court and a jury, Honorable **Allen B. Brown,** 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, Paul W. Swartz, recover judgment against the defendants, Carl J. Moore, James Morgan and Joseph Hunter, and each of them, in the sum of Five Thousand (\$5,000.00) Dollars.**

### FILED

JAN 25 1967

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

Dated at **San Diego, California**, this **25th** day  
 of **January**, 19 **67**.

**NOBLE C. HOOD**  
 Clerk of Court  
*[Signature]*



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

T. D. WILLIAMSON, INC.

Plaintiff,

vs.

WILLIAM A. (BILL) MORRISON,

Defendant.

)  
)  
) CIVIL ACTION NO. 6473  
)  
) For Infringement of United  
) States Letters Patent  
) No. 2,771,096

**FILED**

**JAN 26 1967**

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

JUDGMENT

The summons and a copy of the complaint in the above entitled action having been heretofore and on the 25th day of October, 1966, personally served upon the defendant, William A. (Bill) Morrison, and defendant having failed to answer or to move with respect to the complaint within the time allowed by law therefor, and the default of the defendant having been duly entered on the 28th day of December, 1966,

**IT IS ORDERED AND ADJUDGED:**

That the Plaintiff is the sole and exclusive owner of Letters Patent No. 2,771,096, that said Letters Patent are good and valid and have been infringed by the defendant herein, and that the defendant, William A. (Bill) Morrison, and those persons in active concert or participation with him who receive actual notice of this order, agents, servants, employees, and attorneys be and hereby are enjoined for the remainder of the term of the life of said Letters Patent from further infringing the claims of said Letters Patent.

DATED at Tulsa, Oklahoma, this 26<sup>th</sup> day of January, 1967.

*Curtis Robinson*  
Judge of the United States District Court  
for the Northern District of Oklahoma

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

PAUL VAN MEETER

Plaintiff

vs.

GOULD-NATIONAL BATTERIES, INC.,  
a Corporation, and EDWARD  
DUNN,

Defendants.

CIVIL NO. 6509

FILED  
IN OPEN COURT

JAN 26 1957

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

NOTICE TO REMOVAL

Comes now the plaintiff, Paul Van Meeter, and moves the Court to dismiss the above styled and numbered cause as to the defendants, Gould-National Batteries, Inc., a Corporation, and Edward Dunn, and on grounds therefor respectfully shows:

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

FILED  
IN OPEN COURT

JAN 26 1957

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

Paul Van Meeter  
PAUL VAN MEETER Plaintiff

John W. Hampton  
JOHN W. HAMPTON Attorney for Plaintiff

ORDER

Now, on this 26<sup>th</sup> day of January, 1957, this cause comes on for hearing on plaintiff's Motion to Dismiss; the Court being fully advised in the premises finds that the cause and all issues herein have been fully settled and compromised as between the parties, and the Court further finds that the case should be and is hereby dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause is dismissed with prejudice.

(s) Allen E. Barron  
Judge

IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF COLUMBIA

THE UNITED STATES OF AMERICA  
Plaintiff

vs.

THE NATIONAL BANK & TRUST  
COMPANY OF WASHINGTON, INC.

Defendant

Case No. 270

FILED

JAN 25 1967

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

\*\*\*\*\*

This case came on for hearing on the 25<sup>th</sup> day of January, 1967  
before the undersigned Judge of the Court, who  
after hearing the parties, finds that all matters herein having been  
settled by the parties, that this case of action should be dismissed  
without prejudice, that National Bank & Trust Company of Wash. District  
of Columbia, as it was then known, and its successors and assigns  
be and they be held harmless from all matters herein having been settled  
by the parties and that this action be and it is hereby and by these presents  
dismissed as to the defendant, that National Bank & Trust Company of  
Wash. District of Columbia, at the end of the parties.

(3) Paul S. [Signature]

[Signature]

THE NATIONAL BANK & TRUST  
COMPANY OF WASHINGTON, INC.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America,

Plaintiff,

vs.

George F. Sims and Ethel Ann Sims, Michael and wife,

Defendants.

Civil No. 6714

FILED

JAN 31 1967

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

~~XXXXXX~~

ON THIS \_\_\_\_\_ day of January 1967, the above-entitled matter came on for consideration on motion of the plaintiff, and it appearing that this is a suit based upon a mortgage note and the foreclosure of a real estate mortgage securing said mortgage note, and it further appearing that the real property described in said real estate mortgage is located within the Southern District of Columbia, and

IT IS ORDERED appearing that due and legal process service of summons has been made on each of the defendants herein more than twenty (20) days prior hereto requiring each of said defendants to plead, answer, or otherwise move herein, but said defendants and each of them have failed to do so and their default has heretofore been entered.

IT IS ORDERED appearing that the material allegations of plaintiff's Complaint are true and correct; that the defendants, George F. Sims and Ethel Ann Sims, did on June 21, 1962, execute and deliver to J. S. Clouse, Jr., Administrator of Veterans Affairs, his successor and assign, their mortgage note for the sum of \$4,000.00, bearing interest at the rate of 7 1/2% per annum on the unpaid balance thereof; and

IT IS ORDERED appearing that said defendants, in order to secure the prompt and peaceful payment of said note, did execute and deliver to J. S. Clouse, Jr., Administrator of Veterans Affairs, his successor and assign, their real estate mortgage of even date with said note covering the following described property:

The Authority To Sell of Act 7 in Book 22  
of the Town of Tulsa, Rogers County, Oklahoma,

which mortgage is recorded in the office of the County Clerk, Rogers County, Oklahoma, in Book 221 at page 170.

It appears that the defendants, and each of them, made default under the terms of the aforesaid mortgage note and mortgage by reason of their failure to make the monthly installments due thereon on January 22, 1946, which default has continued and that by reason thereof the defendants are now indebted to the plaintiff in the sum of \$4,063.02 as unpaid principal with interest thereon at the rate of 7½% per annum from January 22, 1946, until paid.

It appears that the plaintiff has a first and prior lien upon the real estate hereinafter described by virtue of aforesaid mortgage given as security for the payment of the above-stated indebtedness.

It is requested, advised and desired that the plaintiff, United States of America, have and recover judgment against the defendants, George F. Sims and Helen Jean Sims, for the sum of \$4,063.02 with interest thereon at the rate of 7½% per annum from January 22, 1946, until paid, plus the cost of this action against and awarded.

It is requested, advised and desired that the plaintiff have a first and prior lien upon the real property hereinafter described by virtue of the mortgage and,

It is requested and advised that upon failure of the defendants to satisfy plaintiff's money judgment herein, the Court of this shall issue to the United States Marshal for the Northern District of Oklahoma commanding him to advertise and sell with advertisement the real property hereinafter described and to apply the proceeds thereof, first to the payment of the cost of said sale and this action, and then in satisfaction of the plaintiff's judgment herein. The residue of said sale proceeds to be paid to the Clerk of the Court to await further order of the Court.

If the amount derived from the sale of said real property is insufficient to satisfy the judgment, interest and cost to plaintiff, then execution shall issue against the defendants for the remainder due and unpaid.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that from and after the date of the aforesaid real property, under and by virtue of this judgment and decree, the defendants and each of them, and all persons claiming under them since the filing of the Complaint herein, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

\_\_\_\_\_

ATTORNEY:

\_\_\_\_\_  
[Redacted Name], Attorney