

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC - 1 1967

CIVIL ACTION
FILE NO. 67-C-110

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

SECURITIES AND EXCHANGE COMMISSION, Plaintiff,	}	ORDER DENYING PLAINTIFF'S MOTIONS
vs		TO AMEND FINDINGS OF FACT AND CON-
COMMUNITY NATIONAL LIFE INSURANCE COMPANY, ET AL.,	}	CLUSIONS OF LAW, TO MAKE ADDITIONAL
Defendants.	}	FINDINGS OF FACT AND CONCLUSIONS OF
		LAW, TO VACATE THE ORDER DENYING
		PLAINTIFF'S MOTION FOR PRELIMINARY
		INJUNCTION AND GRANTING DEFENDANT'S
		MOTION TO DISMISS COMPLAINT; AND F
		LEAVE TO FILE ADDITIONAL AFFIDAVIT
		OR TAKE ADDITIONAL TESTIMONY; AND
		SUSTAINING DEFENDANT'S MOTION FOR
		ADDITIONAL FINDINGS.

The plaintiff having filed its motions to amend the Findings of Fact and Conclusions of Law respecting defendant Lyndon L. Pearson entered on September 29, 1967, and to make additional Findings of Fact and Conclusions of Law respecting defendant Lyndon L. Pearson, and to vacate the Order denying plaintiff's motion for preliminary injunction and granting defendant Lyndon L. Pearson's motion to dismiss the plaintiff's complaint, and for leave to file additional affidavits or in the alternative to take additional testimony, and the Court having considered said motions,

It is ordered: That said motions, and each of them, be and the same are hereby denied.

The Court, in its Order heretofore entered on the 29th day of September, 1967, sought to make it clear that defendant Lyndon L. Pearson was not guilty of the violations complained of by the plaintiff; however, the Court notes that the plaintiff has requested the Court to make a specific finding regarding violations of specific sections of the Securities Act of 1933 and the Securities Exchange Act of 1934 and rules thereunder. In reply to plaintiff's request, defendant Lyndon L. Pearson moved that the Court find him not guilty of said sections of said Acts; and, this Court does hereby determine:

The findings of fact filed September 29, 1967, are supplemented as follows:

Finding 8: The defendant, Lyndon L. Pearson, is not guilty of any violations of Section 5(a) and (c) or Section 17(a) of the Securities Act of 1933; or Section 10(b) of the Securities Exchange Act of 1934, or Rules 10b-5 and/or 10b-6 thereunder.

It is ordered that the judgment in this action entered on September 29, 1967, be affirmed.

Dated this 1st day of December, 1967.


United States District Judge

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

W. WILLARD WINTZ, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR)
)
Plaintiff)
)
v.)
)
TULSA ACOUSTICAL COMPANY, A)
CORPORATION)
)
Defendant)

CIVIL ACTION

FILE NO. 67-C-70

FILED

DEC - 4 1967

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

J U D G M E N T

Plaintiff, hereinafter called the Secretary, United States Department of Labor, having filed his complaint, and the defendant having appeared by counsel and waived answer herein, agrees to the entry of this judgment without contest. It is, therefore, upon motion of the attorneys for plaintiff, and for cause shown:

ORDERED, ADJUDGED and DECREED that defendant, its agents, servants, officers, employees and all persons acting or claiming to act in its 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, 52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), hereinafter referred to as the Act, in the following manner:

(1) Defendant shall not, contrary to Sections 7 and 15(a)(2) of the Act, employ any of its employees engaged in interstate commerce, or in the production of goods for interstate commerce, or in an enterprise engaged in interstate commerce or in the production of goods for interstate commerce, as those terms are defined by the Act, for a work week longer than 40 hours, unless

such employees receive compensation for their employment in excess of 40 hours in each work week at a rate not less than one and one-half times the regular rate at which they are employed.

(2) Defendant shall not fail to make, keep and preserve records of its employees and of the wages, hours or other conditions and practices of employment maintained by it, as prescribed by the Regulations of the Administrator issued, and from time to time amended, pursuant to Section 11(c) of the Act, and found in Title 29, Chapter V, Code of Federal Regulations, Part 516.

(3) Based upon a stipulation of the parties that for the period from January 1, 1965 to December 1, 1966, defendant underpaid the employees listed on the exhibit attached hereto, contrary to Sections 7 and 15(a)(2) of the Act, in the amounts set opposite their respective names on said exhibit, defendant is further enjoined and restrained from withholding from said employees the said unpaid overtime compensation in the total amount of \$9,390.78, to which they are entitled under the Act. The provisions of this paragraph of this order shall be deemed satisfied when defendant delivers to the plaintiff a certified check for \$9,390.78 (less appropriate tax deductions). The plaintiff shall distribute the proceeds of the check to the persons named on the exhibit attached hereto, 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 it, shall be covered into the Treasury of the United States as miscellaneous receipts; and it is

Further ORDERED, ADJUDGED and DECREED that no cost be taxed against either party in this case.

Dated this _____ day of _____, 1967.

United States District Judge

Entry of this judgment is
hereby agreed to:

TULSA ACOUSTICAL COMPANY, A CORPORATION

By _____
President

Attorney for Defendant

Attorney for Plaintiff

Jack B. Adams	\$ 62.40
David M. Arnold	32.32
Johnny Barbee	17.27
Garland G. Barkley	9.00
Frank F. Bates	270.20
Gerald Leon Carter	86.45
Fred W. Causeley	17.75
Lawrence E. Chapman	16.00
Julius A. Cooper, Jr.	60.69
C. W. Crupper, Jr.	106.40
Bill Dampf	428.15
Urban L. Dampf	151.30
Ronnie Dampf	17.00
Ruel B. Dampf	95.60
Robert H. Dugan	137.75
Charley Edwards	437.85
Dennis Edwards	424.67
Bill Gaither	46.00
Charles Gaither	135.00
George Guinn	36.00
Jack Guthrie	72.00
Gene Hailey	63.00
Billy Lee Holman	401.99
Jimmy Lee Holman	124.26
John Holman	209.73
Kelsey Holman	99.00
Jesse Hunt	452.23
James W. Kennon	29.00
Nolan D. Lerbo	209.00
Ronald Leach	131.03

Bob Payne	\$301.15
Ron Perigo	3.33
C. V. Sage-Cole, Jr.	280.05
Jim P. Richardson	529.93
Lawrence L. Rippetoe	712.90
Dewey Rogers	801.41
Dallas H. Scott	27.56
Bobby Jack Smith	86.40
Carl E. Smith	85.73
Howard A. Smith	628.94
J. C. Smith	327.22
Alva Kay Smith	333.86
Elvie D. Stevens	162.40
John B. Thompson	587.18
Steve Trotter	64.50
Larry Keith Turner	75.24
Darrell Whitaker	59.00

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

C. G. JOHNSON,
Petitioner,
vs.
RAY H. PAGE, WARDEN,
Respondent.

67-C-236

FILED

DEC - 5 1967

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

ORDER

The Court has for consideration the Petition for Writ of Habeas Corpus, and being fully advised in the premises, finds:

The petition reflects on its face that petitioner has not exhausted his state remedies.

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

ENTERED this 5th day of December, 1967.


UNITED STATES DISTRICT JUDGE

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

John W. Gailey,

Plaintiff,

vs.

Civil No. 443

John W. Gailey, Secretary of
the United States Marine Corps,

Defendant.

FILED

DEC - 6 1967

ORDER OF DISMISSAL

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

On this 4th day of December 1967, there came on for
hearing the application of the defendant to dismiss the captioned
case for the reason that the parties have stipulated that this action
be dismissed.

It is WHEREFORE ORDERED, ADJUDGED and DECREED that the cause
herein be dismissed based on the Stipulation for Dismissal previously
filed herein.

Luther D. Johnson

UNITED STATES DISTRICT JUDGE

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

United States of America,

Plaintiff,

CIVIL NO. 67-C-32

vs.

John Garfield Skaggs and
Judith Ann Skaggs, husband
and wife, and Consumers Credit
Corporation of Tulsa,

Defendants.

FILED

DEC - 6 1967

NOBLE C. HOOD

Clerk, U. S. District Court

ORDER CONFIRMING MARSHAL'S SALE

NOW, on this 5 day of December, 1967, there comes on
for consideration the Motion to Confirm Sale made by the United States
Marshal for the Northern District of Oklahoma on
under an Order of Sale dated August 4, 1967, of 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, Oklahoma, according to
the recorded plat thereof,

and the Court having examined the proceedings of the United States Marshal
under the said Order of Sale, there being no exceptions thereto and no one
appearing in opposition thereto, finds that due and legal notice of the
sale was given once a week for four (4) consecutive weeks prior to the
date of said sale in the Tulsa Daily Legal News, a newspaper of general
circulation in Tulsa County, State of Oklahoma, and that on the day
fixed therein the aforesaid property was sold to the Administrator of Veterans
Affairs
he being the highest and best bidder therefor.

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the United
States Marshal's Sale made pursuant to the Order of Sale heretofore issued
herein, be, and the same is approved and confirmed.

IT IS FURTHER ORDERED that Doyle W. Foreman, United States
Marshal for the Northern District of Oklahoma, execute and deliver to the
purchaser, Administrator of Veterans Affairs, a good and sufficient deed
for the above-described real property.

APPROVED:


UNITED STATES DISTRICT JUDGE

ROBERT P. GANTZER
Assistant U. S. Attorney

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

FILED

DEC - 6 1967

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

EDWARD C. FULSB,)
Petitioner,)

-vs-

NO. 67-C-215

RAY H. PAUSE, WARDEN OF THE)
OKLAHOMA STATE PENITENTIARY,)
Respondent.)

O R D E R

This cause came on for hearing before this court on November 28, 1967. The petitioner appeared in person and with his attorney appointed by this court, and the respondent appeared through an Assistant Attorney General of Oklahoma. The court finds that the petitioner has exhausted the remedies available to him in the state courts by raising in the Court of Criminal Appeals in a petition for writ of habeas corpus the identical question he raises in the instant habeas corpus proceedings. That court denied the writ. Pause v. Pause, Okl. Cr., 432 P.2d 503.

The petitioner is a state prisoner confined at the Oklahoma State Penitentiary at McAlester, Oklahoma. The undisputed facts are that on June 13, 1955 he was sentenced to a term of 13 years imprisonment by the District Court of Tulsa County after conviction by a jury for the crime of burglary in the second degree, after former conviction of a felony. Judge W. Lee Johnson presided at these proceedings. Thereafter on September 10, 1955, the petitioner was sentenced to a term of 10 years imprisonment by the District Court of Tulsa County after conviction by a jury for the crime of larceny of an automobile, after former conviction

of a felony. Judge Raymond W. Graham presided in this case.

It is the petitioner's contention that his two sentences were to run concurrently, since each of the judgments and sentences stated that they were to begin from the date of his delivery to the warden of the state penitentiary. This contention ignores, however, 21 O.S. 1961 § 61, which provides that,

"When any person is convicted of two or more crimes before sentence has been pronounced upon him for either, the imprisonment to which he is sentenced upon the second or other subsequent conviction, must commence at the termination of the first term or imprisonment to which he shall be adjudged, or at the termination of the second or other subsequent term of imprisonment, as the case may be."

The Court of Criminal Appeals, in the cases of Boarden v. State, Okl. Cr., 362 P.2d 55, Application of Richardson, Okl. Cr., 346 P.2d 954, and Shelby v. Raines, Okl. Cr., 344 P.2d 1069, has had occasion to apply this statute to situations identical to the one now before this court.

IT IS HEREBY ORDERED BY THE COURT that the petition for writ of habeas corpus be denied.

UNITED STATES DISTRICT JUDGE

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

JOSEPH B. PIERSON,

Plaintiff,

vs.

THE CHEROKEE LABORATORIES, INC.,
CARIBE OIL WELL PRODUCTS, INC., and
CHEROKEE LABORATORIES, INC.

Defendants.

No. 6310 Civ.

FILED
IN OPEN COURT

DEC 1967

ORDER OVERRULING MOTION FOR NEW TRIAL

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

Now on this 11th day of December 1967, there came on to be heard pursuant to previous order the Motion for New Trial of plaintiff, Ruby Pierson, executrix of the estate of Joseph B. Pierson, deceased, appearing by her attorney, James R. Eagleton, of Hunt, Eagleton and Eagleton, and defendants appearing by their attorney of record, A. F. Ringold.

After due consideration, it is considered, ordered, adjudged and decreed that plaintiff's Motion for New Trial should be overruled and denied.

William Bohannon
District Judge

action for wrongful death of the said Charles E. D. Stanfield.

(2) The court has heretofore rendered judgment summarily for the defendants as to the second cause of action.

(3) The said Charles E. Stanfield is the duly appointed, qualified, and acting executor of the estate of the said Charles E. D. Stanfield, deceased, and is the only proper person entitled to bring and maintain the balance of this action for and on behalf of the estate of Charles E. D. Stanfield, deceased.

(4) The court has jurisdiction of the subject matter and of the parties.

(5) The defendants, without confession or admission of any liability to plaintiff, have tendered to plaintiff the sum of \$7,000.00, agreeing that judgment may be entered for plaintiff in that amount by way of settlement and compromise of all remaining causes, and for the purpose of ending further litigation in the matter. Plaintiff has accepted the said tender, subject to the approval of the court as to reasonableness and propriety of the settlement.

(6) The court, upon examination of all facts and circumstances presented by statements of counsel, pleadings in the cause, and the results of pretrial conference, finds that the tender in the amount of \$7,000.00, made by defendants and accepted by plaintiff, is a fair and reasonable offer in compromise and settlement of the issues made and joined in this cause between the parties, and that the same should be approved, and, pursuant to agreement reached by the parties, judgment should be entered thereon for plaintiff and against the defendants, finally adjudicating and determining the rights of the parties hereto.

BE IT THEREFORE ORDERED, ADJUDGED, AND DECREED
BY THE COURT that the compromise agreement for settlement and
disposition of all remaining causes herein between the parties
be and the same is hereby approved as fair and reasonable by
the court.

BE IT FURTHER ORDERED that, based upon the compromise
agreement made and entered into between the parties, and approved
by the court, judgment be and is hereby rendered for plaintiff,
Charles E. Stanfield, executor of the estate of Charles E. D.
Stanfield, deceased, and against the defendants, for and in the
sum of \$7,000.00, and the costs of this action, for all of which
let execution issue.

DONE IN OPEN COURT this ____ day of _____,
1967.

United States District Judge

APPROVED:

GERALD E. KAMINS and EDWARD G. LACH

By

Gerald E. Kamins
Attorneys for Plaintiff

SANDERS, McELROY & WHITTEN

By

Boston
Attorneys for Defendants

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

CLARENCE RINKEL and
ELSIE M. RINKEL,

Plaintiffs,

vs.

JOHN HOLT,

Defendant.

No. 6568 ✓

TREO, INC., et al.,

Plaintiffs,

vs.

JOHN HOLT,

Defendant.

No. 67-C-47

FILED

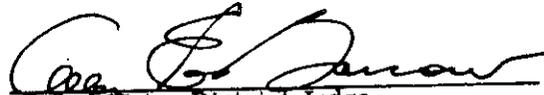
DEC - 8 1967

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

JUDGMENT

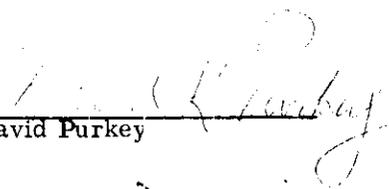
The above entitled actions came on for trial before the Court without a jury on December 7, 1967, the plaintiffs being present through their attorneys, Joe Francis, David Purkey and Paul Drake, the following plaintiffs being present in person: James Woods, Arthur Lee Harms, Donald Webb, Maynard LeBegue, Clarence Rinkel, Elsie M. Rinkel and Roy Iberg, the other plaintiffs not appearing; and the defendant being present in person and through his attorneys, Arthur Meyer and James W. Brown, and the parties having announced ready for trial. The parties stipulated in open court that the cross-complaint against the plaintiffs might be dismissed. It was further stipulated between the parties that plaintiffs were entitled to judgment in accordance with the allegations of the complaints in the amount of \$15,000.00.

IT IS THEREFORE ORDERED AND ADJUDGED that the plaintiffs have judgment against the defendant in the sum of \$15,000.00 and costs. It is further ordered that plaintiffs have judgment against the defendant on the cross-complaint and the same is dismissed with prejudice.

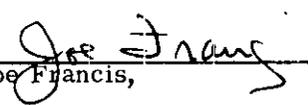

United States District Judge

APPROVED AS TO FORM:


Paul Drake

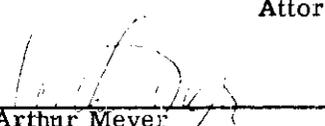


David Purkey



Joe Francis,

Attorneys for Plaintiffs



Arthur Meyer



James W. Brown,

Attorneys for Defendant.

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

FRANK J. HUNTER,)
Plaintiff,)
-vs-)
MISSOURI-KANSAS-TEXAS RAILROAD)
COMPANY, a corporation, and)
ST. LOUIS-SAN FRANCISCO RAILWAY)
COMPANY, a corporation.)
Defendants.)
and)
MISSOURI-KANSAS-TEXAS RAILROAD)
COMPANY, a corporation.)
A Defendant and)
Third Party Plaintiff.)
-vs-)
HALLIBURTON COMPANY,)
a corporation,)
Third Party Defendant.)

FILED

DEC 11 1967

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

No. 6163-Civil

ORDER OF JUDGMENT

Whereas, on September 2, 1966, the Court filed herein an Order reflecting findings of fact and conclusions of law from evidence adduced at an evidentiary hearing on August 30, 1966; and

Whereas, on November 30, 1967, the Court filed herein its Memorandum Opinion reflecting findings of fact and conclusions of law from evidence adduced at the trial of the case held October 17 through October 19, 1967, both inclusive.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the findings of fact and conclusions of law, as set out in the Order filed herein on September 2, 1966, heretofore referred to, together with the findings of fact and conclusions of law set forth in the Memorandum Opinion filed herein on

November 13, 1907, heretofore referred to, are hereby incor-
porated in this Order of Judgment by reference, the same as if
set out in their entirety herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judg-
ment is hereby rendered in favor of the Missouri-Kansas-Texas
Railroad Company, a defendant herein, and against Frank J.
Hunter, the plaintiff herein; and plaintiff's cause of action
against the said defendant, the Missouri-Kansas-Texas Railroad
Company, is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judg-
ment is hereby rendered in favor of the St. Louis-San Francisco
Railroad Company, a defendant herein, and against Frank J.
Hunter, the plaintiff herein; and plaintiff's cause of action
against the said defendant, the St. Louis-San Francisco Railroad
Company, is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judg-
ment is hereby rendered in favor of the Halliburton Company,
third party defendant herein, and against the Missouri-Kansas-
Texas Railroad Company, third party plaintiff herein; and third
party plaintiff's cause of action against the third party defend-
ant, the Halliburton Company, is hereby dismissed.

By J. W. Gault
United States District Judge

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DEC 12 1967

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

United States of America,

Plaintiff,

vs.

780.51 Acres of Land, More or Less,
Situating in Tulsa, Creek and Pawnee
Counties, Oklahoma, and Carl H. Abel,
Jr., et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4927

Tracts Nos. F-616 and

F-616E

(As to all interests not
covered by judgment filed
October 13, 1961.)

J U D G M E N T

1.

NOW, on this 11th day of December, 1967, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on October 23, 1967, and the Court, after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This Judgment applies to the estates taken in the tracts enumerated in the caption above, as such tracts are described in the Complaint and the Declaration of Taking, filed herein, but is limited to the interests left outstanding and unsettled after the entry of judgment filed herein on October 13, 1961. Such outstanding interests are described as being: Unit No. 1 - $\frac{1}{2}$ of the $(\frac{1}{8})$ lessor interest, and all of the $(\frac{15}{16}$ of $\frac{7}{8})$ working interest and $\frac{1}{2}$ of the $(\frac{1}{16}$ of $\frac{7}{8})$ overriding royalty interest in the oil, gas and other minerals under that portion of Tract No. F-616 situated in Lot 5 and the $SW\frac{1}{4}SE\frac{1}{4}$ of Section 10, T. 19 N., R. 8 E., and under all of Tract No. F-616E; and Unit No. 2 - $\frac{1}{2}$ of the $(\frac{1}{8})$ lessor interest, and all of the $(\frac{63}{64}$ of $\frac{7}{8})$ working interest, and all of the $(\frac{1}{64}$ of $\frac{7}{8})$ overriding royalty interest in the oil, gas and other minerals under that portion of Tract No. F-616 situated in Lot 6 and Lot 10 of Section 10, T. 19 N., R. 8 E.

4.

Service of process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tracts of land. Pursuant thereto, on May 18, 1960, the United States of America filed its Declaration of Taking of certain estates in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estates in the subject tracts, a certain sum of money but all of such deposit was disbursed to L. J. Hinton in payment of the award for his interest fixed by the judgment filed herein on October 13, 1961, leaving no funds on deposit for the interests left outstanding.

7.

The Report of Commissioners filed herein on October 23, 1967, hereby is accepted and adopted as a finding of fact as to the subject tracts. The amount of just compensation as to the outstanding interests in the subject tracts, as fixed by the Commission, is set out in paragraph 11 below.

8.

Since there is no money on deposit as estimated compensation for the outstanding interests in the estates taken in the subject tracts, a sum of money sufficient to cover the entire amount of the award for such interests should be deposited by the Government, as shown in paragraph 11 below.

9.

The defendants named in paragraph 11 as owners of the outstanding interests in the subject tracts, as described in paragraph 3 herein, are the only defendants asserting any interest in the estates condemned therein, all other defendants having either disclaimed or defaulted; the named defendants

are the owners of the respective interests in such estates as designated and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power and authority to condemn for public use the subject tracts, as such tracts are described in the Declaration of Taking and the Complaint filed herein, and such property to the extent of the estates indicated and for the uses and purposes described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED and DECREED that the right to receive just compensation for the estates taken herein in the outstanding interests in the subject tracts, as described in paragraph 3 herein, is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of October 23, 1967, hereby is confirmed, the sum therein fixed is adopted as just compensation for such outstanding interests, and the award is allocated among the owners as shown by the following schedule:

TRACTS NOS. F-616 and F-616E

UNIT NO. 1

Being: 1/2 of the (1/8) lessor interest and
All of the (15/16 of 7/8) working interest and
1/2 of the (1/16 of 7/8) overriding royalty interest,
in that portion of Tract No. F-616 situated in
Lot 5 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T. 19 N.,
R. 8 E., and
in all of Tract No. F-616E

Owners:

- A. 1/2 of the (1/8) lessor interest:
R. E. Snell, Jr. - - - - - 1/4 of the (1/8) lessor interest
S. C. Vinson - - - - - 1/4 of the (1/8) lessor interest

Owners (Cont'd):

B. All of the (15/16 of 7/8) working interest:

- First National Bank and Trust
Co. of Oklahoma City
A/c Ed L. Markwell, Jr. - - - - 1875/15,000 of the Working Int.
- Walter O. Heinze and
C. Louise Heinze, Trustees of
William Leroy Phillips Trust - - 175/15,000 of the Working Int.
- Walter O. Heinze and
C. Louise Heinze, Trustees of
Craig Stephens Heinze Trust - - - 175/15,000 of the Working Int.
- Walter O. Heinze and C.
Louise Heinze, Trustees of Robert
W. Phillips, II, Trust - - - - - 175/15,000 of the Working Int.
- Dorothy Ann Heinze - - - - - 175/15,000 of the Working Int.
- Carol M. Phillips - - - - - 175/15,000 of the Working Int.
- Don Richard Heinze - - - - - 175/15,000 of the Working Int.
- W. O. Heinze - - - - - 3,325/15,000 of the Working Int.
- A. N. Spanel - - - - - 8,750/15,000 of the Working Int.

C. 1/2 of the (1/16 of 7/8) overriding royalty interest:

- R. E. Snell, Jr. - - - - 1/4 of the overriding royalty interest
- S. C. Vinson - - - - - 1/4 of the overriding royalty interest

Award of just compensation for entire estate taken in Unit No. 1 - - - - - \$75.00

Allocated:

- To 1/2 of the lessor interest - - \$25.00
- To all of the working interest - - \$25.00
- To 1/2 of the overriding royalty interest - - \$25.00

Deposited as estimated compensation - - - - - None

Deposit deficiency for Unit No. 1 - - - - - \$75.00

UNIT NO. 2

Being: 1/2 of the (1/8) lessor interest and
 All of the (63/64 of 7/8) working interest and
 All of the (1/64 of 7/8) overriding royalty interest,
 in that portion of Tract No. F-616 situated in
 Lot 6 and Lot 10 of Section 10, T. 19 N., R. 8 E.

Owners:

A. 1/2 of the (1/8) lessor interest:

Owned by Bluford W. Miller, now deceased. Robert L. Miller is Executor and entitled to distribution of this share.

B. All of the (63/64 of 7/8) working interest:

- 1. James B. Boren - - - - - 1/4 of the Working Interest
- 2. Ed. L. Markwell, Jr. - - - 1/8 of the Working Interest
- 3. G. M. Pello - - - - - 1/8 of the Working Interest
- 4. A. N. Spanel - - - - - 1/4 of the Working Interest
- 5. W. J. Heinze - - - - - 22% of the Working Interest
- 6. Dorothy Ann Heinze - - - - 0.5% of the Working Interest
- 7. Don Richard Heinze - - - - 0.5% of the Working Interest
- 8. Carol M. Phillips - - - - 0.5% of the Working Interest
- 9. Walter O. Heinze and C. Louise Heinze, Trustees of William Leroy Phillips Trust - 0.5% of the Working Interest
- 10. Walter O. Heinze and C. Louise Heinze, Trustees of Craig Stephens Heinze Trust - - - - 0.5% of the Working Interest
- 11. Walter O. Heinze and C. Louise Heinze, Trustees of Robert W. Phillips, II, Trust - - - - 0.5% of the Working Interest

C. All of the (1/64 of 7/8) overriding royalty interest:

Owned by John K. Gill

Award of just compensation for entire estate taken in Unit No. 2 - - - - - \$429.00

Allocated:

- To 1/2 of the lessor interest - - - - \$204.00
- To all of the working interest - - - \$200.00
- To all of the overriding royalty interest - - - - \$ 25.00

Deposited as estimated compensation - - - - - None

Deposit deficiency for Unit No. 2 - - - - - \$429.00

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the subject interests in the amount of \$504.00,

together with interest on such deficiency at the rate of 6% per annum from May 18, 1960, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tracts in this civil action. An appropriate Order of Distribution will be entered after such deficiency deposit has been made by the Government.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

HUGH FRANK MALONE, Acting Regional
Director of the Sixteenth Region of the
National Labor Relations Board, for and
on behalf of the NATIONAL LABOR RELATIONS
BOARD

Petitioner

v.

TULSA GENERAL DRIVERS, WAREHOUSEMEN AND
HELPERS, LOCAL UNION 523

Respondent

Civil No. 67-C-98

FILED

DEC 12 1967

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

NOTICE OF DISMISSAL PURSUANT TO RULE 41

PLEASE TAKE NOTICE that, pursuant to Rule 41 of the Federal Rules
of Civil Procedure, the above-entitled proceeding is hereby dismissed.

Dated at Fort Worth, Texas, December 11, 1967.

Sanford H. Palmer
Sanford H. Palmer

Counsel for the General Counsel
National Labor Relations Board
Room 8A24, Federal Office Building
819 Taylor Street, Fort Worth, Texas

TO: Maynard I. Ungerman, Attorney for Respondent
Ungerman, Grabel, Ungerman & Leiter
6th Floor, Wright Building
Tulsa, Oklahoma 74103

Mr. Carl Hall, Attorney for Charging Party
905 National Bank of Tulsa
Tulsa, Oklahoma 74103

IT IS SO ORDERED - December 13, 1967

Allan E. Barrow
Allan E. Barrow

United States District Judge

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

GRADY PATTERSON,)
)
 Plaintiff,)
)
 vs.) No. 67-C-155
)
 INTERNATIONAL ALLIANCE OF)
 THEATRICAL EMPLOYEES AND)
 MOVING PICTURE MACHINE OPERATORS)
 OF THE UNITED STATES AND CANADA,)
 and LOCAL UNION NO. 513, a/k/a)
 MOVING PICTURE MACHINE OPERATORS)
 UNION NO. 513,)
)
 Defendants.)

FILED

DEC 13 1967

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

ORDER

This cause having come on for hearing this 11th day of December, 1967, pursuant to regular assignment on the docket of this Court, and the Court having before it the Motion to Dismiss filed by the defendant Local Union No. 513, together with supporting briefs, and the Court having considered said briefs regarding jurisdiction of this Court, finds that the plaintiff has not perfected service on the International Alliance of Theatrical Employees and Moving Picture Machine Operators of the United States and Canada, a nonresident of Oklahoma, and that service has only been perfected upon the Local Union No. 513 (Moving Picture Machine Operators), a resident of Oklahoma, and that therefore no diversity of citizenship exists in this suit.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause of action be, and the same is hereby dismissed, without prejudice, with costs to the plaintiff.

Dated this _____ day of December, 1967.

Allen E. Barrow, United States
District Judge

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

FILED

DEC 15 1967 *Nov*

UNITED STATES OF AMERICA,
Plaintiff,
vs.
SHANGRI-LA RECREATIONAL COMPLEX, INC.,
Defendant.

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

NO. 6215 CIVIL ✓

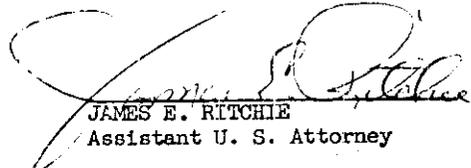
ORDER

On this 11th day of December, 1967, this cause coming on for hearing for disposition and the plaintiff appearing by and through Assistant United States Attorney James E. Ritchie and moving this Court to dismiss this action. And the Court finding that the present action is and was rendered moot by the bankruptcy of defendant Shangri-La Recreational Complex, Inc., in the Northern District of Oklahoma being Bankruptcy No. 65-685.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above case be dismissed upon the motion of the plaintiff and for the reasons set out above.


UNITED STATES DISTRICT JUDGE

APPROVED:


JAMES E. RITCHIE
Assistant U. S. Attorney

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

FRED A. NEWELL,)
Petitioner,)
vs.)
RAY H. PAGE, Warden,)
Respondent.)

No. 67-193 Civil

FILED AND
~~RECEIVED~~

DEC 13 1967

ORDER DISMISSING PETITION FOR WRIT
OF HABEAS CORPUS

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

Petitioner, a State prisoner, has requested relief in habeas corpus from this Court alleging that (1) his State sentencing Judge in the sentences involved allowed him credit on the sentences for time spent in the county jail prior to being convicted, (2) the defendant Warden refuses to allow this credit, (3) if allowed this credit as provided by the sentencing Judge and the sentences themselves, the Petitioner would be entitled at this time to be released from the custody of the Respondent, and (4) that by reason of the foregoing the Petitioner is being illegally detained in violation of his federal constitutional rights.

The effect of the request made to this Court by the Petitioner is that this Court allow the Petitioner jail time credit on his State sentence contrary to the views and decisions of the Defendant Warden and the Oklahoma Court of Criminal Appeals regarding this legal point, (See Newell v. State, 428 P. 2d 348), and then order his release from State custody on the ground that he has served his State sentences and any further detention is without authority and is illegal.

Eight sentences are involved, one for five years, one for seven years, and six for ten years. All were ordered to run concurrently. The sentences did provide that the Petitioner (Defen-

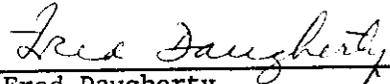
dant therein) be given credit for time in jail since July 12, 1943. No complaint is made herein that the sentences imposed exceeded maximum limits provided by law as to each offense.

The matter of allowing or not allowing credit for jail time, good time or work time on State sentences is a matter of State law. No federal question is raised by State laws and decisions in this area. Johnson v. Beto, 383 F. 2d 197 (Fifth Cir. 1967) relating to sentencing, Gureznski v. Yeager, 339 F. 2d 884 (Third Cir. 1964) relating to discipline, and Burns v. Coonse, 339 F. 2d 883 (Tenth Cir. 1964), cert. denied 380 U. S. 925, 13 L. Ed. 2d 811 relating to good time credits.

Since a federal question is not present in the Complaint raised by the Petition herein, this Court has no jurisdiction to entertain the same. Petitioner's Motion for Appointment of Counsel is denied since this Court has no jurisdiction over the complaint raised herein.

Accordingly, the Petition for Writ of Habeas Corpus filed herein is dismissed.

It is so ordered, this 13 day of December, 1967.



Fred Daugherty
United States District Judge

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

Elizabeth Burton,
Plaintiff,
vs.
United States of America,
Defendant.

CIVIL NO. 5979

FILED

DEC 14 1967

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

ORDER APPROVING COMPROMISE SETTLEMENT

The stipulation of the parties to the above action dated
wherein it is agreed by the defendant, the United States of America, to pay to
plaintiff, Elizabeth Burton, the sum of two thousand five hundred and no/100
dollars (\$2,500.00) 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 attorney's fee in the amount of five hundred dollars
(\$500.00) shall be paid to John W. McCune, 304 Pythian Building, Tulsa, Oklahoma,
attorney of record for the plaintiff, such fee to be paid out of and not in
addition to the amount stated above.

Done this 15 Day of December, 1967.

Walter Robinson
UNITED STATES DISTRICT JUDGE

DEC 14 1967

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

CIVIL ACTION FILE NO. 6476

Alice Harper

vs.

United States of America

JUDGMENT

This action came on for trial (~~hearing~~) before the Court, Honorable ALLEN E. BARROW
, United States District Judge, presiding, and the issues having been duly tried
(~~heard~~) and a decision having been duly rendered,

It is Ordered and Adjudged that the plaintiff Alice Harper, recover of the
defendant, United States of America, the sum of Forty Nine Thousand,
Seven Hundred Seventy Four Dollars and Ninety-Five Cents (\$49,774.95)
with interest thereon at the rate of 6% as provided by law, and her
costs of action.

Dated at Tulsa, Oklahoma, this 14th day
of December, 1967.

NOBLE C. HOOD

Clerk of Court

By:

Geniel Hoover
Deputy

United States District Court

DEC 14 1967

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

CIVIL ACTION FILE NO. 6575

Nancy May Phillips

vs.

United States of America

JUDGMENT

This action came on for trial (hearing) before the Court, Honorable Allen E. Berrow, United States District Judge, presiding, and the issues having been duly tried (heard) and a decision having been duly rendered,

It is Ordered and Adjudged that the plaintiff, Nancy May Phillips, recover of the defendant, United States of America, the sum of Five Thousand (\$5,000.00) Dollars, with interest thereon at the rate of 6% as provided by law, and her costs of action.

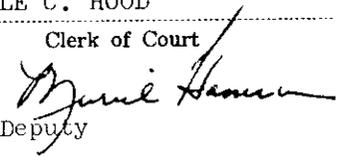
Dated at Tulsa, Oklahoma, this 14th day of December, 1967.

NOBLE C. HOOD

Clerk of Court

By:

Deputy



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

The City of Tulsa, Oklahoma, a)
municipal corporation, for the use)
and benefit of the CITY OF TULSA-)
ROGERS COUNTY PORT AUTHORITY,)
Plaintiff,)

-VS-

10 Acres of Land in Rogers County,)
Oklahoma; JIMMY CHAMBERS, Restricted)
Full Blood Unenrolled Cherokee Indian,)
a/k/a JIM CHAMBERS and JENNY CHAMBERS;)
AREA DIRECTOR, Muskogee Area, Bureau)
of Indian Affairs, United States)
Department of Interior, Successor to)
Superintendent of Five Civilized Tribes;)
and the UNITED STATES OF AMERICA,)
Defendants.)

Civil No. 6608

FILED

DEC 14 1967

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

JOURNAL ENTRY OF JUDGMENT

Now, on this 13th day of December,

1967, the above entitled matter came on for trial before the undersigned Judge upon request for jury trial by the Defendants. The Plaintiff appeared by its attorneys, John Robert Seelye and James R. Jessup, Assistant City Attorneys, and the Defendant, Jimmy Chambers, an unenrolled Restricted Full Blood Cherokee Indian, a/k/a Jim Chambers and Jenny Chambers, appeared by and through her counsel of record, Feagins & Summerlin, by John Charles Feagins, and the Defendants, Area Director, Muskogee Area, Bureau of Indian Affairs, United States Department of Interior, Successor to Superintendent of Five Civilized Tribes, and the United States of America, appeared by and through their counsel of record, Lawrence A. McSoud, United

States Attorney, by Hubert A. Marlow, Assistant United States Attorney, and said Defendants thereupon withdrew their request for a jury trial herein and said parties announced to the Court their written Stipulation filed herein on the 13th day of October, 1967, wherein said parties stipulated and agreed that the sum of \$8,500.00 represented the true value of and damages to the property by virtue of the taking by Plaintiff herein as described in its Complaint in Condemnation filed in the captioned cause, and the Plaintiff, having heretofore deposited said sum with the Clerk of this Court, said Defendants with prejudice to having their damages assessed by a jury, announced their agreement to accept said sum as full payment and compensation for said property and the damages arising by virtue of said taking of any kind or nature whatsoever. And the Court having reviewed and heard the aforementioned announcement in open court, hereby finds that the same is fair and reasonable and approves the withdrawal of a request for jury trial by said Defendants with prejudice to having their damages assessed by a jury.

The Court further finds upon oral stipulation of all parties, by and through their counsel of record, that the Defendant, Jimmy Chambers, Restricted Full Blood Unenrolled Cherokee Indian, was, through scrivener's error, in addition to her correct name, also designated in the pleadings on file herein as "a/k/a Jim Chambers and Jenny Chambers"; that in truth and in fact, "Jim Chambers and Jenny Chambers" are fictitious names and that Jimmy Chambers and "Jim Chambers and Jenny Chambers" are one and the same person.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the request for jury trial filed in behalf of the Defendants upon

request of said parties be, and the same is hereby dismissed with prejudice to having damages assessed by a jury by reason of the taking of the hereinafter described property by the Plaintiff and that the settlement of said parties as above set forth is hereby approved by this Court as full and complete payment and compensation for all damages of whatsoever nature sustained by said Defendants.

IT IS FURTHER ORDERED that fee simple title to the hereinafter described property be and the same is hereby vested in the City of Tulsa, Oklahoma, a municipal corporation, free and clear of any right, title, interest or claim of any kind or nature whatsoever of said Defendants, and that said Defendants shall be forever barred from making any further or additional claims of any right, title, interest or ownership in and to said property and this decree shall operate as a full and complete conveyance to the City of Tulsa, Oklahoma, a municipal corporation, of the fee simple title to the hereinafter described real property, to-wit:

Tract No. 26: Jimmy Chambers, Restricted Full Blood Unenrolled Cherokee Indian, (One and the same person as Jim Chambers and Jenny Chambers) Fee Simple Owner.

Southeast Quarter of the Northeast Quarter of the Southwest Quarter (SE/4 NE/4 SW/4) of Section 7, Township 20 North, Range 15 East, Rogers County, Oklahoma.

DONE in open Court this 13 day of December,

1967.

Lester Bohman

Judge of the District Court

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

CIVIL ACTION FILE NO. 67-C-87

John S. Phillips

vs.

United States of America

JUDGMENT

This action came on for trial (hearing) before the Court, Honorable Allen E. Barrow, United States District Judge, presiding, and the issues having been duly tried (heard) and a decision having been duly rendered,

It is Ordered and Adjudged that the plaintiff, John S. Phillips, recover of the defendant, United States of America, the sum of Twenty Five Hundred (\$2500.00) Dollars, with interest thereon at the rate of 6% as provided by law, and his costs of action.

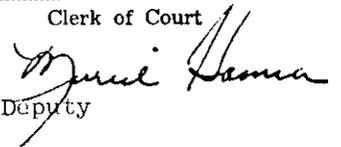
Dated at Tulsa, Oklahoma, this 14th day of December, 1967

NOBLE C. HOOD

Clerk of Court

By:

Deputy



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 14 1967

SECURITIES AND EXCHANGE COMMISSION,
Plaintiff,

vs.

COMMUNITY NATIONAL LIFE INSURANCE COMPANY,
JIMMIE J. RYAN,
H. G. BILL DICKEY,
HOWARD E. TURREL
BRANNON, FULPS & COMPANY,
ARNOLD R. BRANNON,
LYNDON L. PEARSON,
ROY V. MONTGOMERY,
Defendants.

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

CIVIL ACTION
FILE NO. 67-C-110

STIPULATION AND
CONSENT

It is hereby stipulated and agreed by and between Plaintiff Securities and Exchange Commission, and Defendant Roy V. Montgomery as follows:

1. The Defendant Montgomery acknowledges receipt of copies of the complaint filed herein, waives service of summons and admits the jurisdiction of this court over said Defendant and over the subject matter of this action.
2. The complaint states claims upon which relief may be granted.
3. The Defendant Montgomery has heretofore filed answers to the complaint denying the allegations herein.
4. Defendant Montgomery hereby consents to the entry of an Order by the Court prohibiting him from violating Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933, as amended [15 U.S.C. 77e(a), 77e(c) and 77q(a)], and Section 10(b) of the Securities Exchange Act of 1934, as amended [15 U.S.C. 78j(b)], and Rules 10b-5 and 10b-6 thereunder (17 CFR 240.10b-5 and 240.10-6)

conformable to the demands of the complaint herein and Defendant Montgomery hereby acknowledges that before consenting to the entry of such an Order he was advised by counsel that any violation thereof may subject him to penalty of contempt of court.

5. Plaintiff and Defendant Montgomery agree that this Stipulation and Consent shall be incorporated by reference into the aforesaid Order to be entered by the court in this action.

Dated: December 12, 1967

SECURITIES AND EXCHANGE COMMISSION

ROY V. MONTGOMERY

Paul C. Duncan
PAUL C. DUNCAN, Counsel

George F. Saunders
GEORGE F. SAUNDERS, Counsel

BY: M. David Hyman
M. DAVID HYMAN
Attorney

Fredric C. Jacobs
FREDRIC C. JACOBS
Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 14 1967

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

SECURITIES AND EXCHANGE COMMISSION,	:
Plaintiff,	:
	:
vs.	:
	:
COMMUNITY NATIONAL LIFE INSURANCE COMPANY,	:
JIMMIE J. RYAN,	:
H. G. BILL DICKEY,	:
HOWARD E. TURREL,	:
BRANNON, FULPS & COMPANY,	:
ARNOLD R. BRANNON,	:
LYNDON L. PEARSON and	:
ROY V. MONTGOMERY	:
Defendants.	:

CIVIL ACTION
FILE NO. 67-C-110

ORDER

It appearing to the Court that the Defendant Roy V. Montgomery has by written stipulation between Plaintiff and Defendant Montgomery consented to the entry of an Order by the Court conformable to the demands and requested relief of Plaintiff's complaint filed herein;

It further appearing to the Court that pursuant to the said stipulation Defendant Montgomery has filed an answer in this cause, denying any allegations of wrong doing contained in the complaint;

IT IS HEREBY ORDERED that the Defendant Roy V. Montgomery his attorneys, agents and assigns, and any persons or entities acting in concert or participation with him is hereby permanently prohibited and restrained from, directly or indirectly:

- a. Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to offer to sell through the use of medium of any prospectus or otherwise, Class A common stock or any other Class of security of Community National Life Insurance Company, unless and until a registration has been filed with the Securities and Exchange Commission as to such securities, or

while a registration statement filed with the Securities and Exchange Commission as to such securities is the subject of a refusal order or stop order of the Securities and Exchange Commission, or (prior to the effective date of the registration statement) any public proceedings or examination under Section 8 of the Securities Act of 1933.

- b. Making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell Class A common stock or any other class of security of Community National Life Insurance Company through the use of any prospectus, or otherwise, unless and until a registration statement is in effect with the Securities and Exchange Commission as to such securities.
- c. Carrying such securities or causing them to be carried through the mails or in interstate commerce by any means or instruments of transportation for the purpose of sale or delivery after sale, unless and until a registration statement is in effect with the Securities and Exchange Commission as to such securities.

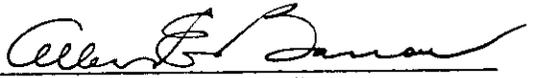
Provided, however, that nothing in the foregoing shall apply to any security or transaction which is exempt from the provisions of Section 5 of the Securities Act of 1933, as amended.

- d. Making use of the means and instrumentalities of interstate commerce, or the mails, or the facilities of any national securities exchange, to bid for or purchase for any account in which Defendant Montgomery has a beneficial interest,

including the account of any nominee of the Defendant Montgomery, or to attempt to induce any person, including any broker or dealer in securities, to purchase any Community National Life Insurance Company security which is the subject of a distribution, or any security of the same class or series, or any right to purchase such security, while Defendant Montgomery is the person on whose behalf such distribution is being made or is otherwise participating in such distribution, until such distribution has been completed, unless the activities of Defendant Montgomery falls within the exemptive provisions of Rule 10b-6 under the Securities Exchange Act of 1934 (17 CFR 240.10b-6) or an exemptive order therefrom is obtained from the Securities and Exchange Commission.

- e. Making use of the means and instruments of interstate commerce, or the mails, or the facilities of any national securities exchange for the purpose of
 - 1. using or employing any manipulative or deceptive device, scheme, artifice or contrivance to defraud in connection with the purchase or sale of any Community National Life Insurance Company security, or any other securities; and particularly
 - 2. making untrue statements of material facts, or omitting to state material facts necessary in order to make statements made, not misleading, in connection with the purchase or sale of any Community National Life Insurance Company security;

3. engaging in any act, practice, or course of business which operates or would operate as a deceit upon any person in connection with the purchase or sale of any Community National Life Insurance Company security; or
4. engaging in any act, practice or course of business of a similar purport or object in violation of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.


UNITED STATES DISTRICT JUDGE

Dated this 14th day of December, 1967.

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

JOSEPH B. ROBERTS,

Plaintiff

-vs-

THE CHEROKEE LABORATORIES, INC.,
CARLEE GILWELL PRODUCTS, INC.,
et al.

Defendants

CIVIL No. 6310

FILED

DEC 15 1967

ORDER

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

The Court heard arguments for motion for new trial on December 11th, 1967 and thereafter signed and entered an order overruling motion for new trial.

The Court desires to further study the file, the briefs and the facts.

IT IS THEREFORE ORDERED that the order filed herein overruling motion for new trial be and the same is set aside, cancelled and held for naught.

DATED this the 14th day of December, 1967.

Luther Bohannon
UNITED STATES DISTRICT JUDGE.

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

JOSEPH K. PIERSON,

Plaintiff

-vs-

THE CHEROKEE LABORATORIES, INC.,
CARIBE OIL WELL PRODUCTS, INC.,
et al.

Defendants

CIVIL No. 6310

FILED

DEC 15 1967

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

ORDER

The Court heard arguments for motion for new trial on December 11th, 1967 and thereafter signed and entered an order overruling motion for new trial.

The Court desires to further study the file, the briefs and the facts.

IT IS THEREFORE ORDERED that the order filed herein overruling motion for new trial be and the same is set aside, cancelled and held for naught.

DATED this the 14th day of December, 1967.


UNITED STATES DISTRICT JUDGE.

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

Parker Square Savings and Loan Association, a corporation,
Plaintiff,
vs.
Commercial National Life Insurance Company, an insurance corporation,
Defendant.

No. 6344 Civil.

FILED

DEC 18 1967

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

ORDER OVERRULING MOTION FOR NEW TRIAL OF
THE DEFENDANT

This case coming on for hearing this 11th day of December, 1967, pursuant to adjournment, and the plaintiff being represented by its attorneys, Cavane, Barber, Benefield & Shelton, and the defendant being present by its attorney H. G. Bill Dickey, and the Court, after hearing testimony by H. G. Bill Dickey and a response by Robert L. Shelton, being otherwise advised in the premises and having admitted certain evidence on the motion for new trial, finds that the motion for new trial should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the motion for new trial of the defendant, Commercial National Life Insurance Company, an insurance corporation, be and the same is hereby overruled and the defendant is hereby granted ten (10) days from this date within which to post its \$3,000.00 appeal bond.



CLERK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MONARCH LIFE INSURANCE COMPANY,
Plaintiff

vs.

HUGH BREEDING, INC., BREEDING SERVICE
AND SUPPLY CO., INC., and CHANDLER,
FRATES AND REITZ,
Defendants

No. 67-C-81

FILED

DEC 18 1967

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

JUDGMENT

Upon and pursuant to the verdicts rendered and entered this date, it is adjudged that plaintiff take nothing against defendant Chandler, Frates and Reitz; and it is further adjudged that plaintiff Monarch Life Insurance Company have and recover of the defendants Hugh Breeding, Inc. and Breeding Service and Supply Co., Inc., jointly and severally, the sum of \$10,165.00 and its costs.

Dated at Tulsa, Oklahoma the 27th day of October, 1967.

United States District Judge

Form approved:

For plaintiff

For defendant Chandler, Frates and Reitz

For defendants Breeding

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

MONARCH INSURANCE COMPANY,

Plaintiff,

HUGH BREEDING, INC., BREEDING SERVICE
AND SUPPLY CO., INC., and CHANDLER,
FRATES and RAITZ,

Defendants.

Civil Action
No. 67-100

FILED

DEC 11 1967

NO. 67-100

ORDER OVERRULING MOTION FOR JUDGMENT
AND FOR NEW TRIAL

District Court

On this 11th day of December, 1967, it is ordered that the motions for judgment and for new trial herein filed by defendants Hugh Breeding, Inc., and Breeding Service & Supply Co., Inc., are overruled.

It is further ordered that execution upon the judgment herein is stayed for 10 days from this date and thereafter pending disposition of any appeal if, on or before said date, supersedeas bond in the amount of \$22,500.00 with surety approved by the clerk is filed herein.

United States District Judge

APPROVED:

Attorney for Plaintiff

Attorney for Defendants Breeding.

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

FILED

DEC 18 1967

LOFFLAND BROTHERS COMPANY,
Plaintiff,
- vs -
ELMER DAVIS, AS REGIONAL DIRECTOR
OF THE SIXTEENTH REGION, NATIONAL
LABOR RELATIONS BOARD,
Defendant.

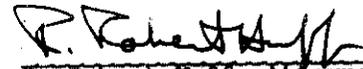
NOBLE C. HOOD
Clerk, U. S. District Court

CIVIL NUMBER

67-C-241

NOTICE OF DISMISSAL BY PLAINTIFF

COMES NOW the Plaintiff, LOFFLAND BROTHERS COMPANY,
and pursuant to Rule 41(a) of the Federal Rules of Civil
Procedure, and prior to Service of Process on the Defendant
herein, and prior to any Answer or the Pleading having
been filed by the Defendant and dismisses the above entitled
action without prejudice.


R. Robert Huff, Attorney for
LOFFLAND BROTHERS COMPANY

Huff and Huff
604 Philtower Building
Tulsa, Oklahoma

United States District Court

DEC 19 1967

FOR THE
NORTHERN DISTRICT OF OKLAHOMA
Clerk, U. S. District Court

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

CIVIL ACTION FILE NO. 67-C-87

John S. Phillips

vs.

United States of America

JUDGMENT

This action came on for trial (hearing) before the Court, Honorable Allen E. Barrow, United States District Judge, presiding, and the issues having been duly tried (heard) and a decision having been duly rendered,

It is Ordered and Adjudged that the plaintiff, John S. Phillips recover of the defendant, United States of America, the sum of Twenty Five Hundred (\$2500.00) Dollars, with interest thereon at the rate of 6% as provided by law, and his costs of action, and that \$1,074.50 is attributed to property loss.

Dated at Tulsa, Oklahoma, this 19th day of December, 19 67

NOBLE C. HOOD

Clerk of Court

BY: *[Signature]*
Deputy

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

LEONARD WADE GARDNER, JR.,

Plaintiff,

vs.

JERRY LANGDON TYE and
MORIARTY MANUFACTURING COMPANY,
INC., a corporation,

Defendant.

NO. 67-C-210

FILED

DEC 29 1967

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

ORDER REMANDING

The Court has for consideration the Motion to Remand of the plaintiff, and having listened to oral argument, perused carefully the briefs of the plaintiff and defendants, and having carefully read the depositions in this action, upon which both plaintiff and defendants rely in support of their position, and being fully advised in the premises, finds:

That the defendants have not sustained their burden of proof on the issue of the citizenship of the plaintiff raised by the plaintiff in his motion to remand.

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

ENTERED THIS 20th day of December, 1967.


UNITED STATES DISTRICT JUDGE

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

United States of America,

Plaintiff,

vs.

James J. Crockett and William F.
Martin, Jr.,

Defendants.

Civil No. 6504

FILED

AUG 21 1967

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

J U D G M E N T

THIS MATTER COMES on for consideration by agreement of the Plaintiff, United States of America, and the Defendant, James J. Crockett, and the Court upon examining the file herein finds that the Plaintiff, United States of America, and the Defendant, James J. Crockett, have heretofore entered and filed a Stipulation and Confession of Judgment herein, which Stipulation and Confession of Judgment is hereby approved.

Pursuant thereto, IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Plaintiff, United States of America, have and recover from the Defendant, James J. Crockett, the sum of \$31,501.55, with interest thereon at the rate of 6% per annum from and after February 19, 1962, plus the court costs of this action accrued and accruing.

Dated this 21st day of August 1967.

APPROVED:

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

Joe Francis
JOE FRANCIS
Attorney for Defendant

Frank Dougherty
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

John Frank Lairson,

Petitioner,

vs.

United States of America,

Respondent.

NO. 67-C-214

FILED

DEC - 5 1967

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

O R D E R

This matter coming on for hearing this 28th day of November, 1967 upon motion of petitioner, John Frank Lairson, to vacate and set aside the judgment of conviction and sentence imposed in Criminal Case No. 14420 in this court. The court finds that petitioner, on November 2, 1967, filed his motion herein pursuant to Title 28, U.S.C., Section 2255, in which he complains and states that "for two months prior to his trial and sentence in this court he was under the influence of narcotics administered by a licensed physician for the purpose of medication. That the purpose of the drugs was to slow down and dull his reaction and emotional reasoning; that the drugs were called phenobarbital and were being administered to him while he was a federal prisoner in the Tulsa County jail awaiting trial. That due to the medication administered to him he was unable to assist his attorney in properly representing him in the criminal case in this district." On petitioner's motion the court allowed, this date, an evidentiary hearing and appointed counsel to represent him and allowed petitioner to subpoena witnesses to assist in proving the allegations in his motion.

From a review of the records, files and transcript of the Criminal Case No. 14420 and upon consideration of the evidence and testimony presented by petitioner and respondent, at the conclusion of the evidentiary hearing the court finds that petitioner did not go to trial on the charge in the criminal case, as alleged in his motion, but entered a plea of guilty to an indictment on January 10, 1967, after having previously entered a plea of not guilty on December 20, 1966.

The court further finds from a review of the records in the criminal case that prior to entering a plea of guilty to the indictment the petitioner was at all times represented by seasoned and experienced counsel. That on April 4, 1967, some three months after petitioner's plea of guilty to the indictment, he was sentenced in this court to a term of twenty (20) years, which sentence was to run concurrently with a sentence imposed in a similar type of offense in the Federal Court in the State of Illinois. From the transcript of the proceedings in the criminal case the court further finds that petitioner voluntarily changed his former plea of not guilty to guilty with no offer of reward and with no force, threats nor promises. With regard to the voluntariness of petitioner's plea of guilty to the criminal indictment, the court takes particular cognizance of the testimony of Mr. Robert Brown, who represented petitioner at all stages of the criminal proceeding and particularly on the date of sentencing, in which testimony Mr. Brown stated that petitioner appeared to fully understand the nature of the charges against him, did not appear to be under the influence of any narcotic or barbituate and at all times acted in a coherent manner.

In consideration of the allegation by petitioner by his motion herein in which he alleges that at the time of his entering a plea of guilty to the indictment he was under the influence of a narcotic called phenobarbital administered by a licensed physician for the purpose of medication, from the evidentiary hearing, the court finds:

By the testimony of the petitioner himself, his allegation is based solely upon the opinion of an inmate under sentence at a Federal institution without the benefit of any chemical analysis whatsoever that the pills administered to him by a physician were phenobarbital.

The court further considers the testimony of the petitioner, who stated that it was Dr. G. H. Henry who administered to him the pills which he claims contained phenobarbital. In considering the testimony of Dr. G. H. Henry, who testified that he did not prescribe a narcotic nor phenobarbital for petitioner, nor were the pills of which petitioner complains composed of narcotics nor phenobarbital and after further considering the testimony of Charles L. Barrow, pharmacist who filled the prescriptions of Dr. Henry for petitioner, and who testified that the pills prescribed for petitioner did not contain any type of narcotic nor phenobarbital whatsoever, the court finds that the pills administered to petitioner during his stay at the Tulsa County jail prior to and at the time of his plea of guilty on January 10, 1967, could not and did not in any way affect his rationale.

The court further finds from the testimony of Arthur L. Shelby, who presented the records of the Tulsa County jail relating to medication administered to petitioner, that no medication of which petitioner complains was administered to him prior to or up to the time he entered his plea of guilty, but on the contrary, the medication administered to him was administered after his plea of guilty, although prior to sentencing, none of which contained any narcotic or phenobarbital compound whatsoever.

Therefore, based upon the records, transcript of proceedings in the criminal case and the evidence adduced at this evidentiary hearing, the court finds that petitioner knowingly and understandingly, freely and voluntarily and not under the influence of any drug or narcotic, was fully aware of what he was doing when he admitted his guilt to the charge in the indictment in the criminal case, and the motion to vacate and set aside the sentence should be overruled and denied for the foregoing reasons.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that petitioner's motion to vacate and set aside judgment and sentence be and it is hereby overruled and denied and petitioner should be returned to the federal institution by the United States Marshal or one of his deputies.

Allen E. Barrett
UNITED STATES DISTRICT JUDGE

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

FILED

DEC 13 1967 *HW*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANGRI-LA RECREATIONAL COMPLEX, INC.,

Defendant.

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

NO. 6215 CIVIL ✓

O R D E R

On this 11th day of December, 1967, this cause coming on for hearing for disposition and the plaintiff appearing by and through Assistant United States Attorney James E. Ritchie and moving this Court to dismiss this action. And the Court finding that the present action is and was rendered moot by the bankruptcy of defendant Shangri-La Recreational Complex, Inc., in the Northern District of Oklahoma being Bankruptcy No. 65-685.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above case be dismissed upon the motion of the plaintiff and for the reasons set out above.


UNITED STATES DISTRICT JUDGE

APPROVED:


JAMES E. RITCHIE
Assistant U. S. Attorney

DR. ALBERT LYONS, WILLIAM ROSENBLATT,
BERNARD A. ROSENBLATT, RICHARD D.
ROSENBLATT and ANN FRANK, Executrix
of the Estate of MARTIN M. FRANK,
Deceased,

Plaintiffs,

JOHN J. SHEA, JR., M. D., L. K. THOMPSON,
JR., NELSE R. THOMPSON, ELLEN S. THOMP-
SON, and LUCIA T. GREENWAY,

Intervening Plaintiffs,

vs.

HOME-STAKE PRODUCTION COMPANY, an
Oklahoma corporation, and ROBERT S.
TRIPPET,

Defendants,

REPUBLIC SUPPLY COMPANY, a Delaware
corporation, CHARLES E. PLUMMER and
ELMER M. KUNKEL d/b/a KUNKEL & COMPANY,

Additional Defendants.

FILED

DEC 27 1967

NOBLE C. HOOD
Clerk U. S. District Court

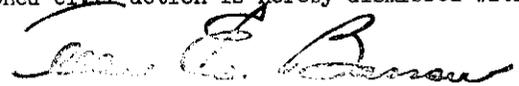
NO. 6 5 4 3

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 9th day of December, 1967 there comes on for hearing before the Court the joint stipulation of dismissal with prejudice made and entered into by and between all of the parties who have appeared in this action, each of them acting through their respective attorneys of record;

And the Court having considered said joint stipulation of dismissal, the Court finds that said joint stipulation of dismissal should be approved in all respects; that this Court should make a judicial determination that the plaintiffs and intervening plaintiffs by reason of the settlement agreement heretofore entered into own no further interest in any annual Home-Stake Production Company programs as of this date; and that all of the parties have stipulated that this civil action should be dismissed voluntarily pursuant to Rule 41 (a) (1) of the Federal Rules of Civil Procedure, with prejudice.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the original plaintiffs and intervening plaintiffs and each of them have no further interest in any annual Home-Stake Production Company programs as of this date and that the above-captioned civil action is hereby dismissed with prejudice.



United States District Judge

APPROVED AS TO FORM:

HOUSTON, KLEIN AND DAVIDSON

By Richard T. Sonberg
Richard T. Sonberg
900 Home Federal Building
404 South Boston
Tulsa, Oklahoma 74103

Attorneys for Original Plaintiffs and Intervening Plaintiffs

THOMAS A. LANDRITH, JR. and
PAT MALLOY

By Thomas A. Landrith, Jr.
Thomas A. Landrith, Jr.
Suite 203 Midstates Building
Tulsa, Oklahoma 74103

Attorneys for Defendants Home-Stake Production
Company, an Oklahoma corporation, Robert S. Trippet and the
heirs, next of kin and Estate of Charles E. Plummer, deceased

R. James Unruh
R. James Unruh
604 National Bank of Tulsa Building
Tulsa, Oklahoma 74103

Attorney for Defendant Republic Supply Company

Joseph E. Roberts
Joseph E. Roberts
Fourth National Bank Building
Tulsa, Oklahoma 74103

Attorney for Elmer M. Kunkel d/b/a Kunkel & Company

FILED

DEC 21 1967

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA
NOBLE C. HOOD
Clerk, U. S. District Court

MIDWESTERN DEVELOPMENTS, INC.,)	
a corporation,)	
)	
Plaintiff,)	
- vs -)	No. 5478 CIVIL
)	
)	
CITY OF TULSA, OKLAHOMA, a)	
municipal corporation,)	
)	
Defendant.)	

JOURNAL ENTRY OF JUDGMENT

THIS MATTER came on for hearing before the undersigned Judge by agreement of counsel, and Plaintiff appeared by its counsel, Robert J. Woolsey, and the Defendant appeared by its counsel, John Robert Seelye, and both sides having represented to the Court that they have reached an agreed settlement of this case in accordance with the opinion of the United States Court of Appeals, Tenth Circuit, on the appeal of this case by the Plaintiff-Appellant, Midwestern Developments, Inc., in their case No. 9097, and have agreed that payment of the Plaintiff's agreed Court costs of \$1,588.61, plus \$1.00 as nominal damages for the taking of the reversionary interest of said Plaintiff, and of all its interests herein, is just.

The Court finds such settlement is fair and reasonable and is in accord with the opinion of the United States Court of Appeals, Tenth Circuit, in the appeal of this case, and that the same should be approved and the title of the Defendant confirmed in said property.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the reversionary interest of the Plaintiff in the hereinafter described property be, and the same is hereby vested and confirmed in the Defendant, and that the Plaintiff, its successors, assigns or trustees, or anyone claiming by, through, or under it, are hereby declared to have no interest whatsoever in said property, and are further barred from ever claiming any interest in said property, and that the sum of \$1.00, as nominal damages, and the sum of \$1,588.61 as Court Costs paid by the Defendant to the Plaintiff herein, is full, fair and complete payment and satisfaction of the Plaintiff's interest herein, which real property herein referred to is described as follows:

The North 60 feet of the Missouri-Kansas-Texas Railroad Company right-of-way, located in the Northwest Quarter (NW $\frac{1}{4}$) of Section 22, Township 19 North, Range 13 East, Tulsa County, Oklahoma, being a portion of the grant contained in a deed dated September 10, 1902, from Laura Eubanks, as mother and natural guardian of Clydie Landrum, a minor Creek Freedman, to the Missouri-Kansas and Oklahoma Railroad Company, predecessor to the Missouri-Kansas-Texas Railroad Company

DATED, this _____ day of December, 1967.

Allen E. Barrow
District Judge

APPROVED AS TO FORM:

Robert J. Woolsey,
Attorney for Plaintiff

John Robert Seelye,
Attorney for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
TULSA DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
Undetermined quantities of)
depressant or stimulant drugs)
consisting of drugs whose active)
ingredients consist solely of)
amphetamines, barbiturates,)
desoxyephedrine, combinations)
of amphetamines and barbiturates,)
combinations of desoxyephedrine)
and barbiturate, and O-B-E #1, #2)
and #3 tablets,)
)
Defendant)

CIVIL NO. 47-C-145

FILED

CONSENT DECREE OF
CONDEMNATION

U.S. DISTRICT COURT
TULSA, OKLAHOMA

A Complaint for Forfeiture against the above described articles was filed in the United States District Court for the Northern District of Oklahoma, on behalf of the United States of America. The Complaint alleges that the articles proceeded against consist of depressant or stimulant drugs within the meaning of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 321(v), and 21 CFR 166.3. The Complaint further alleges that prohibited acts have occurred with respect to said articles of drug within the meaning of 21 U.S.C. 331(q)(4), in that Key Pharmaceutical Co., 1312 North Utica, Tulsa, Oklahoma, failed to keep complete and accurate records of the said articles of drugs as required by 21 U.S.C. 300a(d)(1).

Pursuant to Monition issued by this Court, the United States Marshal seized said articles of drug. Thereafter, the Key Pharmaceutical Co., 1312 North Utica, Tulsa, Oklahoma, intervened and filed a claim to the seized articles. Claimant now consents that a decree of condemnation as prayed for in the Complaint be entered against the articles under seizure. The Court being fully advised in the premises; it is on the motions of the parties hereto

ORDERED, ADJUDGED, AND DECREED that said articles under seizure consist of depressant or stimulant drugs within the meaning of 21 U.S.C. 321(v) and 21 CFR 166.3 for which complete and accurate records as required by 21 U.S.C. 300a(d)(1) were not kept and are therefore hereby condemned pursuant to 21 U.S.C. 334(a); and it is further

ORDERED, ADJUDGED, AND DECREED, pursuant to 21 U.S.C. 334(a) that the United States of America shall recover from said claimant court costs and fees, and storage and other proper expenses, as taxed herein, to wit, the sum of \$ 38.72 and

Claimant having petitioned this Court that the condemned articles be delivered to it pursuant to 21 U.S.C. 334(d), it is further

ORDERED, ADJUDGED, AND DECREED that the United States Marshal for this District shall release said articles from his custody to the custody of claimant for the purpose of bringing the articles into compliance with the law if claimant, within 20 days from the date of this decree, (a) pays in full the aforementioned court costs and fees, and storage and other proper expenses of the proceedings herein, and (b) executes and files with the Clerk of this Court a good and sufficient penal bond with surety in the sum of \$2,000.00 approved by this Court, payable to the United States of America, and conditioned on the claimant's abiding by and performing all the terms and conditions of this Decree and of such further Orders and Decrees as may be entered in this proceeding; and it is further

ORDERED, ADJUDGED, AND DECREED that:

1. After the filing of the bond in this Court, the claimant shall give written notice to the Dallas Field Office, Bureau of Drug Abuse Control, Food and Drug Administration, Department of Health, Education and Welfare, 1114 Commerce Street, Dallas, Texas 75202, that the claimant is prepared to bring the articles into compliance with the law under the supervision of a duly authorized representative of the Department of Health, Education and Welfare by (a) preparing a complete and accurate record, as required by 21 U.S.C. 360a(d)(1) of all stocks of each depressant and stimulant drugs within the scope of 21 U.S.C. 321(v), now in possession and by keeping such records for 3 years, and (b) by incorporating into said records the articles of drug seized herein, and (c) by preparing or obtaining, and keeping for not less than three years, a complete and accurate record of the kind and quantity of each depressant and stimulant drug received, sold, delivered or otherwise disposed of, the name and address of the person, and the registration number, where applicable, from whom it was received and to whom sold, delivered, or otherwise disposed of, and the date of such transaction, and said records will be hereinafter maintained as required by 21 U.S.C. 360a(d).

2. The claimant shall at all times, until the articles have been released by a duly authorized representative of the Bureau of Drug Abuse Control of the Department of Health, Education and Welfare, retain intact the entire lot of goods comprising the articles for examination or inspection by said representative, and shall maintain the records or other proof necessary to establish the identity of said lot to the satisfaction of said representative.

3. The claimant shall not commence compliance operation until it has received authorization to do so from a duly authorized representative of the Bureau of Drug Abuse Control of the Department of Health, Education and Welfare.

4. The claimant shall at no time, and under no circumstances whatsoever, ship, sell, offer for sale, or otherwise dispose of any part of said article or of the article into which it is converted until a duly authorized representative of the Bureau of Drug Abuse Control of the Department of Health, Education and Welfare shall have had free access thereto in order to take any samples or make any tests or examinations that are deemed necessary, and shall in writing have released such articles for shipment, sale, or other disposition.

5. Within 60 days from the date of the bond in this Court, claimant shall complete the process of bringing the articles into compliance with the Federal Food, Drug and Cosmetic Act under the supervision of a duly authorized representative of the Bureau of Drug Abuse Control of the Department of Health, Education and Welfare.

6. The claimant shall abide by the decision of said duly authorized representative of the Bureau of Drug Abuse Control of the Department of Health, Education and Welfare. If claimant breaches any conditions stated in this Decree, or in any subsequent Decree or Order of this Court in this proceeding, claimant shall return the articles immediately to the United States Marshal for this District at claimant's expense, or shall otherwise dispose of it pursuant to an Order of this Court.

7. The claimant shall not sell or dispose of said articles or any part thereof in a manner contrary to the provisions of the Federal Food, Drug and Cosmetic Act, or the laws of any state or territory (as defined in said act) in which it is sold or disposed of.

8. The claimant shall compensate the United States of America for costs of supervision at the rate of \$8.00 per hour per representative for each day actually employed in the supervision of the compliance process, as salary or wage; where laboratory work is necessary, at the rate of \$10.00 per hour per person for such laboratory work; where subsistence expenses are incurred, the charge shall be the amount actually paid to the person at a rate not to exceed \$16.00 per day per person. Claimant shall also compensate the United States of America for necessary traveling expenses and for any other necessary expenses which may be incurred in connection with the supervisory responsibilities of said Department of Health, Education and Welfare.

9. If requested by a duly authorized representative of the Bureau of Drug Abuse Control of the Department of Health, Education and Welfare, claimant shall furnish to said representative duplicate copies of invoices of sales of the released articles, or shall furnish such other evidence of disposition as said representative may request.

The United States Attorney for this District, on being advised by a duly authorized representative of the Department of Health, Education and Welfare that the conditions of the Decree have been performed, shall transmit such information to the Clerk of this Court, whereupon the bond given in this proceeding shall be cancelled and discharged; and it is further

ORDERED, ADJUDGED AND DECREED that if the claimant does not avail itself of the opportunity to repossess the condemned articles in the manner aforesaid, the United States Marshal for this District shall retain custody of said articles pending the issuance of an Order by this Court regarding its disposition; and it is further

ORDERED, ADJUDGED AND DECREED that this Court expressly retain jurisdiction to issue such further Decree and Orders as may be necessary to the proper disposition of this proceeding, and that should the claimant fail to abide by and perform all the terms and conditions of this Decree, or of such further Order or Decree as may be entered in this proceeding, or of said bond, then said bond shall on motion of the United States of America, in this proceeding be forfeited and judgement entered thereon.

JUDGE, U. S. DISTRICT COURT

we hereby consent to the entry of the foregoing decree.

ATTORNEY FOR CLAIMANT

LAWRENCE A. McSQUID
UNITED STATES ATTORNEY

ASSISTANT UNITED STATES ATTORNEY