

1964, in various ways including "consultations" from time to time as to the progress of the investigation and matters relating to the suspected mismanagement of Southwestern Sales Corporation. The plaintiff then submitted three affidavits. A summary of the evidence presented therein reveals several confrontations between the attorneys for the defendant, Mr. Kahn and Mr. Rosenstein,^{and}/Mr. Harold C. Stuart, President of Southwestern Sales Corporation, Mr. E. J. Doerner an attorney and director of Southwestern Sales Corporation and Mr. John R. March, Jr., an attorney and employee of Arthur Young & Co. On March 28, 1966, a Special Stockholders Meeting of Southwestern Sales Corp. was held at which time the nearby presence of the investigators was noted and Mr. Kahn refused to meet with them upon request of Mr. Stuart. On March 7, 1966, at the Annual Stockholders Meeting Messrs. Rosenstein and Richard Straub represented the defendant by proxy. Mr. Rosenstein stated into the record that the investigators had not acted under his direction or supervision. On March 24, 1967, when Judge James H. Meredith was deposed, Mr. Kahn stated into the record that he represented the defendant, but "not in this particular litigation."

If the reports sought herein contained opinions recorded by counsel or observations of investigators acting under counsel's supervision, control, and direction, they could qualify as "work product" of the attorney. Conversely, if the reports did not contain opinions recorded by counsel or the observations of his investigators acting under his supervision, control and direction, they could not qualify as "work product" and would have to be produced for inspection and copying if the requisite "good cause" requirement of Rule 34 was met. cf. McSparran vs. Bethlehem-Cuba Iron Mines Co. 26 F.R.D. 619 (E.D. Pa. 1960). In support of the defendant's position, the case of Alltmont vs. United States, 177 F.2d 971 (Third Cir. 1949), cert. denied 339 U.S. 967 (1950)

has been cited. The Court therein attenuated the rationale of Hickman vs. Taylor, supra, that only statements obtained by counsel were subject to the qualified immunity and by interpretation held that all statements of prospective witnesses in counsel's trial portfolio were also within the work product immunity. As the discovery issues have developed in this case, the Alltmont case does not comport squarely with the question at bar and is of dubious value in support of defendant's position. We are really not dealing with statements of witnesses. It is undisputed herein that investigations of the plaintiff have been made by private investigators, that they have recorded their observations in reports, and the pivotal question herein is whether the investigations were made under the direction, control and supervision of defendant's counsel so as to constitute the work product of the lawyer. No one has contended that these reports contain opinions, private memoranda or personal recollections of defendant's attorney nor that they contain statements of witnesses as distinguished from reports by investigators who plaintiff asserts were directed by the defendant and which investigators as agents of the defendant invaded his rights of privacy.

If the Court has misconstrued the import of the Alltmont case and its application herein, the fact remains that legal scholars and Courts have disagreed with the decision on its merits because it went beyond the scope of Hickman v. Taylor, supra. Wright on Federal Courts (1963 ed.) at page 315 states that "most cases have held that the work product immunity does not apply to statements obtained by a claim agent or investigator." See the cases cited therein and also the following: Uncle Ben's, Inc. v. Uncle Ben's Pancake Houses, Inc., 30 F.R.D. 506 (S. D. Texas 1962); Scourtes v. Fred W. Albrecht Grocery Co. 15 F.R.D. 55 (N. D. Ohio E. D. 1953). Also of persuasive value is the statement of the

Oklahoma Supreme Court in Carman v. Fishel, 418 P.2d 963 (1966) in refusing to follow the Alltmont case that "there is a logical and definite distinction between requiring production of statements taken by a client or an insurance adjustor, which statements later find their way into the attorney's file, and statements taken by the attorney himself in preparation for trial."

Therefore, the Court determines that the defendant is not entitled to the work product privilege as to the investigative reports under the doctrine of Hickman v. Taylor, supra, because legal expertise of counsel was not utilized in supervising, controlling and directing the investigation and the reports on same were not rendered to counsel. This determination is based on findings that attorneys Kahn and Rosenstein have never appeared as attorneys of record in this case or in defendant's suit against Southwestern Sales; that Kahn was never defendant's attorney "in this particular litigation" and Rosenstein ceased to be the defendant's lawyer soon after the investigators went to work at the direction of the defendant; that the defendant's attorneys of record in this case (who also represent defendant in her suit against Southwestern Sales) have not suggested that the investigative reports were their work product; that if an attorney (Rosenstein) initiated the investigation resulting in said reports there is no evidence of supervision, direction or control of the investigation on his part to qualify the reports as the work product of a lawyer; that the investigators were not hired by any of defendant's attorneys and the investigative reports were made directly to the defendant and not to any of her attorneys.

At the April 4, 1967, hearing the Court found good cause present for the production of the investigative reports by the defendant to the plaintiff. The Court will amplify on this by finding that the investigators by deposition deny knowledge of

the contents of their said reports; that the information in the reports are thus not available except from the defendant to whom they were rendered; that the contents of the reports are relevant in this invasion of privacy case since the plaintiff asserts that the authors of these reports, as the agents of the defendant, were the actual direct invaders of his privacy and the reports will disclose this; and since the defendant has denied herein that the authors of these reports were her agents acting within the scope of their employment in their investigative activities the contents of the reports will be pertinent on this issue of the case.

Upon reconsideration of the Order of April 4, 1967, the Court finds no error therein and the Motion for Reconsideration is, therefore, denied. The defendant is directed to produce all of said investigative reports by June 15, 1967.

INTERLOCUTORY APPEAL

The defendant has made application for certification to Court of Appeals pursuant to 28 U. S. C. 1292(b) regarding the Order of this Court directing the defendant to produce for inspection and copying under Rule 34, F.R.Civ.P., 28 U.S.C.A., certain investigative reports submitted to defendant by private investigators. The defendant urges that this Order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from said Order may materially advance the ultimate determination of this litigation.

The plaintiff resists the application asserting that said Order does not meet the requirements or standards set out by the language of 28 U.S.C. 1292(b).

28 U.S.C. 1292(b) provides as follows:

"When a district judge, in making in a civil action an order not otherwise appealable under this section, shall be of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation, he shall so state in writing in such order."

Plaintiff's action is for damages for invading his rights of privacy. Plaintiff claims this was done by the defendant who used certain agents to commit the wrong. These alleged agents or private investigators made certain written reports, presumably about their activities regarding the plaintiff, to the defendant. The investigators by depositions deny knowledge of the contents of the reports. The defendant denies the investigators were her agents acting within the scope of their authority as far as this litigation is concerned. The defendant has claimed that these reports are entitled to immunity from production and discovery because they are the work product of her attorney. The Court has held that the reports do not have work product immunity.

There may be some dispute or difference of opinion among the authorities on this work product question and the ruling made herein. See the first section of this Order. However, from all that has been shown to the Court thus far in this litigation it is not found that a controlling question of law is involved or that the correctness or incorrectness of the production order of this Court will advance the ultimate termination of this litigation. The Court does not have the slightest idea as to the contents of these reports. The defendant does not concede that they control or settle the questions of an invasion of privacy or respondeat superior. They may reveal or establish an invasion of plaintiff's privacy. They may not. They may show agency between the defendant and the investigators. They may not. As a general rule discovery matters do not deal with controlling law questions

which dispose of lawsuits. There is nothing in this case to show the Court that these reports will dispose of this case one way or the other. It would be an unwise procedure to have the Court of Appeals entertain the validity of this production order, most likely affirm the same and then discover upon production of the reports that their contents are foreign to this litigation or offer very little to its ultimate determination.

In United States vs. Woodbury, (9th Cir. 1959), 23 F.2d 784, the Court of Appeals refused an interlocutory appeal involving a privilege question. Under this authority the application herein should be denied as involving a matter collateral to the basic issues of this case.

The application for certification to Court of Appeals is denied for the reasons above set out.

Dated this 1 day of July, 1967.


United States District Judge

1964, in various ways including "consultations" from time to time as to the progress of the investigation and matters relating to the suspected mismanagement of Southwestern Sales Corporation. The plaintiff then submitted three affidavits. A summary of the evidence presented therein reveals several confrontations between the attorneys for the defendant, Mr. Kahn and Mr. Rosenstein,^{and} Mr. Harold C. Stuart, President of Southwestern Sales Corporation, Mr. E. J. Doerner an attorney and director of Southwestern Sales Corporation and Mr. John R. March, Jr., an attorney and employee of Arthur Young & Co. On March 28, 1966, a Special Stockholders Meeting of Southwestern Sales Corp. was held at which time the nearby presence of the investigators was noted and Mr. Kahn refused to meet with them upon request of Mr. Stuart. On March 7, 1966, at the Annual Stockholders Meeting Messrs. Rosenstein and Richard Straub represented the defendant by proxy. Mr. Rosenstein stated into the record that the investigators had not acted under his direction or supervision. On March 24, 1967, when Judge James H. Meredith was deposed, Mr. Kahn stated into the record that he represented the defendant, but "not in this particular litigation."

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Oklahoma Supreme Court in Carman v. Fishel, 418 P.2d 963 (1966) in refusing to follow the Alltmont case that "there is a logical and definite distinction between requiring production of statements taken by a client or an insurance adjustor, which statements later find their way into the attorney's file, and statements taken by the attorney himself in preparation for trial."

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the contents of their said reports; that the information in the reports are thus not available except from the defendant to whom they were rendered; that the contents of the reports are relevant in this invasion of privacy case since the plaintiff asserts that the authors of these reports, as the agents of the defendant, were the actual direct invaders of his privacy and the reports will disclose this; and since the defendant has denied herein that the authors of these reports were her agents acting within the scope of their employment in their investigative activities the contents of the reports will be pertinent on this issue of the case.

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INTERLOCUTORY APPEAL

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The plaintiff resists the application asserting that said Order does not meet the requirements or standards set out by the language of 28 U.S.C. 1292(b).

28 U.S.C. 1292(b) provides as follows:

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Plaintiff's action is for damages for invading his rights of privacy. Plaintiff claims this was done by the defendant who used certain agents to commit the wrong. These alleged agents or private investigators made certain written reports, presumably about their activities regarding the plaintiff, to the defendant. The investigators by depositions deny knowledge of the contents of the reports. The defendant denies the investigators were her agents acting within the scope of their authority as far as this litigation is concerned. The defendant has claimed that these reports are entitled to immunity from production and discovery because they are the work product of her attorney. The Court has held that the reports do not have work product immunity.

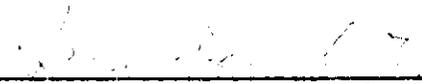
There may be some dispute or difference of opinion among the authorities on this work product question and the ruling made herein. See the first section of this Order. However, from all that has been shown to the Court thus far in this litigation it is not found that a controlling question of law is involved or that the correctness or incorrectness of the production order of this Court will advance the ultimate termination of this litigation. The Court does not have the slightest idea as to the contents of these reports. The defendant does not concede that they control or settle the questions of an invasion of privacy or respondeat superior. They may reveal or establish an invasion of plaintiff's privacy. They may not. They may show agency between the defendant and the investigators. They may not. As a general rule discovery matters do not deal with controlling law questions

which dispose of lawsuits. There is nothing in this case to show the Court that these reports will dispose of this case one way or the other. It would be an unwise procedure to have the Court of Appeals entertain the validity of this production order, most likely affirm the same and then discover upon production of the reports that their contents are foreign to this litigation or offer very little to its ultimate determination.

In United States vs. Woodbury, (9th Cir. 1959), 23 F.2d 784, the Court of Appeals refused an interlocutory appeal involving a privilege question. Under this authority the application herein should be denied as involving a matter collateral to the basic issues of this case.

The application for certification to Court of Appeals is denied for the reasons above set out.

Dated this 1 day of June, 1967.



United States District Judge

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

GLENDIA CAROL FOWLER, and BABETTE
FOWLER by Glenda Carol Fowler, her
mother and next of kin,

Plaintiffs,

vs.

RAYMOND ALFRED WILKERSON, JR.,

Defendant,

NO. 67 C 34 CIVIL

FILED

JUN 1 1967

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

ORDER

Now on this ____ day of May, 1967, there came on for hearing
before the undersigned Judge of the United States District Court for the
Northern District of Oklahoma, the plaintiff's Motion for an Order of
Dismissal, with prejudice to the rights of filing any future action, in
the above captioned cause.

The Court, being fully advised in the premises, finds that all
matters between the parties have been compromised and settled, and that
an Order of Dismissal, with prejudice to the rights of bringing any future
action, should be entered by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this
action is hereby dismissed, with prejudice to the rights of bringing any
other future action.

Judge

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

FILED

HELEN PRATT MARTIN, Osage Allottee)
No. 699, SHOCKLEY T. SHOEMAKE,)
Administrator of the Estate of)
Henry Pratt, Jr., deceased, and)
GEORGE PRATT, SR., Osage allottee)
No. 700,)

Plaintiffs,)

vs)

HOWARD F. JOHNSON, Superintendent)
of Osage Indian Agency, and)
STEWART UDALL, Secretary of the)
Interior,)

Defendants.)

JUN - 2 1967

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

Civil No. 6444

ORDER

IT IS HEREBY ORDERED that the decision of the Associate Solicitor is sustained in accordance with the supporting memorandum filed herein.

Dated at Tulsa, Oklahoma, on this the 2nd day of June, 1967.


United States District Judge

United States District Court

FOR THE

~~NORTHERN DISTRICT OF OKLAHOMA~~

CIVIL ACTION FILE NO.

E.B. Cypert

vs.

Stephen Lynn Baker

6576

JUDGMENT
FILED

JUN - 2 1967

NOBLE C. HOOD

Clerk, U. S. District Court
Allen E. Barrow

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

for the plaintiff.

It is Ordered and Adjudged that the plaintiff, E.B. Cypert, recover of
the defendant, Stephen Lynn Baker, the sum of Thirty Two Hundred and
Forty Dollars, and Ninety Cents, (\$3240.90) with interest thereon at
the rate of 6% per annum from the date hereof until paid, and his cost
of action.

Dated at **Tulsa, Oklahoma**, this _____ day
of **June**, 19 **67** 2nd

NOBLE C. HOOD
Clerk of Court

By: Myrtil Thomas, Deputy

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 6577

Eugene B. Cypert, Jr., by and
through E.B. Cypert, his
Father and Natural Guardian
vs.
Stephen Lynn Baker

FILED

JUN - 2 1967

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

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

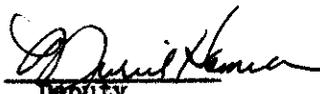
It is Ordered and Adjudged that the plaintiff, Eugene B. Cypert, Jr., by and through E.B. Cypert, his Father and Natural Guardian, recover of the defendant, Stephen Lynn Baker, only his cost of action herein.

Dated at **Tulsa, Oklahoma**, this **2nd** day
of **June**, 19**67**.

NOBLE C. HOOD

Clerk of Court

By:


Deputy

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

STAN DOYLE, Administrator of the)
Estate of ROBERT L. WHEELER,)
Deceased,)
Plaintiff,)
vs.)
UNITED STATES OF AMERICA,)
Defendant.)

NO. 6247 - CIVIL

FILED

JUN - 5 1967

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

ORDER APPROVING COMPROMISE SETTLEMENT

The stipulation of the parties to the above action dated the
31 day of May, 1967, where it is agreed by the Defendant, the
United States of America, to pay to Plaintiff, Stan Doyle, Administrator
of the Estate of Robert L. Wheeler, deceased, the sum of Forty-three
Thousand Two Hundred Fifty Dollars (\$43,250.00), without admission of
liability or fault on the part of said Defendant, and wherein the Plaintiff
agrees to accept said sum in full and complete satisfaction of all claims
and demands arising out of the incident giving rise to this litigation, it is
hereby approved pursuant to the provisions of 28 U.S.C., 2677, and, it
is

ORDERED, That this action stand dismissed with prejudice
and without costs upon payment to the Plaintiff by the Defendant of the
amount stated, and, it is further

ORDERED, That the full amount of the settlement, Forty-three
Thousand, Two Hundred Fifty Dollars (\$43,250.00) shall be paid to Stan

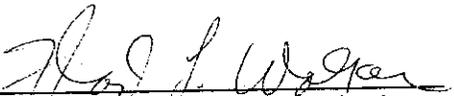
Doyle, Administrator of the Estate of Robert L. Wheeler, Deceased, and that the said Stan Doyle is hereby authorized, ordered and directed to disburse the same pursuant to the stipulation filed herein as follows:

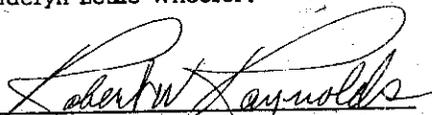
| | Disbursements |
|--|----------------------------------|
| Euna Wheeler, Individually | \$7,208.32 |
| Euna Wheeler, Guardian of Robin Renee Wheeler | <u>\$3,604.17</u> \$10,812.49 |
| Less attorney fee to Robert W. Raynolds | <u>\$2,162.50</u> \$8,649.99 |
| Euna Wheeler, Individually, and as Guardian of Robin Renee Wheeler | \$8,649.99 |
| Robert W. Raynolds, Attorney for Euna Wheeler, Individually and as Guardian | \$2,162.50 |
| Marilyn Wheeler | \$3,604.17 |
| Less attorney fee to Floyd L. Walker | <u>\$ 720.84</u> \$2,883.33 |
| Marilyn Wheeler | \$2,883.33 |
| Madelene Wheeler, Guardian of Robert G. Wheeler | \$3,604.17 |
| Less attorney fee to Floyd L. Walker | <u>\$ 720.84</u> \$2,883.34 |
| Madelene Wheeler, Guardian of Madelyn Leslie Wheeler | \$3,604.17 |
| Less attorney fee to Floyd L. Walker | <u>\$ 720.84</u> \$2,883.34 |
| Madelene Wheeler, Guardian of Robert G. Wheeler and Madelyn Leslie Wheeler | \$ 5,766.68 |
| Pacific Indemnity Co. | \$21,625.00 |
| Less attorney fee to Floyd L. Walker | <u>\$ 4,325.00</u> |
| Pacific Indemnity Co. | \$17,300.00 |
| Floyd L. Walker, attorney for Pacific Indemnity Co., for Stan Doyle, Administrator of the Estate of Robert L. Wheeler, Deceased, for Marilyn L. Wheeler, and for Madelene Wheeler, Guardian of Robert G. and Madelyn Leslie Wheeler | <u>\$ 6,487.50</u> |
| TOTAL | \$43,250.00 |

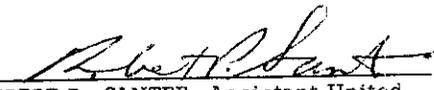
That the attorney's fees are to be paid to the respective attorneys out of the portion of the proceeds of said settlement being paid to their respective clients and not in addition thereto.


UNITED STATES DISTRICT JUDGE

APPROVED:


FLOYD L. WALKER, Attorney for Stan Doyle, Administrator of the Estate of Robert L. Wheeler, Deceased, for Pacific Indemnity Company, for Marilyn L. Wheeler, and for Madelene Wheeler, Guardian of Robert G. and Madelyn Leslie Wheeler.


ROBERT W. RAYNOLDS, Attorney for Euna Wheeler, Individually, and as Guardian of Robin Renee Wheeler


ROBERT P. SANTEE, Assistant United States Attorney, Attorney for Defendant United States of America

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Pacific Indemnity Company,
vs.
United States of America,
Plaintiff,
Defendant.

No. 6248 Civil

FILED

JUN - 5 1967

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

ORDER APPROVING COMPROMISE SETTLEMENT

The stipulation of the parties to the above action, dated the
31 day of May, 1967, wherein it is agreed by the defendant,
the United States of America, to pay to plaintiff, Pacific Indemnity Company,
the sum of Thirteen Thousand dollars (\$13,000.00), without admission of
liability or fault on the part of said defendant, and wherein the plaintiff
agrees to accept said sum in full and complete satisfaction of all claims
and demands arising out of the incident giving rise to this litigation, is
hereby approved pursuant to the provisions of 28 U.S.C., 2677, and, it is

ORDERED, That this action stand dismissed with prejudice and
without costs upon payment to the plaintiff by the defendant of the amount
stated, and, IT IS FURTHER

ORDERED, That an attorney's fee in the amount of Two Thousand
Six Hundred dollars (\$2,600.00), shall be paid to Floyd L. Walker, Tulsa,
Oklahoma, attorney of record for the plaintiff, such fee to be paid out
of and not in addition to the amount stated above.

Entered this 3 day of June, 1967.

Fred Sauchter
UNITED STATES DISTRICT JUDGE

APPROVED:

Floyd L. Walker
FLOYD L. WALKER, Attorney for
Pacific Indemnity Company

Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney
Attorney for Defendant,
United States of America

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Elizabeth A. Wheeler, Executrix of
the Estate of John M. Wheeler, Jr.,
deceased,

Plaintiff,

vs.

United States of America,

Defendant.

CIVIL NO. 6272

FILED

JUN - 5 1967

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

ORDER APPROVING COMPROMISE SETTLEMENT

The stipulation of the parties to the above action dated May 29,
1967, wherein it is agreed by the defendant, the United States of America, to
pay to plaintiff, Elizabeth A. Wheeler, Executrix of the estate of John M.
Wheeler, Jr., deceased, the sum of forty-three thousand two hundred fifty
dollars (\$43,250.00) without admission of liability or fault on the part of
said defendant, and wherein the plaintiff agrees to accept said sum in full
and complete satisfaction of all claims and demands arising out of the inci-
dent giving rise to this litigation, is hereby approved pursuant to the pro-
visions of 28 U.S.C. 2677, and, it is

ORDERED, That this action stand dismissed with prejudice and
without costs upon payment to the plaintiff by the defendant of the amount
stated, and, it is further

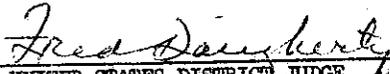
ORDERED, That an attorney's fee in the amount of eight thousand
six hundred fifty dollars (\$8,650.00) shall be paid to Clyde J. Watts,
Oklahoma City, Oklahoma, attorney of record for the plaintiff, such fee to
be paid out of and not in addition to the amount stated above.

Entered this 3 day of June, 1967.

APPROVED:


CLYDE J. WATTS, Attorney for Plaintiff
Elizabeth A. Wheeler, Executrix of the
Estate of John M. Wheeler, Jr., Deceased


ROBERT P. SANTEE
Assistant United States Attorney,
Attorney for Defendant, United States
of America


UNITED STATES DISTRICT JUDGE

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 6593

Jerry V. Jones

vs.

Scholle Dallas Corporation,
an Illinois corporation,
and Steve Wray Stricklin,
an individual,**FILED**

JUN 6 1967

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

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow

, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict, for the plaintiff.

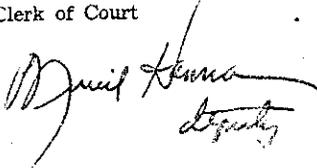
It is Ordered and Adjudged that the plaintiff, Jerry V. Jones, recover of the defendants, Scholle Dallas Corporation, an Illinois corporation, and Steve Wray Stricklin, an individual, the sum of Forty Nine Hundred, Four Dollars, and Ninety Five Cents (\$4904.95) with interest thereon at the rate of 6% per annum from the date hereof until paid, and her cost of action.

Dated at Tulsa, Oklahoma
of June , 19 67.

, this 6th day

NOBLE C. HOOD

Clerk of Court

BY: 

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

FARMERS INSURANCE EXCHANGE,)
 a Reciprocal,)
)
 Plaintiff,)
)
 vs.) NO. 67 C 72
)
 HELEN BLOSSOM, a minor, RICKEY BLOSSOM,)
 a minor, MARILYN BLOSSOM, a minor,)
 ALLEN BLOSSOM, a minor, WILLIE BLOSSOM,)
 a minor, BOBBIE JOE BLOSSOM, a minor,)
 NORMA BLOSSOM, a minor, ANNIE BLOSSOM,)
 NED SOLTISKY, ADAM BLOSSOM, BURL)
 HOLLOWAY and HELEN LUCAS,)
)
 Defendants.)

FILED

JUN - 7 1967

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

MOTION TO DISMISS
HELEN LUCAS AS PARTY DEFENDANT

COMES now Farmers Insurance Exchange, plaintiff herein, and
moves this Court to dismiss Helen Lucas as a party defendant herein,
without prejudice and at the cost of this plaintiff.

KNIGHT AND WILBURN,

By: Richard Dan Wagner
Richard Dan Wagner

811 Ritz Building
Tulsa, Oklahoma

Attorneys for the plaintiff.

ORDER

NOW ON THIS 7th day of June, 1967, upon plaintiff's motion
the defendant Helen Lucas is dismissed as a party defendant herein,
without prejudice, and at the cost of the plaintiff.

Allen E. Barron
Judge, United States District Court
Northern District of Oklahoma

WL:chk
5-26-67

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

KAISER ALUMINUM AND CHEMICAL)
SALES, INC., a corporation,)
)
Plaintiff,)
)
vs.)
)
LOONEY SHEET METAL CONSTRUCTION)
CO., INC., a corporation, HAROLD B.)
LOONEY and HAROLD W. LOONEY.)
)
Defendants.)

Civil Action

No. 6340

FILED

JUN - 9 1967

NOBLE C. HOOD

ORDER DISMISSING CAUSE WITHOUT PREJUDICE Clerk, U. S. District Court

Now, on this 9 day of June, 1967, upon Stipulation of the 

parties hereto, the Court, being fully advised in the premises, finds that this cause should be and is hereby dismissed without prejudice to a future action thereon by the plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the above cause be and the same is hereby dismissed without prejudice to a future action thereon by the plaintiff.

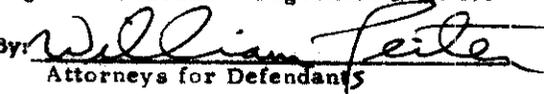

Fred Daugherty
United States District Judge

APPROVED:

Crawford, Rizley & Prichard

By: 
Attorneys for Plaintiff

Ungerma, Grabel, Ungerma & Leiter

By: 
Attorneys for Defendants

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

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

JAMES A. KELLY,

Plaintiff,

vs.

CHRYSLER CORPORATION,
CHRYSLER MOTORS CORPORATION,
and ANNE H. LaREW,

Defendants.

CIVIL NO. 6462

FILED

JUN -9 1967

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

JUDGMENT

And now on this 31st day of May, 1967, there came before the United States District Court for the Northern District of Oklahoma, before the undersigned United States District Judge, the above styled case for jury trial. The plaintiff appeared in person and by his attorney, John W. Hampton; the defendants Chrysler Corporation and Chrysler Motors Corporation appeared by and through their attorneys, Fenton, Fenton, Smith, Reneau & Moon, and William G. Smith; and the defendant Anne H. LaRew appearing in person and by her attorneys, Best, Sharp, Thomas & Glass, and Jack M. Thomas; whereupon a jury of eleven men and one woman were selected and empanelled to try the case. Thereafter, evidence was introduced. The case continued in trial on June 1, 1967, and after all parties had rested, the defendants Chrysler Corporation and Chrysler Motors Corporation moved for a directed verdict in their favor and against the plaintiff, and the Court found that the same should be and therefore was sustained. *and it is so ordered.* The Court further found that the Motion for Directed Verdict by the defendant Anne H. LaRew should be, and the same was overruled.

Thereupon, arguments were made by the plaintiff and the defendant Anne H. LaRew and instructions read to the jury; and after the jury had given due deliberation to the case, the jury returned the following verdict:

"We, the jury, being duly empanelled and sworn to try the issues, do upon our oaths find the issues in favor of the defendant and against the plaintiff."

/s/ Everett S. Johnson, Foreman.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that judgment be entered in favor of the defendants, Chrysler Corporation and Chrysler Motors Corporation on directed verdict and against the plaintiff, and in favor of the defendant, Anne H. LaRew, against the plaintiff upon the jury verdict.


U. S. District Judge

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 6592

Jerry V. Jones

vs.

Scholle Dallas Corporation,
an Illinois Corporation, et al

FILED
JUDGMENT
JUN 6 1967

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

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow, United States District Judge, presiding; and the issues having been duly tried and the jury having duly rendered its verdict, for the plaintiff.

It is Ordered and Adjudged that the plaintiff, Jerry V. Jones, recover of the defendants, Scholle Dallas Corporation, an Illinois corporation, and Steve Wray Stricklin, an individual, the sum of Seventy Four Thousand, Nine Hundred and Eighty Eight Dollars, and Seventy Cents (\$74,988.70) with interest thereon at the rate of 6% per annum from the date hereof until paid, and her cost of action.

Dated at Tulsa, Oklahoma
of June, 19 67.

, this 6th day

NOBLE C. HOOD
Clerk of Court

By: Muriel Hanna
deputy

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

PARKHILL TRUCK COMPANY,
a Corporation,

Plaintiff

VS.

L. A. FRIDAY DAVIS
CONSTRUCTION COMPANY, INC.,
an Oklahoma Corporation,

Defendant

CIVIL NO. 67-C-79

FILED

JUN -9 1967

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

DEFAULT JUDGMENT

On this 9th day of June, 1967, before me, the Clerk of the United States District Court for the Northern District of Oklahoma, appeared Plaintiff, Parkhill Truck Company, a corporation, pursuant to Application duly filed herein, and showed that on the 15th day of May, 1967, it filed its Complaint herein against L. A. "Friday" Davis Construction Company, Inc., an Oklahoma corporation, and that service of Summons upon Defendant was properly made on May 17, 1967. Said Complaint prayed judgment for the sum of \$678.50, together with interest at the rate of 6% per annum from July 13, 1966 until date of judgment, costs, and reasonable attorney's fees, which have been waived by Plaintiff and its Attorney. Such sum can by computation be made certain. Though duly served with Summons, Defendant has made no appearance or Answer within the time allowed for Answer or subsequently, and is in default.

WHEREFORE, upon the Affidavit of Plaintiff's Attorney, and being satisfied as to the facts herein, I hereby find that the Plaintiff's Claim against the Defendant is for a sum which can by computation be made certain, consisting of the sum of \$678.50, together with interest at the rate of 6% per annum from July 13, 1966 until date of judgment, amounting to \$37.32, for costs of court, and for reasonable attorney's fees, which attorney's fees have been waived by Plaintiff and its Attorney.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
that Plaintiff be awarded Default Judgment against the Defendant
for the total sum of \$715.82 and costs of Court.

NOBLE HOOD,
Clerk of the United States District Court
for the Northern District of Oklahoma
By: *[Signature]*
Deputy

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

W. WILLARD WIRTE, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR)

Plaintiff)

v.)

JESSE VERNON HAMILTON, individually)
and doing business as HAMILTON)
TRUCKING COMPANY)

Defendant)

CIVIL ACTION

FILE NO. 6380

FILED

JUN 14 1967

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

J U D G M E N T

Defendant has now appeared by counsel, and without admitting any of the material allegations of plaintiff's Complaint, has waived any defenses thereto and has agreed to the entry of this Judgment without contest. It is, therefore, on motion of the plaintiff, and for cause shown:

ORDERED, ADJUDGED, AND DECREED, that defendant, his agents, servants, employees, and all persons acting or claiming to act in his behalf and interest be, and they hereby are, permanently enjoined and restrained from violating the provisions of Sections 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, Title 29, U.S.C. 201 et seq.) hereinafter referred to as the Act, in any of the following manners:

I.

Defendant shall not, contrary to Section 6(a) of the Act, pay any of his employees who are engaged in commerce or the production of goods for commerce, as defined by the Act, from the date of this Judgment, wages at rates less than \$1.40 per hour

or such other rates as may be hereafter provided by law. The provisions of this paragraph shall not prevent defendant from paying to any of his employees wages authorized as to such employees by a special certificate issued and in effect under Section 14 of the Act.

II.

Defendant shall not, contrary to Section 7 of the Act, employ any of his employees engaged in commerce or in the production of goods for commerce, as defined by the Act, for workweeks longer than 40 hours unless such employees receive compensation for their employment in excess of 40 hours at rates not less than one and one-half times the regular rate at which each such employee is employed.

III.

Defendant shall not fail to make, keep, and preserve records of his employees, and the wages, hours, and other conditions and practices of employment maintained by him, as prescribed by the regulations of the Administrator issued, and from time to time amended, pursuant to Sections 11(c) and 15(a)(5) of the Act and found in Title 29, Chapter V, Code of Federal Regulations, Part 516.

IV.

The defendant shall pay to plaintiff, by certified or cashier's checks, payable to "United States Department of Labor - Wage-Hour", for the employees named in the Installment Schedule which is attached hereto and made a part hereof, \$20,000.00, less deductions from the amount due each named employee for Federal insurance contributions (social security), and Federal income tax,

in 24 monthly installments beginning on July 26, 1967, and ending on June 26, 1969, each monthly installment to be in the amount shown in the aforesaid Installment Schedule, less the aforementioned deductions. The plaintiff shall distribute the proceeds of each monthly installment to the persons named in the aforesaid Installment Schedule, or to their estates if that is necessary, and any money not so paid within a reasonable time because of inability to locate the proper persons, or because of their refusal to accept such money, shall be covered into the Treasury of the United States as miscellaneous receipts.

It is further ordered that costs in this suit shall be taxed to the defendant.

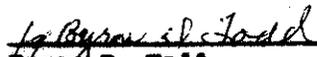
Dated this 14th day of June, 1967.


UNITED STATES DISTRICT JUDGE

Entry of this Judgment is hereby consented to:

Jesse Vernon Hamilton

APPROVED:



Byron D. Todd
Attorney for Defendant

APPROVED:



James E. White
Attorney for Plaintiff

| <u>Name</u> | <u>1st</u> | <u>2nd</u> | <u>3rd</u> | <u>4th</u> | <u>5th</u> | <u>6th</u> |
|---------------------------------------|------------|------------|------------|------------|------------|------------|
| Floyd Barnes | 290.28 | | | | | |
| Omer Boes | | | | 415.14 | | |
| Newman Childers | | | | | 29.10 | 29.10 |
| Perry Dodson | 189.26 | | | | | |
| Jim Ellsworth | | | | | 84.48 | 84.48 |
| James E. Hall | 195.52 | | | | | |
| Bill G. Hargrove | | | | | 69.26 | 69.26 |
| Herbert Harrell | | | | | 65.45 | 65.45 |
| Raymond Harrison | | 167.17 | | | | |
| Carl Jackson | 155.37 | | | | | |
| Burl Lewis | | | | | 33.13 | 33.13 |
| H. J. McAlister | | 307.30 | | | | |
| Morris McCarver | | 101.29 | | | | |
| Albert B. Mears | | | | | 53.31 | 53.31 |
| Clarence Miller | | 219.99 | | | | |
| Jim Mitchell (Goes by Troy M. Fox) | | 40.25 | 131.56 | | | |
| Edgar Mullins | | | | | 102.29 | 102.29 |
| Wesley Parker | | | | | 33.58 | 33.58 |
| Thomas G. Pittman | | | | 188.48 | | |
| James E. Raley | | | 156.47 | | | |
| K. F. Sanders | | | | | 74.64 | 74.64 |
| Gorden L. Smith | | | | | 30.28 | 30.28 |
| Wayne Stephenson | | | 303.66 | | | |
| V. R. Stipes | | | | | 33.35 | 33.35 |
| R. L. Tipton | | | | | 63.74 | 63.74 |
| Eddie Tandy | | | 149.83 | 39.09 | | |
| J. W. Turpin | | | 91.88 | | | |
| Dan Twist | | | | | 50.55 | 50.55 |
| Floyd Vance | | | | | 36.63 | 36.63 |
| Leo Ware | | | | | 71.96 | 71.96 |
| Johnny Welborn | | | | 221.48 | | |

Name 7th 8th 9th 10th 11th 12th

~~Floyd Barnes~~

~~Omer Boes~~

Newman Childers 29.10 29.10 29.10 29.10 29.10 29.10

~~Perry Dodson~~

Jim Ellsworth 84.48 84.48 84.48 84.48 84.48 84.48

~~James H. Hall~~

Bill G. Hargrove 69.26 69.26 69.26 69.26 69.26 69.26

Herbert Harrell 65.45 65.45 65.45 65.45 65.45 65.45

~~Raymond Harrison~~

~~Carl Jackson~~

Burl Lewis 33.13 33.13 33.13 33.13 33.13 33.13

~~H. J. McAllister~~

~~Morris McGarver~~

Albert B. Mears 53.31 53.31 53.31 53.31 53.31 53.31

~~Clarence Miller~~

~~Jim Mitchell~~
(Goes by Troy M. Fox)

Edgar Mullins 102.29 102.29 102.29 102.29 102.29 102.29

Wesley Parker 33.58 33.58 33.58 33.58 33.58 33.58

~~Thomas G. Pittman~~

~~James E. Raley~~

K. F. Sanders 74.64 74.64 74.64 74.64 74.64 74.64

Gorden L. Smith 30.28 30.28 30.28 30.28 30.28 30.28

~~Wayne Stephenson~~

V. R. Stipes 33.35 33.35 33.35 33.35 33.35 33.35

R. L. Tipton 63.74 63.74 63.74 63.74 63.74 63.74

~~Eddie Tandy~~

~~J. W. Torpin~~

Dan Twist 50.55 50.55 50.55 50.55 50.55 50.55

Floyd Vance 36.63 36.63 36.63 36.63 36.63 36.63

Leo Ware 71.96 71.96 71.96 71.96 71.96 71.96

~~Johnny Wolbers~~

7

| <u>Name</u> | <u>13th</u> | <u>14th</u> | <u>15th</u> | <u>16th</u> | <u>17th</u> | <u>18th</u> |
|----------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Floyd Barnes | | | | | | |
| Omer Boes | | | | | | |
| Newman Childers | 29.10 | 29.10 | 29.10 | 29.10 | 29.10 | 29.10 |
| Perry Dodson | | | | | | |
| Jim Ellsworth | 84.48 | 84.48 | 84.48 | 84.48 | 84.48 | 84.48 |
| James E. Hall | | | | | | |
| Bill G. Hargrove | 69.26 | 69.26 | 69.26 | 69.26 | 69.26 | 69.26 |
| Herbert Harrell | 65.45 | 65.45 | 65.45 | 65.45 | 65.45 | 65.45 |
| Raymond Harrison | | | | | | |
| Carl Jackson | | | | | | |
| Burl Lewis | 33.13 | 33.13 | 33.13 | 33.13 | 33.13 | 33.13 |
| H. J. McAllister | | | | | | |
| Morris McGarver | | | | | | |
| Albert B. Mears | 53.31 | 53.31 | 53.31 | 53.31 | 53.31 | 53.31 |
| Glarence Miller | | | | | | |
| Jim Mitchell | | | | | | |
| (Goes by Troy M. Fox) | | | | | | |
| Edgar Mullins | 102.29 | 102.29 | 102.29 | 102.29 | 102.29 | 102.29 |
| Wesley Parker | 33.58 | 33.58 | 33.58 | 33.58 | 33.58 | 33.58 |
| Thomas G. Pittman | | | | | | |
| James E. Raley | | | | | | |
| K. F. Sanders | 74.64 | 74.64 | 74.64 | 74.64 | 74.64 | 74.64 |
| Gorden L. Smith | 30.28 | 30.28 | 30.28 | 30.28 | 30.28 | 30.28 |
| Wayne Stephenson | | | | | | |
| V. R. Stipes | 33.35 | 33.35 | 33.35 | 33.35 | 33.35 | 33.35 |
| R. L. Tipton | 63.74 | 63.74 | 63.74 | 63.74 | 63.74 | 63.74 |
| Eddie Tandy | | | | | | |
| J. W. Turpin | | | | | | |
| Dan Twist | 50.55 | 50.55 | 50.55 | 50.55 | 50.55 | 50.55 |
| Floyd Vance | 36.63 | 36.63 | 36.63 | 36.63 | 36.63 | 36.63 |
| Leo Ware | 71.96 | 71.96 | 71.96 | 71.96 | 71.96 | 71.96 |
| Johnny Welborn | | | | | | |

| <u>Name</u> | <u>19th</u> | <u>20th</u> | <u>21st</u> | <u>22nd</u> | <u>23rd</u> | <u>24th</u> |
|--|-------------|-------------|-------------|-------------|-------------|-------------|
| Floyd Barnes | | | | | | |
| Omer Does | | | | | | |
| Newman Childers | 29.10 | 29.10 | 29.10 | 29.10 | 29.10 | 29.23 |
| Perry Dodson | | | | | | |
| Jim Ellsworth | 84.48 | 84.48 | 84.48 | 84.48 | 84.48 | 84.48 |
| James E. Hall | | | | | | |
| Bill G. Hargrove | 69.26 | 69.26 | 69.26 | 69.26 | 69.26 | 69.29 |
| Herbert Harrell | 65.45 | 65.45 | 65.45 | 65.45 | 65.45 | 65.45 |
| Raymond Harrison | | | | | | |
| Carl Jackson | | | | | | |
| Burl Lewis | 33.13 | 33.13 | 33.13 | 33.13 | 33.13 | 33.14 |
| H. J. McAllister | | | | | | |
| Morris McCarver | | | | | | |
| Albert B. Mears | 53.31 | 53.31 | 53.31 | 53.31 | 53.31 | 53.34 |
| Clarence Miller | | | | | | |
| Jim Mitchell (Goes by Troy M. Fox) | | | | | | |
| Edgar Mullins | 102.29 | 102.29 | 102.29 | 102.29 | 102.29 | 102.39 |
| Wesley Parker | 33.58 | 33.58 | 33.58 | 33.58 | 33.58 | 33.70 |
| Thomas C. Pittman | | | | | | |
| James E. Raley | | | | | | |
| K. F. Sanders | 74.64 | 74.64 | 74.64 | 74.64 | 74.64 | 74.68 |
| Gorden L. Smith | 30.28 | 30.28 | 30.28 | 30.28 | 30.28 | 30.30 |
| Wayne Stephenson | | | | | | |
| V. R. Stipes | 33.35 | 33.35 | 33.35 | 33.35 | 33.35 | 33.39 |
| R. L. Tipton | 63.74 | 63.74 | 63.74 | 63.74 | 63.74 | 63.87 |
| Eddie Tandy | | | | | | |
| J. W. Turpin | | | | | | |
| Dan Twist | 50.55 | 50.55 | 50.55 | 50.55 | 50.55 | 50.66 |
| Floyd Vance | 36.63 | 36.63 | 36.63 | 36.63 | 36.63 | 36.76 |
| Leo Ware | 71.96 | 71.96 | 71.96 | 71.96 | 71.96 | 72.05 |
| Johanny Welborn | | | | | | |

EPL:cg
6/6/67

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

C. L. WEBSTER,
Plaintiff,
vs.
W. H. CARROLL,
Defendant.

NO. 67-C-20 Civil **FILED**

JUN 19 1967

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

JUDGMENT

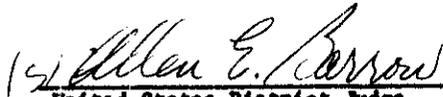
Now on this 19th day of June, 1967, this matter coming on to be heard before me, the undersigned United States District Judge for the Northern District of Oklahoma, plaintiff being represented by E. P. Litchfield of the firm of Ungerman, Grabel, Ungerman & Leiter, and defendant being represented by John Sublett, attorney of this City, and it appearing to the Court that the defendant by and through his attorney of record John Sublett, having agreed to the rendition of this judgment by his approval of same, and his consent endorsed hereto, and the Court being fully advised in the premises finds that the parties hereto and the subject matter of this controversy are properly within the jurisdiction of this Court.

The Court further finds that the parties hereto, as is disclosed by the pleadings were until October 31, 1966 engaged in a general partnership under the partnership name of C & W Construction Company, said partnership being engaged in the contracting or construction business with their principal place of business being Huntsville, Alabama.

The Court finds that said partnership was dissolved by written agreement between the parties, said agreement being dated October 31, 1966, but that under the terms and conditions of said written agreement, certain projects of the partnership, then under way were to be continued by the joint efforts of the parties hereto until said projects were completed with the parties to share equally in the loss and/or profits derived from the completion of said projects. The Court further finds that as between the parties hereto an accounting has been made, said accounting having heretofore been agreed to by the parties and that as a result of said accounting between the parties hereto, the Court finds that the defendant herein W. H. Carroll is indebted to the plaintiff herein C. L. Webster in the sum of \$29,217.56 and that the plaintiff herein is entitled to a judgment against the said defendant herein for said sum of \$29,217.56, together with interest thereon at the rate of 6% per annum from the date of judgment.

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER
SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff herein have judgment against the defendant herein in the sum of \$29,217.56, together with interest thereon at the rate of 6% per annum from the date of judgment, for which let execution lie.


United States District Judge

Approved as to Form and
Consented to:


Attorney for Plaintiff


Attorney for Defendant

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

Walter S. and Margaret C. Smith,
Plaintiffs,
vs.
United States of America,
Defendant.

Civil No. 6491

FILED

JUN 20 1967

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

STIPULATION

IT IS HEREBY stipulated and agreed that the above-entitled
action be dismissed with prejudice, each party to bear its own
costs.

UNITED STATES OF AMERICA

LAWRENCE A. McSOUR
United States Attorney

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

E. John Eagleton
E. JOHN EAGLETON
Attorney for Plaintiffs

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

FARMERS INSURANCE EXCHANGE,
a Reciprocal,

Plaintiff,

vs.

HELEN BLOSSOM, a minor, RICKEY BLOSSOM,
a minor, MARILYN BLOSSOM, a minor
ALLEN BLOSSOM, a minor, WILLIE BLOSSOM,
a minor, BOBBIE JOE BLOSSOM, a minor,
NORMA BLOSSOM, a minor, ANNIE BLOSSOM,
NED SOLTISKY, ADAM BLOSSOM, BURL
HOLLOWAY and HELEN LUCUS,

Defendants.

NO. 67 C 72

FILED

JUN 20 1967

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

J U D G M E N T

NOW on this 19 day of June, 1967, plaintiff's Motion for Judgment came on for hearing pursuant to proper Notice served upon Ned Soltisky and Burl Holloway June 7, 1967. Whereby this Court finds that no appearance has been made by Burl Holloway, or Ned Soltisky, and the Clerk of this Court has heretofore entered Default against said parties, the Court finds that plaintiff should be and hereby is awarded the relief prayed for by Complaint herein.

IT IS THEREFORE ADJUDGED AND DECREED that Burl Holloway at the time and place of accident, as alleged in the Complaint, was operating the vehicle owned by Helen Lucas without her permission, acquiescence, or knowledge.

WHEREFORE, IT IS ADJUDGED that Burl Holloway was not an additional insured of plaintiff, and plaintiff has no obligation or liability to Burl Holloway, or Ned Soltisky, arising out of this accident or under the provisions of the insurance policy alleged in the Complaint; said defendants, or others claiming an interest through either of them, are enjoined and restrained from prosecuting any claim against the plaintiff predicated on said policy of insurance.

Les Daugherty
JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
vs. Libelant,

Civil No. 67-C-86

An article of food consisting of 800
cases, more or less, each containing
30 one-lb. units, article labeled
in part: (Parchment Wrapper)
"Oleomargarine, 1 lb. net wt. mfd.
by Swift & Company, Gen. Off.,
Chicago, Ill.",

FILED

JUN 23 1967

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

Respondent.

DECREE OF CONDEMNATION

This matter comes on for consideration on Motion of the Libelant, United States of America, for Default Judgment and the Court, having examined the facts herein, finds that the Libel of Information was filed herein on May 24, 1967; that a Motion was duly issued and served by the United States Marshal for the Northern District of Oklahoma on May 31, 1967; that neither Swift & Company nor any other claimant has appeared or otherwise moved herein.

The Court finds that the allegations of the Libel of Information are true and correct; that the articles of food described therein and seized by the United States Marshal were misbranded while held for sale after shipment in interstate commerce; that such articles of food are within the jurisdiction of this Court and are liable for seizure and disposition, pursuant to the provisions of 21 U.S.C., 301 et seq.

The Court further finds that although the articles of food mentioned herein were misbranded when introduced into and while in interstate commerce, that said Oleomargarine is entirely suitable for human consumption, as the violation of the Federal Food, Drug, and Cosmetic Act was in that it contained less than the required 80% fat.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED BY THE COURT that all of the misbranded articles of food, seized and held by the United States Marshal for the Northern District of Oklahoma under and pursuant to the Motion heretofore issued and served herein, be and they are hereby ordered forfeited to the United States of America and the United States

Marshal for the Northern District of Oklahoma is ordered and directed to dispose of said articles of food by causing to be delivered 100 unbroken cases of said Oleomargarine to the Salvation Army of Tulsa, Oklahoma, together with 9-1/2 broken cases to the Salvation Army of Tulsa, Oklahoma, and further to cause to be delivered 107 unbroken cases of said Oleomargarine to the Hissom Memorial Center of Tulsa County, Oklahoma, for consumption.

Dated:

/s/ Luther Behanen

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert H. Bryant

HUBERT H. BRYANT
Assistant U. S. Attorney

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

JERRY V. JONES,

Plaintiff

vs

SCHOLLE DALLAS CORPORATION,
an Illinois Corporation; DOUGLAS
EQUIPMENT, INC., an Illinois
Corporation, and STEVE WRAY STRICKLIN,
an individual,

Defendants

CIVIL NOS. 6582 and
6583

[Consolidated]

FILED

JUN 26 1967

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

ORDER

Now on this 2nd day of June, 1967, the above captioned cases being consolidated for jury trial, came on for hearing. The plaintiff having introduced all evidence she had concerning the responsibility of Douglas Equipment, Inc., an Illinois Corporation, the court entertained Douglas Equipment's motion to dismiss. It appearing from the testimony that there was no evidence competent to present a question of fact to the jury as to any liability of Douglas Equipment, Inc., an Illinois Corporation, the court sustained the motion of the Douglas Equipment, Inc., an Illinois Corporation, to dismiss this cause of action as to them.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that both actions be dismissed as to Douglas Equipment, Inc., an Illinois Corporation.

United States District Judge

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

JERRY V. JONES,

Plaintiff

vs

SCHOLLE DALLAS CORPORATION,
an Illinois Corporation; DOUGLAS
EQUIPMENT, INC., an Illinois
Corporation, and STEVE WRAY STRICKLIN,
an individual,

Defendants

CIVIL NOS. 6582 and
6583

[Consolidated]

FILED

JUN 26 1967

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

ORDER

Now on this 2nd day of June, 1967, the above captioned
cases being consolidated for jury trial, came on for hearing.
The plaintiff having introduced all evidence she had concerning
the responsibility of Douglas Equipment, Inc., an Illinois
Corporation, the court sustained Douglas Equipment's motion
to dismiss. It appearing from the testimony that there was no
evidence competent to present a question of fact to the jury as
to any liability of Douglas Equipment, Inc., an Illinois
Corporation, the court sustained the motion of the Douglas
Equipment, Inc., an Illinois Corporation, to dismiss this cause
of action as to them.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by
the court that both actions be dismissed as to Douglas Equipment,
Inc., an Illinois Corporation.

United States District Judge

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

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION
OF COFFEYVILLE, KANSAS,)
)
) Plaintiff,)

vs)

No. 6594)

MELVIN GRIFFITH, MILDRED GRIFFITH,)
LEONA SPARKS, DR. JOSE FRANCISCO DE A. LIMA,)
M. D., O. H. HOLMAN, ELSIE DART, AILEEN HANEY,)
Administratrix of the Estate of Jess Haney, Deceased,)
RICHARD L. WHEATLEY, JR., JAMES EDWARD BLEVINS,)
NEOSHO NURSERIES COMPANY, a Corporation, GLADYS)
ELSHEIMER, AFTON COOPERATIVE ASSOCIATION, an)
Oklahoma Corporation, HAROLD WHITAKER, COUNTY)
TREASURER OF NOWATA COUNTY, OKLAHOMA, and)
COUNTY SHERIFF OF NOWATA COUNTY, OKLAHOMA,)
Defendants.)

FILED

JUN 26 1967

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

JUDGMENT OF FORECLOSURE

This cause comes on for trial this *26th* day of June, 1967, before the Honorable Luther Bohanon, Judge of this Court. Plaintiff, First Federal Savings and Loan Association of Coffeyville, Kansas, appearing by its officers and its attorneys, Brewer & Worten. The Court, after examining the files and pleadings in this cause, finds that the Defendants, O. H. Holman, Melvin Griffith and Mildred Griffith, have been duly served with summons in this cause and that the Defendant, Dr. Jose Francisco De A. Lima, M. D., has been properly served by publication of order of this Court to appear or plead in this cause and the Court ORDERS, ADJUDGES, AND DECREES that said publication service upon the last mentioned Defendant, be and is hereby regular in all respects and it further appearing to the Court that the aforementioned Defendants, to wit: O. H. Holman, Melvin Griffith, Mildred Griffith, and Dr. Jose Francisco De A. Lima, M. D., have failed to plead or otherwise defend,

and the Clerk of the United States District Court, pursuant to Federal rules of civil procedure, has entered default as against said Defendants. IT IS ORDERED, ADJUDGED, AND DECREED that the entry of said default as against said Defendants by the Clerk, was legal and proper and the Court hereby approves same and adjudges said last mentioned Defendants in default.

It further appearing to the Court that the Plaintiff has filed dismissal of its complaint as against the originally named Defendants, Claude Stamper and R. L. Stamper, and that the remaining Defendants have filed answers or disclaimers in this cause and have further, through their respective counsel, executed and filed stipulation for entry of judgement. Whereupon, Plaintiff in open Court, waives jury and presents its evidence and argument and the Court, after hearing the evidence FINDS AND DECREES that the jurisdictional allegations contained in Plaintiff's Complaint are true and that this Court has jurisdiction of the parties and of this cause of action.

The Court further finds that Plaintiff elects, under the terms of its mortgage to have said property sold at foreclosure sale with appraisalment.

IT IS FOUND, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that on July 20, 1965, the Defendants, Melvin Griffith, and Mildred Griffith, were the owners of the fee simple title of the following described real estate, situate in Nowata County, Oklahoma:

The SE/4, and the S/2 of the SE/4 of the SW/4, and the NE/4 of the SE/4 of the SW/4, and the N/2 of the SW/4 of Section No. 2, Township 25 North, Range 17 East of the Indian Meridian, excepting unto previous grantors as their interest appears of record in the office of the County Clerk, Nowata County, Oklahoma, a full undivided one-half interest in and to all of the oil, gas, coal and other minerals in and under said real estate, together with the right of ingress and egress to and from said property at all times for the full enjoyment thereof, and together with the right to use so much of the surface thereof as may be necessary for the development thereof under existing methods or any other method, containing 270 acres, more or less in Nowata County, Oklahoma;

and on said date, in consideration of a loan from Plaintiff in the principal sum of Twenty-two thousand dollars and no cents (\$22,000.00), executed a note in favor of the Plaintiff and as security for payment of said sum, executed a mortgage covering

the above described real estate, as alleged in the Complaint; that the Defendant, Dr. Jose Francisco De A. Lima, M. D., owned no interest in the aforescribed real estate but signed the above referred to note as alleged in the Complaint; that said mortgage was recorded in the office of County Clerk of Nowata County on July 21, 1965, in Book 436 at Pages 13 and 14; that on December 11, 1965, the Defendants, Melvin Griffith and Mildred Griffith, being the owners of the aforescribed real estate, conveyed same by Warranty Deed to the Defendant, Leona Sparks, which deed was recorded December 20, 1965, in the office of County Clerk of Nowata County, Oklahoma, in Book 437 at Page 324, who thereby became owner of said real estate, subject to the mortgage indebtedness aforementioned.

IT IS FURTHER FOUND, ORDERED, ADJUDGED AND DECREED that the Defendant, Dr. Jose Francisco De A. Lima, M. D., has at no time had any right, title, interest or claim in and to the aforescribed real estate and the Defendants, O. H. Holman, Elsie Dart, Aileen Haney, Administratrix of the Estate of Jess Haney, Deceased, Richard L. Wheatley, Jr., James Edward Blevins, Neosho Nurseries Company, a Corporation, Gladys Elsheimer, Melvin Griffith, Mildred Griffith, Afton Cooperative Association, an Oklahoma Corporation, Harold Whitaker, County Treasurer of Nowata County, Oklahoma and the Sheriff of Nowata County, Oklahoma, have no interest, right, claim or title in and to the aforescribed real estate by virtue of judgments obtained, or suits pending, or mortgages, or tax warrants wherein the Defendant, Dr. Jose Francisco De A. Lima, M. D., is the judgment debtor, defendant, mortgagor, or debtor for unpaid personal taxes for the reason that the said Defendant, Dr. Jose Francisco De A. Lima, M. D., has at no time had any right, title, interest or claim in and to the above described real estate.

IT IS FURTHER FOUND, CONSIDERED, ORDERED, ADJUDGED AND DECREED that the semi-annual interest payment of Seven hundred fifteen dollars and No cents (\$715.00), due January 20, 1966, under the terms of the note and mortgage,

was paid when due; that the payment of principal and interest due July 20, 1966, and future payments thereafter, have not been made and that as of July 21, 1966, the date of default, the Plaintiff elected, under the terms of the note and mortgage, that the entire unpaid balance of the indebtedness be immediately due and payable; that it has been necessary for Plaintiff to employ attorneys to foreclose said mortgage and to expend \$31.00 for abstracting, and to advance all costs of foreclosure and to advance and pay the 1966 ad valorem taxes against said land in the sum of \$281.06 and penalty in the sum of \$16.86, for a total of \$297.92; that as of the day of default, to wit: July 21, 1966, there was due and owing the principal sum of \$22,000.00, plus \$715.00 interest, or a total of \$22,715.00, all of which, together with taxes, abstracting, costs, attorneys' fee and interest are due, owing and unpaid and are a first lien on the aforescribed real estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff have judgment against the Defendants, Melvin Griffith, Mildred Griffith, and Dr. Jose Francisco De A. Lima, M. D., and each of them, in the sum of \$23,043.92, with interest thereon at ten percent (10%) per annum from July 21, 1966, until paid, and for all costs accrued and accruing in this cause, and further judgment in the sum of \$2,274.60 for its attorneys' fees, as provided in the note and mortgage; said judgment is adjudged to be a first lien on the hereinbefore described real estate; that the other Defendants and cross-petitioners herein, have no right, title or interest in and to the said real estate except the Defendant, Leona Sparks, and the Defendants, County Treasurer and County Sheriff of Nowata County, whose interest in said land is subordinate and inferior to the first mortgage lien judgment of Plaintiff.

IT IS FURTHER FOUND, CONSIDERED, ORDERED, ADJUDGED AND DECREED that special execution and order of sale be issued and the United States Marshall shall levy upon the hereinbefore described real estate and after having same appraised, as provided by law, shall proceed to advertise and sell the same according to law, and

apply the proceeds derived from said sale, first, to payment of cost of sale and all costs in this case accrued and accruing; second, to payment of Plaintiff's judgment, including interest, expense and attorneys' fees; third, to the payment in satisfaction of alias tax warrant in the hands of the Sheriff of Nowata County, Oklahoma, for unpaid personal taxes of the Defendant, Leona Sparks; fourth, the balance, if any, to be paid to Defendant, Leona Sparks.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that from and after sale of said lands and tenements hereinbefore described, under and by virtue of this judgment and decree, that the Defendants and cross-petitioners in this cause, and each and all of them, and all persons claiming under them or any of them since the commencement of this action, be and are forever barred and foreclosed of and from all liens upon, right, title, interest, estate or equity, in or to said lands, and are perpetually enjoined and restrained from asserting interest, claim or right as against the purchaser at said United States Marshall's foreclosure sale.

Luther Bohanon, Judge of United States
District Court, Northern District of
Oklahoma

APPROVED:

Brewer & Worten
Brewer & Worten, Attorneys for Plaintiff

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

STATE BANK OF GROVE, OKLAHOMA,)
Plaintiff,)

vs.)

STEAM INJECTION CORPORATION, a)
corporation; GARY B. JOHNSON; R. W.)
WOOD; and S. A. GILLIARD,)
Defendants.)

Civil Action File
No. 67-C-46

FILED

JUN 26 1967

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

JUDGMENT

ON this 26th day of June, 1967, this cause, having been regularly assigned upon application of plaintiff for Motion for Default Judgment, comes on to be heard in its regular order. Plaintiff is represented by its attorney of record, Louis Levy of Schuman, Pray & Levy, 1109 Petroleum Club Building, Tulsa, Oklahoma, and the defendants came not but made default.

THE Court finds from the evidence offered by the plaintiff as follows:

(1) THAT plaintiff, State Bank of Grove, Oklahoma, is a state bank organized under the laws of the State of Oklahoma, and is located at Grove, Oklahoma, Delaware County, in the Northern District of Oklahoma. Defendant, Steam Injection Corporation, is a corporation incorporated under the laws of the State of Kansas; the defendant, Gary B. Johnson, is a citizen of the State of Texas residing therein at 506-A Great Southwest Apartments, Avenue J East, Grand Prairie, Texas; that defendant, R. W. Wood, is a citizen of the State of Texas, residing therein at 112 East Oak, Palestine, Texas; defendant, S. A. Gilliard, is a citizen of the State of California, residing therein at 4741 Scripps Court, Ventura, California.

(2) THE matter in controversy exceeds, exclusive of interest and costs, the sum of Ten Thousand Dollars (\$10,000.00).

(3) THAT this is an action on a promissory note, made and executed in Delaware County, Oklahoma, on the 5th day of February, 1966, by and between the plaintiff and defendant corporation; payment thereof, jointly and severally guaranteed by defendants Gary B. Johnson, by R. W. Wood; and S. A. Gilliard.

That defendant corporation on February 5, 1966, at Delaware County, Oklahoma, in the City of Grove, executed and delivered by its President, Gary B. Johnson, to plaintiff a promissory note whereby defendant corporation promised to pay to plaintiff on February 5, 1967, the sum of Fifteen Thousand Dollars (\$15,000.00) for value received, with interest thereon at the rate of eight per cent (8%) per annum until paid, with interest payable semi-annually.

(4) THAT the defendants Gary G. Johnson, R. W. Wood, and S. A. Gilliard, then and there, and as part of the same transaction, did, jointly and severally, guarantee the payment of the same and delivered said promissory note to plaintiff and promised to pay to plaintiff on February 5, 1967, the sum of Fifteen Thousand Dollars (\$15,000.00), for value received, with interest thereon at the rate of eight per cent (8%) per annum until paid, with interest, payable semi-annually.

(5) THAT a true and correct copy of the promissory note sued upon is attached to the petition of plaintiff filed in the above-styled and numbered cause and marked Exhibit "A".

(6) THAT defendants, on February 8, 1966, executed and delivered to plaintiff a security agreement as collateral for said promissory note. A true and correct copy of the security agreement sued upon is attached to the petition of plaintiff filed in the above-styled and numbered cause and marked Exhibit "B".

(7) THAT said security agreement provides that should default be made by the debtor in the payment of any obligation contained in same, the Bank shall be entitled to the immediate possession of all the collateral, and the debtors are required to assemble their collateral and make it available to plaintiff at a place to be designated by plaintiff. That plaintiff shall be reimbursed for all expenses included in re-taking, holding, preparing for sale, advertising and selling, and reasonable attorney's fees and legal expenses of the plaintiff. That plaintiff is the "Bank" referred to in the aforesaid security agreement.

(8) THAT plaintiff, on January 3, 1967, filed and recorded said security agreement in the County Court of Val Verde, State of Texas, and that plaintiff, on February 28, 1967, filed said security agreement in the County Court of Shawnee, State of Kansas.

(9) THAT the intangible tax laws of the State of Oklahoma have been complied with by plaintiff.

(10) THAT plaintiff is entitled to judgment against the defendants as prayed for in their complaint, and additionally, for an amount of monies for the cost of litigation hereof in the amount of \$ 170.52 and an attorney's fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) which sum is determined by the Court to be reasonable for the use and benefit of their attorneys of record.

(11) THAT the defendants, R. W. Wood and S. A. Gilliard, were duly served with summons personally by the United States Marshall; that defendant, Steam Injection Corporation has been duly served with summons by personally serving its registered agent; that Gary B. Johnson, has been duly served with summons by the United States Marshall by leaving a copy of the summons with a member of his family over the age of fifteen (15) years; all as appears from the records on file in the above-styled and numbered cause. That service of summons is proper, legal and valid, conveying jurisdiction

of this Court as to said defendants. That more than one hundred (100) days have elapsed since defendants were served with summons and said defendants have failed to answer, appear or otherwise plead herein and are in default.

IT IS ORDERED that plaintiff have and recover money judgment against the defendants for the sum of Fifteen Thousand Dollars (\$15,000.00) with eight per cent (8%) per annum from February 6, 1966.

IT IS FURTHER ORDERED that plaintiff have re-delivered to its possession and control, within fifteen (15) days from date of judgment, at Degen Pipe & Supply Company yard, 4900 Southwest Boulevard, in the City of Tulsa, State of Oklahoma, at the sole expense of the defendants, and by the defendants and/or their agents, servants or employees, all items of equipment listed on the security agreement (Exhibit "B" to the complaint herein filed), and that said defendants are enjoined and restrained from otherwise disposing of same. Plaintiff is thereafter authorized to accept same for any or all purposes as may be provided in said security agreement (Exhibit "B" to the complaint herein) and/or the Uniform Commercial Code of the State of Oklahoma, referred to as Title 12A Oklahoma Statutes, Sections 1-101 to 10-104.

IT IS FURTHER ORDERED that plaintiff is entitled, under this judgment, to exercise its discretion in the satisfaction of said judgment to the extent that it may either sell any or all equipment listed on said Exhibit "B" of the complaint in satisfaction of the debts thereby secured or may, alternately, first execute upon the money judgment or may proceed to satisfy its judgment by all proper means concurrently and at the same time, without waiving rights to otherwise proceed.

IT IS FURTHER ORDERED that recover of the defendants costs of this action taxed at \$ ^{170.52}~~150.00~~, and attorney's fees in an amount of Two

118
6/21/67

Thousand Five Hundred Dollars (\$2,500.00), for all of which let execution
issue.

W. Luther Bohannon
Judge, United States District Court
for the Northern District of the State
of Oklahoma

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

FILED

BILLIE BAKER, Administratrix of the
Estate of John William Baker, deceased,

) JUN 27 1967

(Previously Billie L. Baker, surviving
mother of John William Baker, deceased)

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

Plaintiff,

-vs-

) NO. 6500 - CIVIL

SOUTHERN KANSAS GREYHOUND LINES, INC.,
and JOHN P. MOUDY, an individual,

(Previously Jefferson Transportation
Co., and John P. Moudy, an individual)

Defendants.

MOTION FOR DISMISSAL WITH PREJUDICE

Comes now the plaintiff and the defendants and move to dismiss
this cause with prejudice stating to the Court that the matter has
been disposed of by settlement.

GERALD D. SWANSON

By Gerald D. Swanson

KNIGHT & WILBURN

By G. D. Swanson

Attorneys for Plaintiff

HUDSON, WHEATON & BRETT

By H. D. Beckwith

RUCKER & TABOR

By B. W. Tabor

Attorneys for Defendants and
Cross-Complainant

ORDER OF DISMISSAL WITH PREJUDICE

On proper showing by all the parties that this matter has been
disposed of by agreement and considering the Motion For Dismissal With
Prejudice, the motion is hereby sustained and this case is hereby
dismissed with prejudice to the rights of all parties claiming herein.

Noble C. Hood

Judge of the United States District
Court for the Northern District of
Oklahoma

UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

Billie Baker, Administratrix of the)
Estate of John William Baker, deceased,)
(Previously Billie L. Baker, surviving)
mother of John William Baker, deceased))
. . . Plaintiff,)

v.)

Southern Kansas Greyhound Lines, Inc.,)
and John P. Moudy, an individual,)
(Previously Jefferson Transportation Co.,)
and John P. Moudy, an individual))
. . . Defendants.)

No. 6500 Civil

FILED

JUN 27 1967

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

DISMISSAL OF CROSS-COMPLAINT

Comes now the cross-complainant, Southern Kansas Greyhound Lines,
Inc., and moves the court to dismiss said cross-complaint with prejudice to
the right to bring a future action.

Dated this 26th day of June, 1967.

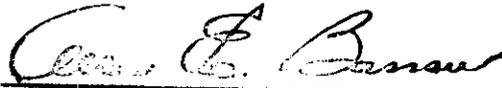


Attorney for Southern Kansas Greyhound
Lines, Inc.,

ORDER

Upon motion of cross-complainant, said cross-complaint is dismissed
with prejudice to the right to bring a future action.

Dated this 27th day of June, 1967.



U. S. District Judge

rdh/mh

6-26-67

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

United States of America,

Plaintiff,

vs.

Civil No. 67-C-32

John Garfield Skaggs and
Judith Ann Skaggs, husband
and wife, and Consumers Credit Corp-
oration of Tulsa,

Defendants.

FILED

JUN 28 1967

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

J U D G M E N T

On this 28th day of June, 1967, the above-entitled matter coming on for trial and the Court being advised that the parties, through their counsel, have heretofore agreed and stipulated that judgment in favor of the plaintiff and against the defendants, John Garfield Skaggs and Judith Ann Skaggs, should be entered herein. The Court, having reviewed the files, finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the real property described in said mortgage is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma.

The Court further finds that the defendant, Consumers Credit Corporation of Tulsa, has heretofore filed its Disclaimer herein disclaiming any right, title or interest in and to the real property involved.

The Court further finds that the material allegations of the plaintiff's Complaint filed herein are true; that on November 13, 1963, the defendants, John Garfield Skaggs and Judith Ann Skaggs, husband and wife, executed and delivered their mortgage note in favor of J. S. Gleason, Jr., as Administrator of Veterans' Affairs and his successors in such office and assigns, for the sum of \$10,500.00 with interest thereon at the rate of $5\frac{1}{4}\%$ per annum.

That the defendants have defaulted upon said note by reason of their failure to make the monthly installment due thereon on August 1, 1966, which default has continued.

It is further found that the said defendants, in order to secure the prompt and punctual payment of said note, executed and delivered a mortgage of even date with said note in favor of J. S. Gleason, Jr., as Administrator of Veterans' Affairs, his successors in such office and assigns, which mortgage covers property located within the Northern Judicial District of Oklahoma.

It further appears and the Court does find that by reason of the aforesaid default of the defendants under the terms of the above-described note and mortgage, the defendants are now indebted to the plaintiff and there is now due to the plaintiff from the defendants the sum of \$10,181.13, with interest thereon at the rate of 5½% per annum from August 1, 1966, until paid, plus the cost of this action.

The Court further finds that plaintiff has a first and prior lien on the real property described in the Complaint and the mortgage herein as security for the payment of the aforesaid indebtedness, interest and cost.

The Court further finds that the defendant, John Garfield Skaggs, has heretofore filed his petition in bankruptcy, scheduling the above debt, and on April 25, 1967, he was discharged as a bankrupt.

It is, Therefore, ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, United States of America, have and recover from the defendant, John Garfield Skaggs, judgment in rem, and against the defendant, Judith Ann Skaggs, judgment in personam, for the sum of \$10,181.13, with interest thereon at the rate of 5½% per annum from August 1, 1966, until paid, and for the cost of this action, accrued and accruing.

It further appearing to the Court that the plaintiff elects, under the terms of its mortgage, to have the real property therein described sold with appraisement, such election is hereby approved, and

It is Further ORDERED, ADJUDGED and DECREED that upon failure of the defendants, John Garfield Skaggs and Judith Ann Skaggs, to satisfy the Judgment of the plaintiff, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the following described property, to-wit:

Lot Forty-seven (47), Block Fifty-Two (52), VALLEY VIEW ACRES THIRD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof,

and to apply the proceeds therefrom as follows:

1. In payment of the cost of the sale and of this action.
2. In payment of the plaintiff's judgment in the aforesaid amount.
3. The residue, if any, to be paid to the Clerk of this Court to await further order of the Court.

If the amount derived from the sale is insufficient to satisfy the Judgment, interest and cost of the plaintiff against the defendant, Judith Ann Skaggs, then execution shall issue against the defendant, Judith Ann Skaggs for the remainder unpaid.

It is Further ORDERED and ADJUDGED by this Court that from and after the sale of the real property by virtue of this Judgment and decree, the defendant and each of them, and all persons claiming under them since the filing of the Complaint herein be and they are hereby forever barred and foreclosed of any and every lien upon right, title or interest, or equity, in and to the real estate heretofore described, or any part thereof.

(9) Fred Daugherty
UNITED STATES DISTRICT JUDGE

APPROVED:

s/ Sam E. Taylor

SAM E. TAYLOR
Assistant United States Attorney

Robert E. Parker
ROBERT E. PARKER
Attorney for Defendants,
John Garfield Skaggs and
Judith Ann Skaggs

FILED

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

JUN 29 1967

WESTERN CASUALTY AND SURETY COMPANY,)
a Kansas Corporation,)

Plaintiff,)

-vs-

JACK W. MASTERS and HAROLD O. STOGSDILL,)

Defendants,)

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

NO. 6 4 8 2

J U D G M E N T

NOW on this 29th day of June, 1967, there came on for hearing pursuant to regular assignment, the above captioned matter for trial. The plaintiff appeared by and through its attorney, Alfred B. Knight and the defendant, Jack W. Masters, appeared in person and by his attorney, H. G. E. Hearshal Beauchamp and Dennis Beauchamp. After the testimony of witnesses, the Court being fully advised in the premises, the Court finds the issues in favor of the plaintiff.

IT IS THEREFORE ORDERED, AJUDGED, AND DECREED that in accordance with the Findings of Fact and Conclusions of Law, that the issues are resolved in favor of the plaintiff and that said policy of insurance is void.

IT IS FURTHER ORDERED, AJUDGED, AND DECREED that the defendant, Jack W. Masters, be and he is hereby enjoined from in any manner proceeding under and by virtue of the said policy of insurance.

Cecilia E. Barron

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

HARVEY G. COMBS, Insurance
Commissioner of the State of
Arkansas, as Receiver for
Royal Standard Insurance
Company,

Plaintiff,

vs.

OSCAR E. CHAMBERS and
E. FLOYD NIX,

Defendants.

HARVEY G. COMBS, Insurance
Commissioner of the State of
Arkansas, as Receiver for Royal
Standard Insurance Company,

vs.

OSCAR E. CHAMBERS and
E. FLOYD NIX,

Defendants.

June 29, 1967

No. 6520
No. 6521
(Consolidated)

ORDER

The Court has for decision the motions of the defendants to dismiss, and upon consideration of the motion and briefs filed thereon, the Court finds:

These are actions seeking a money judgments against the defendants in the sum of \$388,054.14 and further seeking to have the Court declare the judgments a lien on property alleged to be owned by defendants in Pawnee and Creek County, the legal title to which property is in the name of other parties and corporations.

Service was had on the nonresident defendants by publication, and a personal judgment cannot be obtained against a nonresident by publication service.

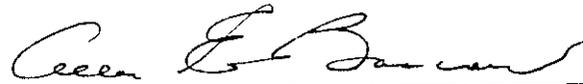
The plaintiff does not now have any lien on property owned by the defendants in Pawnee and Creek County which may be enforced in these actions, and the plaintiff has not sought to seize any property by provisional remedies.

The Court finds that there may be property belonging to the

nonresident defendants within the jurisdiction of this court is not sufficient to give the court jurisdiction of these actions since, in actions where service is had by publication, the court's jurisdiction depends upon the control by the court of the property. Waldock v. Atkins, 158 Pac. 586; Pettis v. Johnston, 190 Pac. 681, 696.

IT IS, THEREFORE, ORDERED that the motions to dismiss are sustained, and the actions are dismissed.

DATED this 29th day of June, 1967.



UNITED STATES DISTRICT JUDGE

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

C.C. BLEDSOE and)
SAMMIE BLEDSOE,)
)
Plaintiffs,)
)
vs.)
)
THE UNITED STATES OF)
AMERICA,)
)
Defendant.)

Civil No. 67-C-9

FILED

JUN 29 1967

DECREE

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

This action was tried before the Court without a jury on the 20th day of June, 1967, at Tulsa, Oklahoma. The Plaintiffs appeared in person and by their attorneys, James M. Sturdivant of Gable, Gotwals, Hays, Rubin & Fox, and the Defendant appeared by Peter Winstead and John O. Jones, attorneys, Department of Justice. The Court having heard the evidence offered by the parties, reviewed the briefs and the Court having filed its Findings of Fact and Conclusions of Law, it is hereby

ORDERED, ADJUDGED AND DECREED that the Plaintiffs, C.C. and Sammie Bledsoe, have judgment against the Defendant, United States of America, in the sum of Three Thousand Six Hundred Fifty-Three and 90/100ths Dollars (\$3,653.90), with interest at the rate of 6% per annum from October 21, 1965, until paid, and for their costs, to be hereinafter taxed, on notice by the Clerk.



United States District Judge

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

FILED

JUN 30 1967

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

NELL MILLS,)
Plaintiff,)
)
vs.)
)
)
UNITED STATES OF AMERICA,)
Defendant.)

NO. 5998

CIVIL

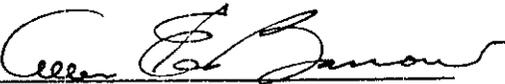
J U D G M E N T

The above cause having been heard by this court on various motions and by various pre-trial conferences and the case having been briefed by the parties to the court, the same was set for trial on its merits and the same did come on for non-jury trial on the 21st day of June, 1967, and the plaintiff appearing by her attorneys, Robert Earl Jones and Dan A. Rogers, and the defendant appearing by its attorney, John O. Jones, attorney for the Tax Division of the Department of Justice, the court having heard the opening statements of counsel and the testimony of witnesses and having read and studied the stipulations between the parties and the documentary evidence presented and having heard the argument of counsel and having reviewed the briefs previously presented by all counsel involved and being fully informed regarding all of the material facts and the applicable law and having directed Findings of Fact and Conclusions of Law and upon consideration of the said cause,

IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment of and from the defendant in the principal sum of One Thousand Five Hundred Fifty-Five and 06/100 Dollars (\$1,555.06) for the refund of income taxes and Three Hundred Five and 03/100 (\$305.03) for the refund of interest paid by the plaintiff for the year 1959, the sum of Five Hundred Fifty-Five and No/100 Dollars (\$555.00) for income taxes and Seventy-Five and

65/100 Dollars (\$75.65) for interest paid by plaintiff for the year 1960, and the sum of Five Hundred Fifty-Five and No/100 Dollars (\$555.00) for income taxes and Forty-Two and 44/100 Dollars (\$42.44) for interest paid by plaintiff to defendant for the year 1961.

IT IS BY THE COURT FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff have judgment against defendant for interest at the rate of Six Per Cent (6%) per annum on the aforesaid principal sums for which judgment is hereby entered from the date of payment of such taxes and interest by plaintiff to defendant, to-wit, from and after August 7, 1963, until paid.


ALLEN E. BARROW
United States District Judge

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

WARREN E. INMAN)
Plaintiff)
vs.) No. 67-C-45
RICHARD C. TALBERT, et al)
Defendants)

FILED

JUN 30 1967

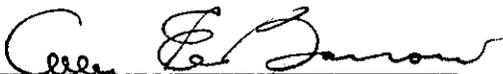
ORDER OF REMAND

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

There comes on for consideration the motion of the plaintiff to remand filed by the plaintiff in the above styled cause, and the brief in support thereof. The Court, after reading the pleadings and the brief, finds that the motion to remand should be sustained for the reason that the petition for removal was not timely filed.

IT IS, THEREFORE, ORDERED that the motion of plaintiff to remand this cause be and it is hereby sustained, and the cause is remanded to the District Court of Tulsa County, Oklahoma, for further proceedings.

DATED this 30th day of June, 1967.


C. E. Brown
United States District Judge