

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

ALBERT HENRY KASISHKE, JR.,)
EXECUTOR OF THE ESTATE OF)
OLIVE M. KASISHKE, DECEASED,)
)
Plaintiff,)
vs.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)

No. 68-C-74

FILED

APR - 1 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

J U D G M E N T

The Court has this day executed its Findings of Fact and Conclusions of Law in this case and forwarded it to the Clerk of this Court. Based upon the Findings of Fact and Conclusions of Law, the Court enters its Judgment herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff Albert Henry Kasishke, Jr., Executor of the Estate of Olive M. Kasishke, Deceased, take nothing by and because of his action filed herein and that Judgment be entered for and on behalf of the defendant, the United States of America, and that the plaintiff pay the cost of this action incurred by the defendant.

Dated this 28th day of March, 1969.

United States District Judge

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

UNITED STATES OF AMERICA, by
RAMSEY CLARK, Attorney General,

Plaintiff,

vs.

BOARD OF EDUCATION, INDEPENDENT
SCHOOL DISTRICT NO. 1, TULSA
COUNTY, OKLAHOMA; CHARLES C. MASON,
Superintendent of Schools;
RAY CONARD, President of the Board
of Education; W. H. SADLER, JR.,
ROBERT A. BECKSTROM, CARL C.
BEESLEY, MRS. OPAL CARLLSON,
ROBERT J. RIGGS, JR., and
MRS. VIRGIL O. WOOD, Members of
the Board of Education, Independent
School District No. 1, Tulsa
County, Oklahoma,

Defendants.

FILED

APR - 1 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

No. 68-C-185

J U D G M E N T

The above-entitled cause, pursuant to assignment, was tried on February 17 and February 18, 1969, and at the conclusion of the trial taken under advisement by the Court. Thereafter, and on March 26, 1969, the Court filed herein its Memorandum Opinion setting forth its findings of fact and conclusions of law, and directing judgment in favor of the defendants, it is

ORDERED, ADJUDGED and DECREED that plaintiff's Complaint and all causes of action or claims for relief therein contained be and the same hereby are dismissed.

IT IS FURTHER ORDERED that the defendants shall be permitted the recovery of their costs herein.

Entered: April 14, 1969.

Fred Daugherty
Fred Daugherty
United States District Judge

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

STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY,

Plaintiff,

vs.

CIVIL ACTION
No. 68-C-259

EDITH BITNER, individually; EDITH BITNER,
administratrix of the Estate of
Arthur Scott Bitner, deceased;
LOUIS TUCKER, JR., individually;
LOUIS TUCKER, JR., administrator of the
Estate of Floretta Tucker, deceased;
DOYLE D. GURLEY; MARY LYNN GURLEY;
BETTY RUTH GURLEY;
UNITED STATES OF AMERICA, ex rel
RAILROAD RETIREMENT BOARD;
MIDWEST NATIONAL INSURANCE COMPANY;
FEDERATED MUTUAL IMPLEMENT & HARDWARE INSURANCE COMPANY;
MOTORS INSURANCE CORPORATION; and
DANIEL LYNN PRATER,

Defendants.

FILED

APR - 4 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

ORDER

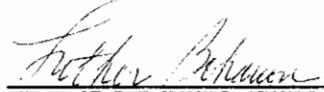
This matter came on before me, the undersigned Judge, this 4th day of April, 1969, upon stipulation of the parties filed herein on the 2nd day of April, 1969; and the Court finds that the Clerk of this Court should forthwith, pursuant to the stipulation, pay the following sums to the following parties:

to Motors Insurance Corporation	\$2,769.50
to Louis Tucker, Jr.	\$ 100.00
to Federated Mutual Implement & Hardware Insurance Company ..	\$1,373.50
to Edith Bitner	\$ 100.00

from the monies deposited by the plaintiff, State Farm Mutual Automobile Insurance Company; and that this cause should be dismissed as to the defendants, Motors Insurance Corporation and Federated Mutual Implement and Hardware Insurance Company.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Clerk of this Court from the monies deposited by plaintiff, State Farm Mutual Automobile Insurance Company, pay forthwith to the following parties the following sums, as above set forth: to Motors Insurance Corporation, \$2,769.50; to Louis Tucker, Jr., \$100.00; to Federated Mutual Implement and Hardware Insurance Company, \$1,373.50; and to Edith Bitner, \$100.00.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this cause is hereby dismissed as to the defendants, Motors Insurance Corporation and Federated Mutual Implement and Hardware Insurance Company.



JUDGE OF THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,)
)
) Plaintiff,)
)
) -vs-)
)
) WILLIAM B. NATION, FELL AND WOLFE)
) OIL COMPANY, a partnership between)
) MORRIS B. FELL and JACK B. WOLFE,)
)
) Defendant.)

FILED

APR 8 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

No. 68-C-55

ORDER

The defendants, William B. Nation and Fell and Wolfe Oil Company, a partnership between Morris B. Fell and Jack B. Wolfe, having paid into court all sums due under said pleadings and claiming no interest in the issues between the United States of America and the third party defendants, all as per the stipulation of all parties filed herein, is hereby ordered dismissed from this suit.

WHEREFORE IT IS ORDERED, ADJUDGED, AND DECREED by the court that the defendants, William B. Nation and Fell and Wolfe Oil Company, a partnership between Morris B. Fell and Jack B. Wolfe, be and they hereby are dismissed from this suit.

(3) Fred Lindberg

Judge of the United States District Court

APPROVED AS TO FORM:

UNITED STATES OF AMERICA
BY *Robert H. Bryant*

WILLIAM B. NATION, FELL AND WOLFE OIL COMPANY,
a partnership between Morris B. Fell and Jack B. Wolfe
BY *Paul McBride*

Paul McBride, Attorney

FLOYD WALKER, PATRICIA ANN SLIFER AND
STANLEY L. SLIFER
BY *Floyd Walker*

Floyd Walker, Attorney

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

RICHARD KLENERT and
AUDREY KLENERT,
husband and wife,

vs

ALLIED VAN LINES, INC.,
a foreign corporation, and
BOB HAMMAN, a partnership,
d/b/a HAMMAN BROTHERS
MOVING & STORAGE CO.

68-C-140

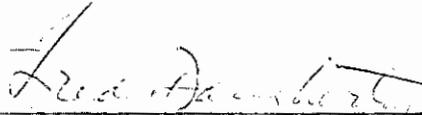
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APR - 8 1969

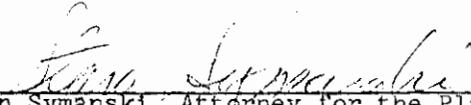
M. M. EWING, CLERK
U. S. DISTRICT COURT

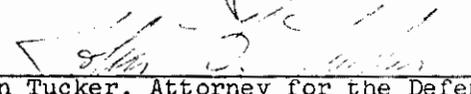
ORDER OF DISMISSAL

It is ordered by the Court that the above case,
having been settled by the parties, that it is hereby dis-
missed with prejudice at the cost of the parties.


UNITED STATES DISTRICT JUDGE

APPROVED:


Stan Symanski, Attorney for the Plaintiffs


John Tucker, Attorney for the Defendants

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

VAN DUSEN AIRCRAFT SUPPLIES,)
SOUTHWEST DIVISION, INC.,)
)
Plaintiff,)
)
vs.)
)
EXECUTIVE FLIGHT, INC. and)
H. L. CARON,)
)
Defendants,)

No. 6596

FILED

APR 10 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

ORDER CONFIRMING MARSHALL'S SALE

On this 10th day of April, 1969, there came on for hearing the Motion of the Plaintiff herein to confirm the sale of real property made by the United States Marshall for the Eastern District of Oklahoma on the 21st day of March, 1969, under the writ of execution issued by the Clerk for the United States District Court for the Northern District of Oklahoma; and the Court, having carefully examined the proceedings of the said Marshall under said writ of execution finds that said writ was duly levied upon the following described real property belonging to the Defendant, H. L. Caron,

All the right, title and interest of H. L. Caron in and to:
Lots 2 and 3 in Block 1, Lots 14, 15, 16, 17, 18, and 19,
in Block 2, Lot 1 in Block 3, Lot 13 in Block 6, all in
Hooper Addition to the City of Ardmore, Carter County,
Oklahoma, less 1/2 of the minerals;

the same not being exempt from levy and sale under execution; that said real property was duly appraised by disinterested householders at the sum \$1500.00; that said Marshall caused due and legal notice of said sale to be published for two successive weeks prior thereto in the Daily Ardmoreite Newspaper, a newspaper printed in and of general circulation in Carter County, State of Oklahoma, as appears from the printer's affidavit of

publication attached to said return; and that on the day therein fixed, to-wit: the 21st day of March, 1969, said real property was sold to Stewart F. Hare, he being the highest bidder therefor for the sum of \$2500.00, which is more than 2/3 of the appraised value of said property. The Court satisfied that the said sale was in all respects made in conformity to the Statutes of the State of Oklahoma in such cases made and provided and the Statutes of the United States of America, the Court Clerk is accordingly directed to make an entry on the journal of this Court that the Court is satisfied with the legality of said sale;

IT IS ORDERED AND ADJUDGED by the Court that said Marshall's sale and all proceedings under the writ of execution issued herein be and the same are hereby approved and confirmed.

IT IS FURTHER ORDERED that the United States Marshall for the Eastern District of Oklahoma make and execute to the purchaser at said sale, Stewart F. Hare, a good and sufficient deed to said above described real property and disburse the proceeds of sale, after appropriate set-off for costs and expenses incurred with regard to the sale to the Plaintiff.

S/ Allen L. Brown

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

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

United States of America,

vs.

Jean Velgot.

Civil No. 69-C-53

FILED

APR 10 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

O R D E R

This day came on for consideration the petition of the United States in this cause; and it appearing to the Court that the patient has been fully advised of his rights as set forth in Title 42 U.S.C. Section 3411, et seq. (Title III, Section 301, et seq. Public Law 89-793); and the Court having determined that there is reasonable cause to believe that the patient is a narcotic addict, and that there are not any appropriate State or other facilities available for his treatment pursuant to said law, it is hereby

ORDERED that the patient be committed to the custody of the Surgeon General for examination under Title 42 U.S.C. Section 3413 (Title III, Section 303, Public Law 89-793), to determine whether or not he is a narcotic addict who is likely to be rehabilitated. The written report required of each examining physician shall be filed with the Court and copies thereof furnished to the patient, not later than twenty (20) days after the patient is received at the facility hereinafter designated, and the patient shall be detained for an additional period of ten (10) days at the institution, pending further order of the Court. Provided, however, in the event both examining physicians conclude in their respective written reports that the patient is a narcotic addict who is likely to be rehabilitated through treatment, and, if the patient by written instrument filed with the Court along with, and at the same time as, the reports of the examining physicians, waives any right he may have to notice and hearing on the issue as to whether or not he is a narcotic addict who is likely to be rehabilitated through treatment, and requests that he be forthwith committed to the care and custody of the Surgeon General for treatment in a hospital of the Service, rather than be returned to this Court for further proceedings, he shall be detained at said institution for a reasonable time after the expiration of thirty (30) days from the date he is received at said facility, pending further order of the Court.

It is Further ORDERED that the patient shall be transported to the National Institute Mental Health Clinical Research Center, at Lexington, Kentucky, by the United States Marshal, within such time as the U. S. Marshal may be able to transport said patient.

Signed the 10 day of April, 1969.

United States District Court)
Northern District of Oklahoma) ss

[Signature]
United States District Judge

I hereby certify that the foregoing is a true copy of the original on file in this court.

M. M. Ewing, Clerk
[Signature]
Deputy

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

FAITH A. HOOD,)
)
 Plaintiff,)
)
 vs.)
)
 JANE A. SMITH,)
)
 Defendant.)

FILED

NO. 68-C-252

APR 11 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT.

STIPULATION FOR DISMISSAL

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

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

SELLERS AND O'NEAL,

BY: 

Attorneys for the Plaintiff,

ALFRED B. KNIGHT,



Attorney for the Defendant.

ORDER

NOW, on this 11th day of April, 1969, the above-captioned cause, by Order of the Court, is dismissed with prejudice, on stipulation of the parties hereto.

JUDGE, UNITED STATES DISTRICT COURT

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

United States of America,

Plaintiff,

vs.

W. Ted Marcum and the
Hornby Livestock Auction
Company, a partnership
consisting of Emmett Marcum
and C. C. Bledsoe,

Defendants.

Civil No. 68-C-265

FILED

APR 11 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

DEFAULT JUDGMENT BY THE CLERK

This cause came on to be heard on motion of the plaintiff for default judgment for the relief demanded in the complaint, and it appearing the complaint and summons and Amended Complaint and Summons in this action were served on the defendant, W. Ted Marcum, on January 11, 1969, and March 29, 1969, respectively, as appears from the Marshal's Returns of Service of said Summons; that the time within which the defendant may answer or otherwise move as to the complaint has expired; that the defendant has not answered or otherwise moved and that the time for defendant to answer or otherwise move has not been extended.

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

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

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiff recover of the defendant the amount prayed for in the sum of \$1,814.93 with interest on the sum of \$1,814.93 at the rate of 5% per annum from February 3, 1969, until paid, and the costs of this action.

Dated this ____ day of ____ April ____, 1969.

M. M. EWING
Clerk, United States District
Court for the Northern District of
Oklahoma

By _____
Deputy

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

United States of America,

vs.

Elizabeth Jordan,

69-C-59

Civil No. _____

FILED
IN OPEN COURT

APR 15 1969

M. M. EWING
CLERK, U. S. DISTRICT COURT

O R D E R

This day came on for consideration the petition of the United States in this cause; and it appearing to the Court that the patient has been fully advised of his rights as set forth in Title 42 U.S.C. Section 3411, et seq. (Title III, Section 301, et seq. Public Law 89-793); and the Court having determined that there is reasonable cause to believe that the patient is a narcotic addict, and that there are not any appropriate State or other facilities available for his treatment pursuant to said law, it is hereby

ORDERED that the patient be committed to the custody of the Surgeon General for examination under Title 42 U.S.C. Section 3413 (Title III, Section 303, Public Law 89-793), to determine whether or not he is a narcotic addict who is likely to be rehabilitated. The written report required of each examining physician shall be filed with the Court and copies thereof furnished to the patient, not later than twenty (20) days after the patient is received at the facility hereinafter designated, and the patient shall be detained for an additional period of ten (10) days at the institution, pending further order of the Court. Provided, however, in the event both examining physicians conclude in their respective written reports that the patient is a narcotic addict who is likely to be rehabilitated through treatment, and, if the patient by written instrument filed with the Court along with, and at the same time as, the reports of the examining physicians, waives any right he may have to notice and hearing on the issue as to whether or not he is a narcotic addict who is likely to be rehabilitated through treatment, and requests that he be forthwith committed to the care and custody of the Surgeon General for treatment in a hospital of the Service, rather than be returned to this Court for further proceedings, he shall be detained at said institution for a reasonable time after the expiration of thirty (30) days from the date he is received at said facility, pending further order of the Court.

It is Further ORDERED that the patient shall be transported to the National Institute Mental Health Clinical Research Center, Lexington, Kentucky, by the United States Marshal, within such time as the U. S. Marshal may be able to transport said patient.

Signed the 15th day of April, 1969.


United States District Judge

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

United States of America,
Plaintiff,
vs.
23.75 Acres, More or Less, in Rogers
County, Oklahoma, including all ac-
cretions and riparian rights thereto,
and Chloe M. Mooney, et al, and
Unknown Owners,
Defendants.)

CIVIL ACTION NO. 67-C-130
Tract No. 331

FILED

APR 16 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT.

United States of America,
Plaintiff,
vs.
18.76 Acres of Land, More or Less,
Situate in Rogers County, State of
Oklahoma, and Chloe M. Mooney, et
al, and Unknown Owners,
Defendants.)

CIVIL ACTION NO. 68-C-77
Tracts Nos. 331E-1
331E-2
331E-3

J U D G M E N T

1.

NOW, on this 16 day of April, 1969, 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 March
20, 1969, and the Court, after having examined the files in these actions
and being advised by counsel for the Plaintiff, finds that:

2.

The Court has jurisdiction of the parties and the subject matter
of these actions.

3.

This judgment applies only to the estates taken in the tracts
named in the caption above, as such tracts and estates are described in
the Complaints and the Declarations of Taking filed herein.

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 these causes, who are interested in subject property.

5.

The Acts of Congress set out in paragraphs 2 of the Complaints 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 July 19, 1967, as to Civil Action No. 67-C-130, and on March 22, 1968, as to Civil Action No. 68-C-77, the United States of America filed its Declarations 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 dates of filing such instruments.

6.

Simultaneously with filing of the Declarations of Taking, there were deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts certain sums of money and all of these deposits have been disbursed, as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on March 20, 1969, hereby is accepted and adopted as a finding of fact as to the estates taken in the subject tracts. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 11 below.

8.

This judgment will create a certain deficiency between the amounts deposited as estimated just compensation for the estates taken in subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 11 below.

9.

The defendant named in paragraph 11 as owner of subject tracts is the only defendant asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendant is the owner of such estates and, as such, is 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 Declarations of Taking filed herein, and such property, to the extent of the estates described in the Declarations of Taking filed herein, is CONDEMNED, and title thereto is vested in the United States of America, as of the dates of the Declarations of Taking, and all defendants herein and all other persons are barred forever from asserting any claim to such estates.

11.

It Is Further ORDERED, ADJUDGED and DECREED that the right to receive the just compensation for the estates taken herein in subject tracts is vested in the defendant whose name appears below in this paragraph; the Report of Commissioners of March 20, 1969, hereby is confirmed and the sum therein fixed is adopted as just compensation for the estates taken in subject tracts, as shown by the following schedule:

TRACTS NOS. 331, 331E-1, 331E-2 AND 331E-3 COMBINED

OWNER: Chloe M. Mooney

Award of just compensation for all tracts combined, pursuant to Commissioners' Report	\$15,916.00	\$15,916.00
Deposited as estimated compensation:		
Tract No. 331	\$5,938.00	
Tracts Nos. 331E-1) 331E-2) 331E-3)	\$5,428.00	
Total	\$11,366.00	
Disbursed to owner		<u>\$11,366.00</u>
Balance due to owner		\$ 4,550.00
Deposit deficiency	<u>\$ 4,550.00</u>	

12.

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 landowner the deposit deficiency for the subject tracts as shown in paragraph 11, together with interest on such deficiency, at the rate of 6% per annum from July 19, 1967, until the date of deposit of such deficiency sum; and

such sum shall be credited to the deposit for Tracts Nos. 331E-1 through 331E-3 in Civil Action No. 68-C-77. The Clerk of this Court then shall disburse, from the deposit for said Tracts Nos. 331E-1 through 331E-3, the entire amount in such deposit to Chloe M. Mooney.

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

APPROVED:

s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

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

United States of America,

Plaintiff,

vs.

10.83 Acres of Land, More or Less,
situated in Rogers County, State of
Oklahoma, and Leo King, et al, and
Unknown Owners,

Defendants.)

CIVIL ACTION NO. 68-C-76

Tracts Nos. 329E-1
329E-2
329E-3

FILED

APR 16 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 16 day of April, 1969, 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 March 20, 1969, 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 only to the estates taken in the tracts enumerated in the caption above, as such estates and tracts are described in the Complaint and Declaration of Taking filed herein.

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 March 22, 1968, 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 subject tracts, a certain sum of money and all of this deposit has been disbursed as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on March 20, 1969, is hereby accepted and adopted as a finding of fact as to the subject tracts. The amount of just compensation as to the subject tracts, as fixed by the Commission, is set out in paragraph 11 below.

8.

This Judgment will create a deficiency between the amount deposited as estimated just compensation for the estates taken in subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 11 below.

9.

The defendants named in paragraph 11 as owners of the subject property are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants, as of the date of taking, were the owners of such estates taken 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 filed herein, and such property, to the extent of the estates 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 to the estates so taken.

11.

It Is Further ORDERED, ADJUDGED and DECREED that the right to receive the just compensation for the estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners of March 20, 1969, is hereby confirmed and the sum therein fixed is adopted as the award of just compensation for the estates taken in subject tracts as shown by the following schedule:

TRACTS NOS. 329E-1, 329E-2, 329E-3

Owners:

Leo King and
Mattie Pearl King

Award of just compensation pursuant to Commissioners' Report . .	\$15,000.00	\$15,000.00
Deposited as estimated compensation . .	\$ 4,638.00	
Disbursed to owners		<u>\$ 4,638.00</u>
Balance due to owners		\$10,362.00
Deposit deficiency	<u>\$10,362.00</u>	

12.

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 tracts as shown in paragraph 11, together with interest on such deficiency at the rate of 6% per annum from March 22, 1968, 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.

The Clerk of this Court then shall disburse from the deposit for the subject tracts the entire amount in such deposit, jointly, to Leo King and Mattie Pearl King.

ALLEN E. BARROW
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

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

MARY M. FINEGAN,)
)
 Plaintiff,)
)
 vs.)
)
 TENNESSEE LIFE INSURANCE)
 COMPANY,)
)
 Defendant.)

NO. 68-C-249

FILED

APR 17 1969

STIPULATION ~~OF~~ DISMISSAL

M. M. EWING, CLERK
U. S. DISTRICT COURT.

Come now plaintiff and defendant and stipulate that
this cause be and it is hereby dismissed with prejudice with
each party to bear its own costs.

Dated this 9th day of April, 1969

Mary M. Finegan
Mary M. Finegan, Plaintiff

Alvin E. Smith
Attorney for Plaintiff

Jack W. Hays
Attorney for Defendant

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

CHARLES SCHULTE,

Plaintiff,

vs.

TENNESSEE LIFE INSURANCE COMPANY,

Defendant.

NO. 68-C-255

FILED

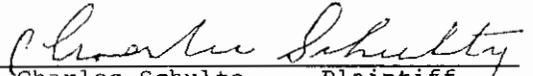
APR 17 1969

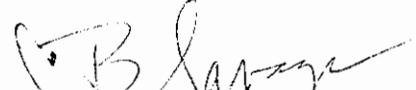
STIPULATION ^{OF} DISMISSAL

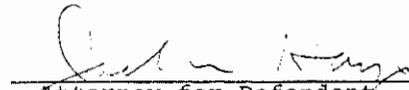
M. M. EWING, CLERK
U. S. DISTRICT COURT

Come now plaintiff and defendant and stipulate that
this cause be and it is hereby dismissed with prejudice with
each party to bear its own costs.

DATED this 15th day of April, 1969.


Charles Schulte, Plaintiff


Attorney for Plaintiff


Attorney for Defendant

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

BOB W. VETTER,)
)
Plaintiff,)
)
-vs-)
)
UNITED STATES OF AMERICA,)
)
Defendant.)

CIVIL NO. 67-C-225

FILED

APR 18 1969

STIPULATION OF DISMISSAL

M. M. EWING, CLERK
U. S. DISTRICT COURT

It is hereby stipulated and agreed that the above-entitled action be dismissed with prejudice, each party to bear its own costs.

Dated this 18th day of APRIL, 1969.

ANDREWS, MOSBURG, DAVIS, ELAM,
LEGG & KORNFELD

By Robert B. Milsten
Robert B. Milsten
1800 United Founders Tower
Oklahoma City, Oklahoma 73112
Attorneys for Plaintiff

Asst UNITED STATES ATTORNEY,
Robert C. Smith
By Robert C. Smith
Northern District of Oklahoma
United States Court House
Tulsa, Oklahoma
Attorneys for Defendant

The above Stipulation is approved this 18th day of April, 1969.

Robert C. Smith
UNITED STATES DISTRICT JUDGE

FILED

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

APR 18 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

OLIVIA NEEL BYLUND,

Plaintiff,

vs.

NO. 69-C-7

MARJORY F. HAGAN, FLOYD J.
HOWERTON, JR., ANGELO F.
HOWERTON, and JOAN SANDERS,

Defendants.

O R D E R

The Court has for consideration the motion filed by defendants, Marjory F. Hagan and Floyd J. Howerton, Jr., and the application filed by the plaintiff, Olivia Neel Bylund; and, being fully advised in the premises, after a careful perusal of the entire file, the motions and briefs, finds as follows:

1. That on January 17, 1969, Marjory F. Hagan and Floyd Howerton, Jr., filed an action in partition against Olivia Neel Howerton Bylund, Angelo F. Howerton, and Joan Sanders in the State District Court of Tulsa County, Oklahoma, being number C-69-61.

2. That said suit for partition involves the same property and assets that are in dispute in the instant action, which was filed in this case January 22, 1969, some several days later than the state action.

3. That the parties to this action are citizens of certain states, to-wit:

Olivia Nee Bylund	Plaintiff	California
Marjory F. Hagan	Defendant	Oklahoma
Floyd J. Howerton, Jr.	Defendant	Nebraska
Angelo F. Howerton	Defendant	Oklahoma
Joan Sanders	Defendant	Oklahoma

4. That copies of correspondence, attached to the Motion to Dismiss between Mr. David H. Sanders and Mr. William D. Chalek, indicate that Mr. David H. Sanders represented Olivia Neel Howerton Bylund, Angelo F. Howerton and Joan Sanders.

5. That no summons was issued in the instant action to Angelo F. Howerton and Joan Sanders.

6. That the letter-head of the firm of Sanders and McElroy indicates that Mr. Tom Mason is a member of Mr. Sanders' firm, and it is alleged, and not denied that Mr. Tom Mason is the son-in-law of Mr. David H. Sanders.

7. That on February 18, 1969, Mr. Tom Mason filed an answer on behalf of Angelo F. Howerton and Joan Sanders, wherein they admitted all the allegations of the complaint, except that plaintiff's attorney was entitled to attorney fees in a partition action. They also joined in the application of plaintiff filed the same date for appointment of a receiver.

8. That Title 12 O.S.A. § 1515 provides as follows:

"The court making partition shall tax the costs, attorney's fees and expenses which may accrue in the action, and apportion the same among the parties, according to their respective interests, and may award execution therefor, as in other cases."

9. That on February 18, 1969, Mr. David H. Sanders, on behalf of the plaintiff, filed an Application of Plaintiff for the Appointment of Receiver and Application to Direct Receiver to Accept Bid of Henry Snow for Purchase of Lot Four (4), Block Five (5), Clarland Acres Addition to the City of Tulsa, Tulsa County, Oklahoma.

10. That there appears in the file a copy of a Motion to Dismiss or Abate of Defendants, Angelo F. Howerton and Joan Sanders, filed in the State Court proceeding on February 17, 1969, signed by David H. Sanders.

11. That on March 28, 1969, a brief was filed in response to Motion to Dismiss on behalf of plaintiff and was signed by Mr. David H. Sanders.

12. That the Certificate of Mailing on said brief reflects that it was served by Mr. Tom Mason.

13. That there is reflected in this file an Order of the State Court, entered April 4, 1969, wherein the State Court accepted jurisdiction and overruled Mr. Sanders' Motion to Dismiss or Abate and requiring defendants to answer in 20 days.

14. That one of the grounds urged for dismissal in the instant action is a realignment of parties to show their proper interest in the litigation, to-wit, to make Angelo F. Howerton and Joan Sanders plaintiffs in this action.

15. Title 28 U.S.C.A. § 1359, provides:

"A district court shall not have jurisdiction of a civil action in which any party, by assignment or otherwise, has been improperly or collusively made or joined to invoke the jurisdiction of such court."

16. The Court, therefore, finds that the instant litigation is colorable and that there is no actual controversy between the Plaintiff, Olivia Nee Bylund, and the defendants, Angelo F. Howerton and Joan Sanders, and the said defendants should be realigned as party plaintiffs as they seek the identical relief as the plaintiff in this action.

17. The Court further finds that if such realignment is made, the requisite diversity jurisdiction does not exist.

IT IS, THEREFORE, ORDERED that Angelo F. Howerton and Joan Sanders be realigned as party-plaintiffs with plaintiff, Olivia Nee Bylund.

IT IS FURTHER ORDERED that this cause of action be, and the same is hereby dismissed for lack of diversity jurisdiction.

IT IS FURTHER ORDERED that the Application filed by plaintiff is now moot inasmuch as this Court lacks jurisdiction.

IT IS FURTHER ORDERED that there is no need to go into the other allegations contained in the motions and briefs, since this Court lacks the requisite diversity jurisdiction.

Dated this 18th day of April, 1969, at Tulsa, Oklahoma.


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Warren Niece, a minor, by and through Jim Niece,
his father and next friend, and Jim Niece,

Plaintiffs,

-vs-

Sears, Roebuck and Company, a corporation,

Defendant and
Third-Party,
Plaintiff,

No. 68-C-50

-vs-

Westinghouse Electric Corporation,

Third-Party
Defendant.

FILED

APR 21 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard on this 21st day of April, 1969, pursuant to regular assignment for trial, the Plaintiff Warren Niece, being present by his father and next friend, Jim Niece, and the Plaintiff Jim Niece, appearing on his own behalf, each by their attorney of record, Tom R. Brett; the Defendant and Third Party Plaintiff, Sears, Roebuck and Company, a corporation, being present by its attorneys of record Milsten & Morehead by David R. Milsten; The Third-Party Defendant, Westinghouse Electric Corporation, being present by its attorneys of record, Rucker and Tabor by Ronald S. Hopkins; and all parties announcing ready for trial and a jury being waived in open Court, the Court proceeded to hear the evidence of witnesses and argument of counsel. And the Court, being fully advised and on consideration thereof, finds that said Plaintiff Warren Niece is a minor and that said action was properly commenced by and through his father and next friend, and that said Plaintiff Jim Niece properly commenced his action, all as provided by law, and that each of said Plaintiffs have sustained the allegations of the Complaint filed herein and are therefore entitled to judgment accordingly.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the said Warren Niece, a minor, by and through his father and next friend, have and recover against the Defendant Sears, Roebuck and Company, a corporation and the Third Party Defendant, Westinghouse Electric Corporation, the sum in total of Four Thousand and No/100 (\$4,000.00) Dollars----- and that the Plaintiff Jim Niece recover against the Defendant Sears, Roebuck and Company, a corporation, and Third Party Defendant, Westinghouse Electric Corporation, the sum in total of One Thousand Five Hundred and No/100 (\$1500.00) Dollars-----; that the Third Party Plaintiff, Sears, Roebuck and Company, a corporation take nothing by reason of its cause of action. That each of said Plaintiffs herein for whom judgment has been entered have the cost of their action, for all of which judgment shall be and hereby entered.

Judge

APPROVED AS TO FORM AND CONTENT:

Tom R. Brett
Attorney for the Plaintiffs Warren Niece and Jim Niece

David R. Milsten
Attorneys for Defendant, Sears, Roebuck and Company
and Third Party Plaintiff.

Ronald S. Hopkins
Attorneys for Westinghouse Electric Corporation,
Third-Party Defendant.

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

G & M LAND & CATTLE COMPANY, a corporation,
Plaintiff,
vs.
BANKERS LIFE AND CASUALTY COMPANY, a corporation,
Defendant,
vs.
G & M LAND & CATTLE COMPANY, a corporation,
and JESSE MITCHELL,
Defendants on Counterclaim.

88
No. 20-1-80

FILED

APR 21 1961

M. M. EWING, CLERK
U. S. DISTRICT COURT

JS

DISMISSAL BY STIPULATION

Pursuant to Rule 41 of the Federal Rules of Civil Procedure all of the parties to this action do hereby agree and stipulate as follows:

1. The parties have entered into a complete settlement agreement, settling all of the issues presented in this action.
2. Pursuant to Rule 41(a)(1) all of the parties do hereby dismiss their claims asserted in this action with prejudice.

Of Counsel:

Barber, Woolsey, Flippo & Bailey
National Bank of Tulsa Building
Tulsa, Oklahoma

J. B. Bailey
J. B. Bailey
Lawrence A. C. Johnson
Lawrence A. C. Johnson

Attorneys for Plaintiff, G & M Land & Cattle Company and Additional Party Defendant on the Counterclaim, Jesse Mitchell

Of Counsel:

Coble, Gotwals, Hays, Rubin & Fox
The Fourth National Bank Bldg.
Tulsa, Oklahoma

E. Douglas Fox
E. Douglas Fox
Richard L. Hays
Richard L. Hays

Attorneys for Defendant and Counter-Claimant, Bankers Life & Casualty Company

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

MIDWESTERN ENGINE & EQUIPMENT CO., INC.,
Plaintiff,)
-----vs.-----)
THE INSURANCE COMPANY OF NORTH AMERICA,
Defendant.)

CIVIL ACTION NO.
69-C-11

FILED

APR 21 1969 *W*

D-I-S-M-I-S-S-A-L B-Y P-L-A-I-N-T-I-F-F M. M. EWING, CLERK
U. S. DISTRICT COURT

Comes now said plaintiff and hereby dismisses the above entitled cause
without prejudice to a future action, at the cost of plaintiff.

Dated this 15th day of April, 1969.

Defendant agrees to this
dismissal without costs or
attorney's fees, without
prejudice to a future action.

Emerson R. Phillips
ATTORNEY FOR PLAINTIFF.

Wm. S. Hall
Wm. S. Hall
Attorney for the defendant

CERTIFICATE OF MAILING

I certify that a correct copy of the above and foregoing DISMISSAL was
mailed to WM. S. HALL, c/o GREEN, FELDMAN & HALL, ATTORNEYS AT LAW, 316 ENTER-
PRISE BUILDING, TULSA, OKLAHOMA, on the 15th day of April, 1969.

Emerson R. Phillips
EMERSON R. PHILLIPS

O R D E R

IT IS ORDERED BY THE COURT that this action is hereby
dismissed upon the *without prejudice* above dismissal and approval by the defendant.

72

Fred Daugherty
Fred Daugherty, Judge

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

PUBLIC SERVICE COMPANY OF OKLAHOMA,)
a domestic corporation, ZURICH INSURANCE)
COMPANY, a foreign corporation, and LLOYDS)
OF LONDON, an Insurance Syndicate, and)
Associated British Companies,)

Plaintiffs)

vs)

WESTINGHOUSE ELECTRIC CORPORATION, a)
foreign corporation)

Defendant)

NO. 6461 Civil

FILED

APR 24 1969

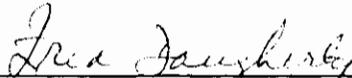
M. M. EWING, CLERK
U. S. DISTRICT COURT

JUDGMENT

This action came on for trial before the court, jury having been waived by the parties, Honorable Fred Daugherty, United States District Judge, presiding, and the issues having been duly tried and the court having filed his memorandum opinion herein.

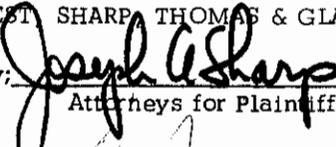
IT IS ORDERED, ADJUDGED AND DECREED, that plaintiffs, Public Service Company of Oklahoma, Zurich Insurance Company, and Lloyds of London, have and recover against the defendant, Westinghouse Electric Corporation, the sum of \$185,275.23.

Dated at Tulsa, Oklahoma, this 24 day of April, 1969.


Fred Daugherty, United States District Judge

APPROVED AS TO FORM:

BEST, SHARP, THOMAS & GLASS

By: 
Attorneys for Plaintiffs

HUDSON, WHEATON & BRETT

By: 
Attorneys for Defendant

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

FILED

APR 25 1969

BILL J. RAMSEY and)
DONNA M. RAMSEY,)
)
) Plaintiffs,)
)
vs.)
)
) UNITED STATES OF AMERICA,)
)
) Defendant.)

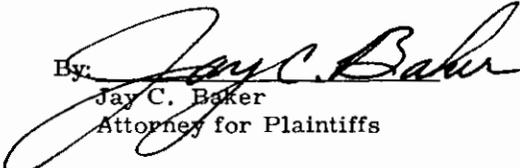
M. M. EWING, CLERK
U. S. DISTRICT COURT,
Civil Action
No. 68-C-78 ✓

STIPULATION FOR DISMISSAL

It is hereby stipulated and agreed between all of the parties to the above action that the above entitled action be dismissed with prejudice, each party to bear its own costs and the parties hereto request that the court order dismissal of the same with prejudice.

Dated this 17th day of March, 1969.

BAKER & BAKER

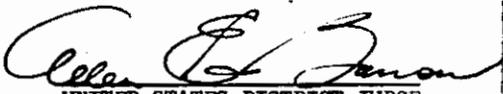
By: 
Jay C. Baker
Attorney for Plaintiffs

UNITED STATES OF AMERICA

By: 
ROBERT P. SANTEE
Assistant U. S. District Attorney

ORDER

It is ORDERED, ADJUDGED and DECREED that the above entitled case be and the same is hereby dismissed with prejudice.


UNITED STATES DISTRICT JUDGE

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

JOSLYN MFG. AND SUPPLY CO., a
corporation,

Plaintiff,

vs.

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

Defendants.

Civil No. 68-C-90

FILED

APR 28 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

JUDGMENT

FW

On this ^{28th} ~~20th~~ day of April, 1969, it is adjudged that plaintiff, Joslyn Mfg. and Supply Co. have and recover of defendants Alpha Construction Company and The Fidelity and Casualty Company of New York, jointly and severally, the sum of \$51,638.00 together with interest thereon at the rate of 6% per annum from June 1, 1965 to this date. It is further adjudged that plaintiff have and recover of defendant Alpha Construction Company, alone, the sum of \$5,000.00 as and for attorneys fees.

It is further ordered that the foregoing judgments bear interest at the rate of 10% per annum from this date until paid.

For all of which let execution issue.

Frederic J. J. J. J.
United States District Judge

Approved as to form:

[Signature]
Of Boesche, McDermott & Eskridge
Attorneys for Plaintiff

[Signature]
Of Sanders & McElroy
Attorneys for Defendants

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

AFFILIATED DISTILLERS BRANDS CORP.,)
Plaintiff,)
vs.)
HARRY D. GRIMSHAW, d/b/a United)
Beverage Co.,)
Defendant.)

No. 68-C-254

FILED

APR 28 1969

JOURNAL ENTRY OF JUDGMENT M. M. EWING, CLERK
U. S. DISTRICT COURT

This cause coming on for hearing this 25th day of April, 1969,

on the Application of the plaintiff herein for Judgment and the said plaintiff appearing by its attorney Jack R. Givens and the defendant appearing by his attorney Irvine E. Ungerman, and the Court having heard the statement of counsel and having considered the evidence adduced in support of the plaintiff's Application, for good cause shown finds that the plaintiff should have a money judgment against the defendant as prayed in its Petition, in the sum of Sixty-nine Thousand One Hundred Eight-five and 62/100 Dollars (\$69,185.62), together with interest thereon at the rate of ten per cent (10%) per annum from August 15, 1968, until fully paid and satisfied, and the further sum of Six Thousand Nine Hundred Eighteen and 56/100 Dollars (\$6,918.56) as attorneys' fees for the use and benefit of the plaintiff's attorneys, and costs of this suit.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the plaintiff be and it is hereby granted Judgment against the defendant Harry D. Grimshaw in the sum of Sixty-nine Thousand One Hundred Eighty-five and 62/100 Dollars (\$69,185.62) with interest thereon at the rate of ten per cent (10%) per annum from August 15, 1968, until fully paid and satisfied, together with an attorneys' fee of Six Thousand Nine Hundred Eighteen and 56/100 Dollars (\$6,918.56) for the use and benefit of the plaintiff's attorneys, Jones, Givens & Gotcher, and the costs of this action accrued and accruing.

Luther Bohanon
United States District Judge

APPROVED AS TO FORM:
JONES, GIVENS & GOTCHER

By: Jack R. Givens
Jack R. Givens, Attorneys for
Plaintiff

UNGERMAN GRABEL, UNGERMAN & LEITER

By: Irvine E. Ungerman
Irvine E. Ungerman, Attorneys

CERTIFICATE OF SERVICE

I, Jack R. Givens, do hereby certify that on the 12th day of April, 1969,
I mailed a true, exact and correct copy of the within and foregoing Journal
Entry of Judgment, with full postage thereon, to Irvine E. Ungerman, Attorney
at Law, Wright Building, Tulsa, Oklahoma.



Jack R. Givens

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

UNITED STATES OF AMERICA,

Plaintiff,

NO. 68-C- 55

vs.

WILLIAM B. NATION and FELL & WOLFE
OIL COMPANY, a Partnership between
MORRIS B. FELL and JACK B. WOLFE,

Defendants and
Third Party Plaintiffs.

vs.

FLOYD L. WALKER, PATRICIA ANN SLIFER,
and STANLEY L. SLIFER,

Third Party Defendants.

FILED

APR 30 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT.

J U D G M E N T

This Judgment is entered in accordance with a Memorandum Opinion of April 21, 1969. The Plaintiff is entitled to receive the entire sum of \$662.55 deposited in the Registry of the Court. The claim or cause of action of Third Party Defendant, Floyd L. Walker, to 35% of said sum of \$662.55 is denied.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Clerk disburse said sum of \$662.55 to the Plaintiff, United States of America, and, further, that the action brought by Third Party Defendant, Floyd L. Walker, be and the same is hereby dismissed.

Dated this 30 day of April, 1969.

John Daugherty
UNITED STATES DISTRICT JUDGE

APPROVED:

Floyd L. Walker
FLOYD L. WALKER, pro se

s/ Hubert H. Bryant

HUBERT H. BRYANT
Attorney for Plaintiff,
United States of America