

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 CALVIN EARNEST LONG, et al.,)
)
 Defendants.)

Civil Action No. 72-C-265

FILED
OCT 31 1972

Clerk
U. S. DISTRICT COURT
JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 26th day
of October, 1972, the plaintiff appearing by Robert P.
Santee, Assistant United States Attorney, and the defendants,
Calvin Earnest Long, Marianna Ella Long, First Bank and Trust
Company, Sand Springs, Mastercharge, a Division of National
Bank of Tulsa, a Corporation, and Sears, Roebuck and Company,
appearing not.

The Court being fully advised and having examined
the file herein finds that personal service of the Complaint and
Amended Complaint in this action was made on the defendants as
indicated by the Marshal's Returns of Service; that Sears, Roebuck
and Company has filed a Disclaimer in this action, and

It appearing that the said defendants have failed
to answer herein and that default has been entered by the
Clerk of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property
mortgage securing said mortgage note and that the following
described real property is located in Tulsa County, Oklahoma,
within the Northern Judicial District of Oklahoma:

Lot Six (6), Block Three (3) in SUBURBAN ACRES
THIRD ADDITION to the City of Tulsa, Tulsa
County, State of Oklahoma, according to the
recorded plat thereof.

THAT Leroy Winton and Helen D. Winton did, on May 26, 1965, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,700.00 with 5 3/4 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that on June 11, 1971, Leroy Winton and Helen D. Winton by General Warranty Deed did convey the above-described property unto defendants, Calvin Earnest Long and Marianna Ella Long; and

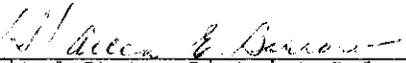
The Court further finds that the defendants, Calvin Earnest Long and Marianna Ella Long, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than nineteen (19) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$8,728.68 as unpaid principal, with interest thereon at the rate of 5 3/4 per cent interest per annum from December 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Calvin Earnest Long and Marianna Ella Long, for the sum of \$8,728.68 with interest thereon at the rate of 5 3/4 per cent per annum from December 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with

appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
 vs.) Civil Action No. 72-C-193
)
 JERRY W. HANDLEY, et al.)
)
 Defendants.)

FILED
OCT 31 1972

JUDGMENT OF FORECLOSURE

Clerk
U. S. DISTRICT COURT

THIS MATTER COMES on for consideration this 26 day
of October, 1972, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Jerry W.
Handley and Joyce Handley, appearing not.

The Court being fully advised and having examined
the file herein finds that after diligent effort the whereabouts
and residence of the defendants cannot be ascertained and that
the Complaint in this action was served on the defendants by
publication as appears from the Proof of Publication filed herein
on September 29, 1972, and

It appearing that the said defendants have failed
to answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described
real property is located in Tulsa County, Oklahoma, within the
Northern Judicial District of Oklahoma:

Lot Twenty-Four (24) in Block Three (3), NORTHGATE
THIRD ADDITION to the City of Tulsa, Tulsa County,
Oklahoma, according to the recorded plat thereof.

THAT the defendants, Jerry W. Handley and Joyce Handley, did, on July 30, 1970, execute and deliver to the Diversified Mortgage and Investment Company their mortgage and mortgage note in the sum of \$14,150.00 with 8½ per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

That by instrument dated August 9, 1970, Diversified Mortgage and Investment Company assigned said mortgage to the Federal National Mortgage Association, and by instrument dated December 10, 1971, Federal National Mortgage Association reassigned said mortgage to the Secretary of Housing and Urban Development, Washington, D. C., his successors and assigns.

The Court further finds that the defendants, Jerry W. Handley and Joyce Handley, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than thirteen (13) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$14,033.59 as unpaid principal, with interest thereon at the rate of 8½ per cent interest per annum from December 20, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Jerry W. Handley and Joyce Handley, in rem, for the sum of \$14,033.59 with interest thereon at the rate of 8½ per cent per annum from December 20, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JACK C. WOOD, et al.,)
)
Defendants.)

Civil Action No. 72-C-270 ✓

FILED
OCT 31 1972

U. S. DISTRICT COURT
Clerk

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this *24* day
of October, 1972, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Jack C.
Wood, Carolyn F. Wood, and Hillcrest Medical Center, Inc., appearing
not.

The Court being fully advised and having examined the
file herein finds that personal service has been made on the defendants,
Jack C. Wood, Carolyn F. Wood, and Hillcrest Medical Center, Inc.,
as appears from the Marshal's Returns of Service; that Hillcrest
Medical Center, Inc., has filed its disclaimer in this action, and

It appearing that the said defendants, Jack C. Wood and
Carolyn F. Wood, have failed to answer herein and that default
has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Tulsa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

Lot Twenty-Three (23), Block Forty-One (41),
VALLEY VIEW ACRES SECOND ADDITION to the City of
Tulsa, Tulsa County, State of Oklahoma, according
to the recorded plat thereof.

THAT the defendants, Jack C. Wood and Carolyn F. Wood,
did, on February 15, 1971, execute and deliver to the Administrator
of Veterans Affairs, their mortgage and mortgage note in the

sum of \$11,500.00 with 4 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Jack C. Wood and Carolyn F. Wood, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than ten (10) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$11,453.66 as unpaid principal, with interest thereon at the rate of 4 1/2 per cent interest per annum from November 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Jack C. Wood and Carolyn F. Wood, for the sum of \$11,453.66 with interest thereon at the rate of 4 1/2 per cent per annum from November 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

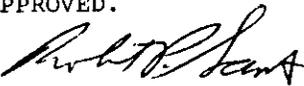
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisal the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and

all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ARTHUR PERRY MULLINS, et al.,)
)
Defendants.)

CIVIL ACTION NO. 72-C-155

FILED
OCT 31 1972

Clerk
U. S. DISTRICT COURT

DEFICIENCY JUDGMENT

NOW, on this 26 day of October, 1972, there came on for consideration the motion of the plaintiff, United States of America, for leave to enter a Deficiency Judgment, which motion was filed herein on September 28, 1972, and copies of such motion are being mailed to the defendants, Arthur Perry Mullins and Wanda Lee Mullins, and the Court being fully advised and upon consideration of said motion finds that the fair and reasonable market value of the mortgaged property as of the date of the Marshal's Sale herein, to-wit, September 11, 1972, was \$8,400.00.

The Court further finds that the sum of \$8,400.00 was the highest and best bid on the real property as shown by the Marshal's Return of Sale filed herein on September 19, 1972.

The Court further finds that the aggregate amount of judgment entered herein, together with interest and costs to January 1, 1971, is \$9,128.16, and that the plaintiff is entitled to a deficiency judgment against Arthur Perry Mullins and Wanda Lee Mullins for the sum of \$1,666.33 with interest on said sum at the rate of 5 1/2 per cent per annum from October 1, 1972, until paid.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, United States of America, have and recover from the defendants, Arthur Perry Mullins and Wanda Lee Mullins, a deficiency judgment in the amount of \$1,666.33 with interest thereon at the rate of 5 1/2 per cent per annum from October 1, 1972, until paid.

L. H. Allen & Associates
UNITED STATES DISTRICT COURT

APPROVED:

Robert P. Santee
ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 80.00 ACRES OF LAND, MORE OR)
 LESS, SITUATE IN NOWATA COUNTY,)
 STATE OF OKLAHOMA, AND HARTWELL)
 GREEN, ET AL., AND UNKNOWN)
 OWNERS,)
)
 Defendants.)

CIVIL ACTION NO. 70-C-380

Tract No. 811M

FILED

OCT 30 1972

J U D G M E N T

Clerk
U. S. DISTRICT COURT

1.

Now, on this 30 day of October, 1972,

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 18, 1972, and the Court, having examined the file 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 entire estate taken in Tract No. 811M as such estate and tract are described in the Complaint filed in this case.

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 the subject tract.

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 the subject property for public use. Pursuant thereto, on December 9, 1970, the United States of America filed its Declaration of Taking of a certain estate in such tract of land, which was the date of taking thereof. Simultaneously therewith, Plaintiff deposited \$13,131.00 in the Registry of this Court as estimated compensation for the taking of said estate, all of which has been disbursed. Therefore, title to such property should be vested in the United States of America as of December 9, 1970.

6.

The Report of Commissioners filed herein on October 18, 1972, is hereby accepted and adopted as findings of fact as to the subject tract, wherein the amount of just compensation as to the estate taken therein is fixed by the Commission at \$19,000.00.

7.

The Defendants named in paragraph 11 as owners of the estate taken in the subject tract are the only Defendants asserting any interest in such estate; all other Defendants having either disclaimed or defaulted. The Court further finds that there was a subsisting oil and gas lease on this tract on the date of taking. Said named Defendants were the owners of various interests in the estate condemned herein as of the date of taking and, as such, are entitled to receive the just compensation awarded by this judgment according to their respective interests as set out in paragraph 11 below.

8.

This judgment creates a deficiency between the amount deposited as estimated just compensation for the estate taken

in the subject tract and the amount fixed by the Commission and adopted by the Court as just compensation; therefore, a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out below in paragraph 11.

9.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the United States of America has the right, power and authority to condemn for public use the subject tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned and title thereto is vested in the United States of America, as of December 9, 1970, which was the date of taking thereof, and all Defendants herein and all other persons are forever barred from asserting any claim to such estate.

10.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that on the date of taking in this case, the owners of the various interests in the estate taken herein in the subject tract were the Defendants whose names appear below in paragraph 11 with the interest owned by each also shown therein and the right to receive the just compensation for such estate is vested in the parties so named; and, there was a subsisting oil and gas lease on this tract on the date of taking.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Report of Commissioners filed herein on October 18, 1972, is hereby confirmed and the \$19,000.00 therein fixed is adopted as the award of just compensation for the estate taken in the subject tract, which is allocated and should be disbursed according to the following schedule:

TRACT NO. 81111

AWARD OF JUST COMPENSATION:

Total award for estate taken \$19,000.00

ALLOCATION OF AWARD:

(pursuant to Commissioners' Report)

To Lessee (Working) interest \$14,000.00
To Lessor (Royalty) interest 5,000.00

DEPOSIT OF ESTIMATED COMPENSATION 13,131.00

DEPOSIT DEFICIENCY \$ 5,869.00
plus 6% interest from
December 9, 1970

OWNERSHIP, DISTRIBUTION OF AWARD AND DISBURSAL:

<u>Owners</u>	<u>Share of Award</u>	<u>Previously Disbursed</u>	<u>Balance Due</u>
<u>LESSEE (WORKING) INTEREST:</u>			
J. B. Dirickson and Ada M. Dirickson	\$14,000.00	\$11,275.00	\$2,725.00 Plus pro- rata share of accrued interest.
<u>LESSOR INTEREST:</u>			
Hartwell Green and Maudie M. Green	\$ 5,000.00	\$ 1,856.00	\$3,144.00 Plus pro- rata share of accrued interest.

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 tract as shown in paragraph 11 in the amount of \$5,869.00 together with interest on such deficiency at the rate of 6% per annum from December 9, 1970, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for the subject tract in this action.

13.

IT IS FURTHER ORDERED that when the deposit required by paragraph 11 above has been made by the Plaintiff, the Clerk

of this Court shall then disburse, from the deposit in this case, the balance due the respective owners with the accrued interest pro-rated according to the schedule in paragraph 11 above.

/s/ Fred Daugherty

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Jack M. Short

JACK M. SHORT
Assistant United States Attorney

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

DR. JAMES EMORY SEASHOLTZ,)
et al.,)
)
Plaintiffs,)
)
vs.)
)
SECRETARY OF THE UNITED STATES)
DEPARTMENT OF HEALTH, EDUCATION,)
AND WELFARE, WASHINGTON, D. C.,)
et al.,)
)
Defendants.)

CIVIL ACTION NO. 72-C-168 ✓

FILED
OCT 18 1972 R

JACK C. SILVER-ASTING, Clerk
U. S. DISTRICT COURT

O R D E R

After reviewing the file and record in this cause,
the findings and recommendations of the Magistrate are hereby
approved, and

IT IS, THEREFORE, ORDERED THAT the Motion of the
defendants, Robert Harder, Ernest C. Kieswetter, and Kansas State
Department of Social Welfare, for change of venue be and the same
is hereby granted and sustained.

IT IS FURTHER ORDERED THAT this case be transferred
from this Court to the United States District Court for the District
of Kansas.

The Clerk of the Court shall forward by mail a copy
of this order to each of the attorneys for the defendants and to
the plaintiffs pro se.

Dated this 18 day of October, 1972.


UNITED STATES DISTRICT JUDGE

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

MIDLAND VALLEY GENERAL COMMITTEE OF ADJUSTMENT,)
LOCAL NO. 1244,)
AS REPRESENTATIVE OF UNITED TRANSPORTATION UNION,)
)
Plaintiff,)
)
vs.) Civil Action
) No. 72-C-14
TEXAS AND PACIFIC RAILWAY COMPANY,)
A Corporation,)
)
Defendant.)

ORDER

After reviewing the file and record in this cause, the recommendations of the Magistrate are hereby approved, and

IT IS, THEREFORE, ORDERED THAT the application of the plaintiff for an injunction against the defendant is hereby denied and this cause is hereby dismissed.

The Clerk of the Court shall forward by mail a copy of this Order to each of the attorneys for the above named plaintiff and defendant.

Dated this 26 day of October, 1972.


Chief United States District Judge

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

FILED
10/25/72

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
 vs.)
)
 LLOYD S. HENDERSON, et al.,)
)
 Defendants.)

U. S. DISTRICT COURT

Civil Action No. 72-C-267 ✓

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 25 day
of October, 1972, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Lloyd S
Henderson, Carolyn June Henderson, Clarence Glen VanSant and
Sandra Lou VanSant, appearing not.

The Court being fully advised and having examined the
file herein finds that personal service has been made on the
defendants as appears from the Marshal's Returns of Service, and

It appearing that the said defendants have failed to
answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Ottawa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

A tract of land in the NW 1/4 of the SW 1/4 of
Section 19, in Township 28 North, Range 23 East
of the Indian Base and Meridian, Ottawa County,
Oklahoma, more particularly described as follows:
to-wit:

Commencing at a point 890 feet South and 360 feet
East of the Northwest Corner of the NW 1/4 of the
SW 1/4 of Section 19, Township 28 North, Range 23
East; thence North 62 1/2 feet; thence East 120 feet;
thence South 62 1/2 feet; thence West 120 feet to the
point of beginning.

THAT the defendants, Lloyd S. Henderson and Carolyn June Henderson, did, on September 8, 1969, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$17,500.00 with 7 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Lloyd S. Henderson and Carolyn June Henderson, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than fourteen (14) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$17,316.03 as unpaid principal, with interest thereon at the rate of 7 1/2 per cent interest per annum from May 8, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Lloyd S. Henderson and Carolyn June Henderson, for the sum of \$17,316.03 with interest thereon at the rate of 7 1/2 per cent per annum from May 8, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

Fred Daugherty
United States District Judge

APPROVED.

Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney

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

JAMES DOW VANDIVERE,)
)
 Petitioner,)
)
 -vs-) Case No. 72-C-258 Civil)
)
 STATE OF OKLAHOMA and)
)
 DAVE FAULKNER, Sheriff of)
 Tulsa County,)
)
 Respondents.)

ORDER

Petitioner has applied in this case for relief from his State Court convictions by pleas of guilty to two misdemeanor criminal charges. On September 11, 1972, Petitioner was ordered by the Court to "file herein, under oath, a statement setting forth precisely each fact relied upon to claim or demonstrate that his counsel failed to afford him proper legal representation." Receipt of this Order by the Petitioner was acknowledged on September 12, 1972 and according to the terms of the Order Petitioner was granted thirty (30) days within which to file said statement with the Clerk of the Court.

More than thirty days have elapsed since September 12, 1972 the date on which Petitioner received the Order of September 11, 1972 and Petitioner has wholly failed to file the statement required by the Order of September 11, 1972.

Petitioner's action is hereby dismissed for failure of Petitioner to comply with the above Order of the Court.

It is so ordered this 12 day of October, 1972.

[Signature]

United States District Judge

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

OCT 21 1972

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Civil Action No. 72-C-222
)
VERNON P. CLYMER, et al.,)
)
)
Defendants.)

Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 25 day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendants, Vernon P. Clymer and Linda E. Clymer, appearing not.

The Court being fully advised and having examined the file herein finds that the defendants, Vernon P. Clymer and Linda E. Clymer, were served by publication as appears from the Proof of Publication filed herein on October 5, 1972, and

It appearing that the said defendants have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twenty-Six (26), Block Ten (10), LAKE-VIEW HEIGHTS AMENDED ADDITION to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof.

THAT the defendants, Vernon P. Clymer and Linda E. Clymer, did, on August 24, 1971, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,500.00 with 4 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

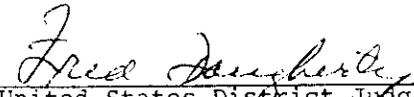
The Court further finds that the defendants, Vernon P. Clymer and Linda E. Clymer, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than six (6) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$9,504.93 as unpaid principal, with interest thereon at the rate of 4 1/2 per cent interest per annum from October 24, 1972, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Vernon P. Clymer and Linda E. Clymer, in rem, for the sum of \$9,504.93 with interest thereon at the rate of 4 1/2 per cent per annum from October 24, 1972, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

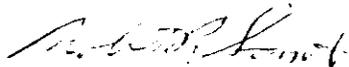
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint

herein be and they are forever barred and foreclosed of any right,
title, interest or claim in or to the real property or any part
thereof.


United States District Judge

APPROVED.


ROBERT P. SANTEE
Assistant United States Attorney

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

JAMES D. HODGSON, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR,)
)
Plaintiff,)
)
v.)
)
DAVID DILLION,)
)
Defendant.)

No. 71-G-332 ✓
Civil

FILED
OCT 25 1972 R

Clerk
U. S. DISTRICT COURT

JUDGMENT

This action having heretofore come on to be tried before the Court upon an agreed stipulation of facts, and the Court having made its findings of fact and conclusions of law, it is hereby Adjudged and Ordered that this action be and it is accordingly hereby dismissed.

DATED this 25 day of October, 1972.

Fred Daugherty
Fred Daugherty, United States District Judge

APPROVED AS TO FORM:

Richard F. Schubert
Richard F. Schubert, Solicitor of Labor

George T. Arvey
Harry Campbell, Jr., Acting Regional Solicitor

William E. Everhart
Roger D. Marshall, Attorney

Attorneys for James D. Hodgson,
Secretary of Labor, United States
Department of Labor, Plaintiff

Carl D. Hall, Jr.
Carl D. Hall, Jr.
Attorney for Defendant

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

FILED
IN OPEN COURT

OCT 24 1972

JACK G. SILVERMAN Clerk
U. S. DISTRICT COURT

SAMUE A. REGGS,
Plaintiff,

vs.

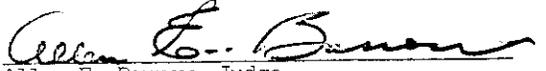
BRITISH COMMONWEALTH CORPORATION,
a Texas corporation, JAMES LOVELL,
W. N. WRAY, JR., and IVAN HALL,
Defendants.

No. 69-C-272 ✓

J U D G M E N T

IT IS ORDERED AND ADJUDGED, that the plaintiff have and recover from the defendant W. N. Wray, Jr., the sum of Seventeen Thousand Seven Hundred Fifty Dollars (\$17,750.00), together with his costs expended herein.

DATED this 24th day of October, 1972.


Allen E. Barrow, Judge

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

FILED
IN OPEN COURT
OCT 24 1972

SAMMIE A. RIGGS,

Plaintiff,

vs.

BRITISH COMMONWEALTH CORPORATION,
a Texas corporation, JAMES LOVELL,
W. N. WRAY, JR., and IVAN HALL,

Defendants.

Clerk
U. S. DISTRICT COURT

No. 69-C-272

ORDER

This matter comes before the Court upon regular assignment upon plaintiff's request for a finding of jurisdiction and request for sanctions pursuant to Federal Rule of Civil Procedure 37, against the defendant W. N. Wray, Jr.

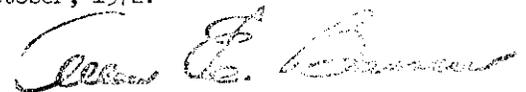
The Court having reviewed the pleadings, deposition of W. N. Wray, Sr. and in accordance with the guideline of the Court of Appeals, Tenth Circuit, finds that the Court has jurisdiction of the subject matter and the parties herein.

The Court finds that W. N. Wray, Jr. has failed and refused to make discovery on the issue of jurisdiction, and that the deposition of his father contradicts his allegations to defeat jurisdiction.

The Court finds that W. N. Wray, Jr. is therefore subject to the sanctions for refusal to make discovery and obey the Orders of this Court provided in Federal Rule 37, and the Court finds that the defendant W. N. Wray, Jr. is in default, and that judgment should be rendered against W. N. Wray, Jr. for the sum of Seventeen Thousand Seven Hundred Fifty Dollars (\$17,750.00), and costs of this action.

The Court finds that Notice of Hearing was duly mailed to the defendant W. N. Wray, Jr. at P. O. Box 45582, Dallas, Texas 75245, his last known address by the Clerk of this Court on October 13, 1972.

DATED this 24th day of October, 1972.



Allen E. Barrow, Judge

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

JOSIE DUDLEY, now Bean; ELLA MAE)
DUDLEY, now Christie; HAZEL DUDLEY,)
now Coffee, Heirs of Lizzie Dudley, nee)
Hummingbird, Cherokee Roll No. 19210,)
Plaintiffs,)
-vs-)
WILLIAM HALSELL McCLUSKEY,)
EVA ANN McCLUSKEY PICKARD,)
JEAN HOLMES McDONALD, and)
LUCILE MARIC DERVILLE,)
Defendants.)

FILED
OCT 24 1972
Clerk
U. S. DISTRICT COURT

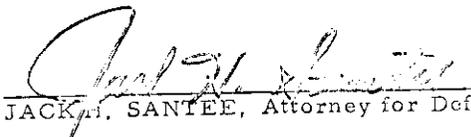
NO. 72-C-276

STIPULATION OF DISMISSAL

Come now the plaintiffs, by and through their attorneys, Pat Malloy and N. E. McNeill, Jr., and the defendants, by and through their attorney, Jack H. Santee, and do hereby stipulate and agree, pursuant to Rule 41 (a) of Federal Rules of Civil Procedure, that the above captioned civil action be dismissed.

PAT MALLOY & N. E. McNEILL, JR.

By _____
Attorneys for Plaintiffs



JACK H. SANTEE, Attorney for Defendants

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JOHN R. WILLIAMS, et al.,)
)
 Defendants.)

Civil Action No. 72-C-272

FILED
OCT 24 1972

Clerk

JUDGMENT OF FORECLOSURE U. S. DISTRICT COURT

THIS MATTER COMES on for consideration this 25 day
of October, 1972, the plaintiff appearing by Robert P.
Santee, Assistant United States Attorney, and the defendants,
John R. Williams, Kathryn Jane Williams, Associates Financial
Services Co., Inc., appearing not.

The Court being fully advised and having examined
the file herein finds that the Complaint in this action was
served on the defendants, John R. Williams, Kathryn Jane Williams,
and Associates Financial Services Co., Inc., by personal service
as appears from the Marshal's Returns of Service; that Applica-
tion for Additional Time in Which to Answer was filed by the
defendants, John R. Williams and Kathryn Jane Williams, on
August 24, 1972, and Order issued by the Court granted such
additional time to and including September 23, 1972, and

It appearing that the said defendants have failed
to answer herein and that default has been entered by the
Clerk of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property
mortgage securing said mortgage note and that the following
described real property is located in Tulsa County, Oklahoma,
within the Northern Judicial District of Oklahoma:

Lot Five (5), Block Sixty-One (61), VALLEY VIEW
ACRES THIRD ADDITION to the City of Tulsa,
Tulsa County, Oklahoma, according to the
recorded plat thereof.

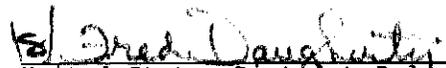
THAT the defendants, John R. Williams and Kathryn Jane Williams, did, on May 14, 1963, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,500.00 with 5½ per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, John R. Williams and Kathryn Jane Williams, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than eleven (11) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$9,135.76 as unpaid principal, with interest thereon at the rate of 5½ per cent interest per annum from August 1, 1971, until paid, plus the cost of this action accrued and accruing.

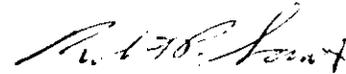
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, John R. Williams and Kathryn Jane Williams, for the sum of \$9,135.76 with interest thereon at the rate of 5½ per cent per annum from August 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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


United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 20 1972

Clerk

U. S. DISTRICT COURT

United States of America,
Plaintiff,

vs.

40.00 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and James V.
Flanigan, et al., and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 71-C-40

Tract No. 1460M

J U D G M E N T

1.

NOW, on this 19 day of October, 1972, 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 13, 1972, 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 entire estate condemned in Tract No. 1460M, as such tract and estate are described in the Complaint filed in this action.

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 property.

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 property. Pursuant thereto, on February 12, 1971 the United States of America

filed its Declaration of Taking of a certain estate in such tract 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.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract, a certain sum of money and part of this deposit has been disbursed, as shown below in paragraph 14.

7.

The Report of Commissioners filed herein on March 13, 1972, hereby is accepted and adopted as findings of fact as it applies to the working interest and to the overriding royalty interest in subject tract. The amount of just compensation as to these two interests in subject tract, as fixed by the Commissioners is set out below in paragraph 14.

8.

The owners of 1/2 of the lessor interest in the estate taken in the subject tract and the Plaintiff have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that the sum of \$200.00 is just compensation for 1/2 of such lessor interest, and such stipulation should be approved.

The owner of the other 1/2 of the said lessor interest has made no appearance in this case. Under these circumstances the Court finds that just compensation for the outstanding 1/2 of the lessor interest would be a sum equal to that fixed by the aforesaid stipulation, to-wit, the sum of \$200.00.

Thus, just compensation for the entire lessor interest in the estate taken in the subject tract should be fixed at \$400.00, as shown below in paragraph 14.

9.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the lessor interest in the estate taken in subject tract 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 below in paragraph 14.

10.

The amount deposited as estimated compensation for the working interest in the estate taken in the subject tract is greater than the sum awarded as just compensation for such interest, as shown below in paragraph 14. The owners of such interest have withdrawn the entire amount of estimated compensation for their interest. The owners of such interest, therefore, have received an overpayment, which they should refund into the Registry of the Court, for repayment to the Plaintiff.

11.

The defendants named in paragraph 14 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

12.

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 tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned, and title thereto is vested in the United States of America, as of February 12, 1971, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

13.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking, the owners of the estate taken in the subject tract were the defendants whose names appear below in paragraph 14, and the interest owned by each is as therein shown. The right to receive the just compensation awarded by this judgment is vested in the parties so named in paragraph 14.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on March 13, 1972, hereby is confirmed, and the sum therein fixed is adopted as just compensation for the working interest and the overriding royalty interest in the estate taken in subject tract; the Stipulation described above in paragraph 8 is approved and adopted as the basis for the award for the lessor interest in the subject property; and the total award is allocated among the various interests in subject property, all as shown by the following schedule:

TRACT NO. 1460M

1. Lessor interest

Owners:

The University of Puget Sound ----- 1/2

Vernon H. McClure and
Edith A. McClure ----- 1/2

Award of just compensation for this interest, based upon Stipulation -----	\$400.00	\$400.00
--	----------	----------

Deposited as estimated compen- sation for this interest ----	\$200.00	
---	----------	--

Disbursed to owners -----		<u>None</u>
---------------------------	--	-------------

Balance due to owners -----		\$400.00
-----------------------------	--	----------

Deposit deficiency for this interest -----	\$200.00	
---	----------	--

2. Working interest (15/16 of 7/8)

Owners:

J. R. Joplin and
Don Adams

Deposited as estimated compen- sation for this interest ----	\$1,260.00	
---	------------	--

Disbursed to owners -----		\$1,260.00
---------------------------	--	------------

Award of just compensation for this interest, pursuant to Commissioners' Report -----	<u>506.00</u>	506.00
---	---------------	--------

Overdeposit -----	\$754.00	<u> </u>
-------------------	----------	-------------------

Overpayment to owners -----		\$754.00
-----------------------------	--	----------

3. Overriding royalty interest (1/16 of 7/8)

Owners:

James V. Flanigan and
Bernice M. Flanigan ----- 1/2

James G. Bennett ----- 1/2

Award of just compensation for
this interest, pursuant to
Commissioners' Report ----- \$1.00 \$1.00

Deposited as estimated compen-
sation for this interest ----- \$1.00

Disbursed to owners ----- None

Balance due to owners ----- \$1.00

15.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America have judgment against J. R. Joplin and Don Adams for the overpayment to them, as shown in paragraph 14, in the amount of \$754.00.

To satisfy such judgment the said defendants shall pay the sum of \$754.00 to the Clerk of this Court, and the Clerk shall credit such sum to the deposit for the subject tract.

16.

It Is Further ORDERED that when the payment of the judgment, as required by paragraph 15 above, has been made, the Clerk of this Court then shall disburse from the deposit for the subject tract, to the Treasurer of the United States of America, the sum of \$754.00.

17.

It Is Further ORDERED that the Clerk of this Court now shall disburse from the deposit for the subject tract certain sums as follows:

To - Vernon H. McClure and Edith A. McClure, jointly,

the sum of \$200.00; and

James V. Flanigan and Bernice M. Flanigan,

jointly, the sum of \$0.50.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 30.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 State of Oklahoma, and George)
 Howard, et al., and Unknown)
 Owners,)
)
 Defendants.)

CIVIL ACTION NO. 71-C-39
Tract No. 1459M

FILED
OCT 21 1972
Clerk
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 19 day of October, 1972, 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 13, 1972, 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 entire estate condemned in Tract No. 1459M, as such tract and estate are described in the Complaint filed in this action.

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 property.

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 property. Pursuant thereto, on February 12, 1971 the United States of America

filed its Declaration of Taking of a certain estate in such tract 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.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract, a certain sum of money and part of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on March 13, 1972, hereby is accepted and adopted as findings of fact as it applies to the subject tract. The amount of just compensation as to the various interests in subject tract, as fixed by the Commissioners, is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract 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 below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein 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 tract, as it is described in the Complaint filed herein, and such property, to the extent of the

filed its Declaration of Taking of a certain estate in such tract 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.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract, a certain sum of money and part of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on March 13, 1972, hereby is accepted and adopted as findings of fact as it applies to the subject tract. The amount of just compensation as to the various interests in subject tract, as fixed by the Commissioners, is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract 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 below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein 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 tract, as it is described in the Complaint filed herein, and such property, to the extent of the

estate described in such Complaint is condemned, and title thereto is vested in the United States of America, as of February 12, 1971, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on March 13, 1972, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, and such award is allocated among the various interests, as shown by the following schedule:

TRACT NO. 1459M

1. Lessor interest

Owners:

George Howard and
Ida Martha Howard

Award of just compensation for this interest, pursuant to Commissioners' Report -----	\$150.00	\$150.00
Deposited as estimated compen- sation for this interest -----	<u>\$150.00</u>	
Disbursed to owners -----		<u>\$150.00</u>

2. Working interest (15/16 of 7/8)

Award of just compensation for this interest, pursuant to Commissioners' Report -----	\$438.00	
Deposited as estimated compen- sation, for this interest -----	<u>\$345.00</u>	
Deposit deficiency for this interest -----		\$93.00

2. Working interest (cont'd)

Ownership, distribution of award and disburseals:

Owners and interest	Dollar Share of Award	Disbursed	Balance Due
J. R. Joplin and Don Adams ----- 3/4	\$328.50	\$258.76	\$69.74
Edward R. Worseck and Grace A. Worseck ---- 1/16	27.38	None	27.38
Theodore Coroneos and Gust Coroneos ----- 1/16	27.38	None	27.38
Anthony Pish and Julia Pish ----- 1/16	27.37	None	27.37
Oscar R. Adler and Myrtle M. Adler ----- 1/16	27.37	None	27.37

3. Overriding royalty interest (1/16 of 7/8)

Owners:

James V. Flanigan and Bernice M. Flanigan ----- 1/2

James G. Bennett ----- 1/2

Award of just compensation for this interest, pursuant to Commissioners' Report ----- \$1.00 \$1.00

Deposited as estimated compensation for this interest ----- \$1.00

Disbursed to owners ----- None

Balance due to owners ----- \$1.00

13.

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 tract as shown in paragraph 12, in the total amount of \$93.00, together with interest on such deficiency at the rate of 6% per annum from February 12, 1972, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

Upon receipt of such deficiency deposit the Clerk of this Court shall disburse from the deposit for the subject tract certain sums as follows:

To - J. R. Joplin and Don Adams, jointly, the sum of \$69.74, plus 3/4 of all accrued interest credited to this deposit;
Edward R. Worseck and Grace A. Worseck, jointly, the sum of \$27.38, plus 1/16 of all accrued interest credited to this deposit;
Theodore Coroneos and Gust Coroneos, jointly, the sum of \$27.38, plus 1/16 of all accrued interest credited to this deposit;
Anthony Pish and Julia Pish, jointly, the sum of \$27.37, plus 1/16 of all accrued interest credited to this deposit;
Oscar R. Adler and Myrtle M. Adler, jointly, the sum of \$27.37, plus 1/16 of all accrued interest credited to this deposit; and
James V. Flanigan and Bernice M. Flanigan, jointly, the sum of \$0.50.

14.

It Is Further ORDERED that the share of the award due to James G. Bennett shall not be disbursed at the present time because the address of said defendant is now unknown. When said defendant is located, the Court will enter an appropriate order of disbursal.

In the event that the balance due to such defendant remains on deposit for a period of five years from the date of filing this judgment, then, after that period, the Clerk of this Court, without further order shall disburse the balance on deposit for subject tract to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042, U.S.C.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

20.00 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and The
University of Puget Sound,
et al., and Unknown Owners,

Defendants.

CIVIL ACTION NO. 71-C-38

Tract No. 1458M

FILED

OCT 21 1972

Clerk
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 19 day of October, 1972, 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 13, 1972, 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 entire estate condemned in Tract No. 1458M, as such tract and estate are described in the Complaint filed in this action.

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 property.

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 property. Pursuant thereto, on February 12, 1971 the United States of America

filed its Declaration of Taking of a certain estate in such tract 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.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract, a certain sum of money and part of this deposit has been disbursed.

7.

The Report of Commissioners filed herein on March 13, 1972, hereby is accepted and adopted as findings of fact as it applies to the subject tract. The amount of just compensation as to the various interests in subject tract, as fixed by the Commissioners, is set out below in paragraph 13.

8.

This judgment will create a surplus in the amount deposited as estimated just compensation for the taking of subject property, and such surplus should be refunded to the Plaintiff. The calculation of such surplus is set out below in paragraph 13.

9.

The amount deposited as estimated compensation for the working interest in the estate taken in the subject tract is greater than the sum awarded as just compensation for such interest, as shown below in paragraph 13. The owners of such interest have withdrawn the entire amount of estimated compensation for their interest. The owners of such interest, therefore, have received an overpayment, which they should refund into the Registry of the Court for repayment to the Plaintiff.

10.

The Defendants named in paragraph 13 as owners of subject property are the only Defendants asserting any interest in the estate condemned herein. All other Defendants having either disclaimed or defaulted, the named Defendants, as of the date of taking, were the owners of the respective interests in the estate

condemned herein, as shown in such paragraph 13, and, as such, are entitled to receive the just compensation awarded by this judgment.

11.

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 tract, as such tract is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned, and title thereto is vested in the United States of America, as of February 12, 1971, and all Defendants herein and all other persons are forever barred from asserting any claim to such estate.

12.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking, the owners of the estate taken in the subject tract were the Defendants whose names appear below in paragraph 13, and the interest owned by each is as therein shown. The right to receive the just compensation awarded by this judgment is vested in the parties so named in paragraph 13.

13.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on March 13, 1972, hereby is confirmed, and the sum therein fixed is adopted as just compensation for the estate taken in subject tract; and such award is allocated among the various interests in subject property, as shown by the following schedule:

TRACT NO. 1458M

1. Lessor interest

Owner: The University of Puget Sound

Award of just compensation for this interest, pursuant to Commissioners' Report -----	\$100.00	\$100.00
Deposited as estimated compensation for this interest -----	<u>\$100.00</u>	
Disbursed to owner -----		<u>None</u>
Balance due to owner -----		\$100.00

2. Working interest (15/16 of 7/8)

Owners:

J. R. Joplin and
Don Adams

Deposited as estimated compensation for this interest -----	\$770.00	
Disbursed to owners -----		\$700.00
Award of just compensation for this interest, pursuant to Commissioners' Report -----	<u>\$338.00</u>	\$338.00
Original overdeposit, as to this interest -----	\$432.00	<u> </u>
Overpayment to owners -----		\$362.00

3. Overriding royalty interest (1/16 of 7/8)

Owners:

Flossie Maddox ----- 1/2
James G. Bennett ----- 1/2

Award of just compensation for this interest, pursuant to Commissioners' Report -----	\$2.00	\$2.00
Deposited as estimated compensation, for this interest -----	\$1.00	
Disbursed to owners -----		<u>None</u>
Balance due to owners -----		<u>\$2.00</u>
Deposit deficiency, as to this interest -----	\$1.00	

14.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America have Judgment against J. R. Joplin and Don Adams for the overpayment to them, as shown in paragraph 13, in the amount of \$362.00.

To satisfy such Judgment the said defendants shall pay the sum of \$362.00 to the Clerk of this Court, and the Clerk shall credit said sum to the deposit for the subject tract.

15.

It Is Further ORDERED that the Clerk of this Court now shall disburse from the deposit for the subject tract certain sums as follows:

To:

The University of Puget Sound, the sum
of \$100.00;

Flossie Maddux, the sum of \$1.00; and

The Treasurer of the United States of
America, the sum of \$69.00.

16.

It is Further ORDERED that when the payment of the judgment, as required by paragraph 14 above, has been made, the Clerk of this Court then shall disburse from the deposit for the subject tract, to the Treasurer of the United States of America, the sum of \$362.00.

17.

It Is Further ORDERED that the balance due to James G. Bennett shall not be disbursed at this time because the address for such defendant is presently unknown. An appropriate order of disbursal will be entered when such defendant is located.

In the event that the balance due to such defendant remains on deposit for a period of five years from the date of filing this judgment, then, after that period, the Clerk of this Court, without further order shall disburse the balance on deposit in this action to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042, U.S.C.

UNITED STATES DISTRICT JUDGE

APPROVED:

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

12.50 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and William
M. Lewis, Jr., et al., and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 71-C-37

Tract No. 1457M

FILED
OCT 18 1972
U.S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 18 day of October, 1972, 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 13, 1972, 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 entire estate taken in Tract No. 1457M, as such estate and tract are described in the Complaint filed in this case.

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 tract.

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 property. Pursuant thereto, on February 12, 1971, the United States of America

filed its Declaration of Taking of a certain estate in such tract of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out below in paragraph 13.

7.

The Report of Commissioners filed herein on March 13, 1972 shows that the award for the working interest in the estate taken in the subject tract was based generally upon the testimony of the witness Gordon Romine, but was affected to some extent by the owner's testimony. Under these circumstances the Court cannot in good conscience approve an award for this interest in an amount less than \$345.00. Therefore, the Report should be modified to that extent. Subject to this modification, the said Report is approved and adopted as a finding of fact as to the working interest and as to the overriding royalty interest in the estate taken in subject tract. The amount of just compensation, as to such interests, as fixed by the Commissioners and modified by the Court, is set out below in paragraph 13.

8.

The owners of the lessor interest in the estate taken in the subject tract and the Plaintiff have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that the sum of \$125.00 is just compensation for such lessor interest, and such stipulation should be approved.

9.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract 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 below in paragraph 13.

10.

The defendants named in paragraph 13 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

11.

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 tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned, and title thereto is vested in the United States of America, as of February 12, 1971, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

12.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

13.

It Is Further ORDERED, ADJUDGED and DECREED that the Stipulation As To Just Compensation described in paragraph 8 above and the Report of Commissioners filed herein on March 13, 1972, as modified by paragraph 7 above, hereby are confirmed and the sum thereby fixed is adopted as the award of just compensation for the estate taken in subject tract, and is allocated among the various interests as shown by the following schedule:

TRACT NO. 1457M

1. Lessor interest:

Owners:

William M. Lewis, Jr. and
Nelda Lewis

Award of just compensation pursuant to Stipulation ----- \$125.00 \$125.00
 Deposited as estimated compensation for this interest ----- 62.50
 Disbursed to owners ----- None
 Balance due to owners ----- \$125.00
 Deposit deficiency ----- \$ 62.50

2. Working interest: (15/16 of 7/8)

Award of just compensation, for this interest, pursuant to Commissioners' Report ----- \$345.00

Deposited as estimated compensation for this interest ----- \$345.00

Ownership, distribution of award and disbursements:

Owners and interest	Dollar Share of Award	Disbursed	Balance Due
J. R. Joplin and Don Adams ----- 7/8	\$301.88	\$301.88	None
Oscar R. Adler and Myrtle M. Adler ----- 1/16	21.56	None	\$21.56
Edward J. Worseck and Grace A. Worseck ----- 1/16	21.56	None	\$21.56

3. Overriding royalty interest: (1/16 of 7/8)

Owners:

James G. Bennett ----- 1/2

James V. Flanigan, and Bernice M. Flanigan ----- 1/2

Award of just compensation pursuant to Commissioners' Report ----- \$1.00 \$1.00

Deposited as estimated compensation for this interest ----- .50

Disbursed to owners ----- None

Balance due to owners ----- \$1.00

Deposit deficiency ----- \$0.50

14.

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 total deposit deficiency for the

subject tract as shown in paragraph 13, in the amount of \$63.00 together with interest on the deficiency for the overriding royalty interest only (\$0.50) at the rate of 6% per annum from February 12, 1971, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

Upon receipt of such deficiency sum the Clerk of this Court shall disburse from the deposit for the subject tract as follows:

To - William M. Lewis, Jr. and Nelda Lewis,
jointly, the sum of \$125.00;
Oscar R. Adler and Myrtle M. Adler,
jointly, the sum of \$21.56;
Edward J. Worseck and Grace A. Worseck,
jointly, the sum of \$21.56; and
James V. Flanigan and Bernice Flanigan, jointly,
the sum of \$0.50, together with 1/2 of all ac-
crued interest credited to the deposit for
subject tract.

15.

It Is Further ORDERED that the share of the award due to James G. Bennett shall not be disbursed at the present time because the address of said defendant is now unknown. When said defendant is located the Court will enter an appropriate order of disbursement. In the event that the balance due to such defendant remains on deposit for a period of five years from the date of filing this judgment, then, after that period, the Clerk of this Court, without further order shall disburse the balance on deposit for subject tract to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042, U.S.C.

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

7.50 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and Jennie
Dronberger, et al., and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 71-C-36

Tract No. 1456M

FILED

OCT 21 1972

J. S. BARK
U. S. DISTRICT COURT

J U D G M E N T

1.

Now, on this 19 day of October, 1972, 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 13, 1972, 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 entire estate taken in Tract No. 1456M, as such estate and tract are described in the Complaint filed in this case.

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 tract.

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 property. Pursuant thereto, on February 12, 1971, the United States of America

filed its Declaration of Taking of a certain estate in such tract of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and part of this deposit has been disbursed as set out below in paragraph 13.

7.

The Report of Commissioners filed herein on March 13, 1972, shows that the award for the working interest in the estate taken in the subject tract was based upon the testimony of the witness Gordon Romine. The record reflects that this witness rounded his testimony upward to the next highest multiple of five. The Commissioners used the unrounded figure in fixing their award for this interest. The Court finds that the rounded figure should be used and the Report should be modified to that extent. Subject to this modification the said Report is approved and adopted as a finding of fact as to the working interest and as to the overriding royalty interest in the estate taken in the subject tract. The amount of just compensation, as to such interests, as fixed by the Commissioners and modified by the Court, is set out below in paragraph 13.

8.

The owner of the lessor interest in the estate taken in the subject tract and the Plaintiff have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that the sum of \$75.00 is just compensation for such lessor interest, and such stipulation should be approved.

9.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract 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 below in paragraph 13.

10.

The defendants named in paragraph 13 as owners of the estate taken in subject tract are the only defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein and, as such, are entitled to receive the just compensation awarded by this judgment.

11.

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 tract, as it is described in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint is condemned, and title thereto is vested in the United States of America, as of February 12, 1971, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

12.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 13, and the right to receive the just compensation for such estate is vested in the parties so named.

13.

It Is Further ORDERED, ADJUDGED and DECREED that the Stipulation As To Just Compensation described in paragraph 8 above and the Report of Commissioners filed herein on March 13, 1972, as modified by paragraph 7 above, hereby are confirmed and the sum thereby fixed is adopted as the award of just compensation for the estate taken in subject tract, and is allocated among the various interests as shown by the following schedule:

TRACT NO. 1456M

1. Lessor interest:

Owner: Jennie Dronberger

Award of just compensation
pursuant to Stipulation ----- \$75.00 \$75.00

Deposited as estimated compen-
sation for this interest ----- 37.50

Disbursed to owner ----- None

Balance due to owner ----- \$75.00

Deposit deficiency for this
interest ----- \$37.50

2. Working interest: (15/16 of 7/8)

Award of just compensation, pursuant
to Commissioners' Report ----- \$60.00

Deposited as estimated compensation
for this interest ----- \$60.00

Ownership, distribution of award and disbursals:

<u>Owners and interest</u>		<u>Dollar Share of Award</u>	<u>Disbursed</u>	<u>Balance Due</u>
J. R. Joplin and Don Adams -----	7/8	\$ 52.50	\$52.50	None
Oscar R. Adler and Myrtle M. Adler -----	1/16	3.75	None	\$3.75
Edward J. Worseck and Grace A. Worseck -----	1/16	3.75	None	\$3.75

3. Overriding royalty interest: (1/16 of 7/8)

Owners:

James G. Bennett ----- 1/2

James V. Flanigan and
Bernice M. Flanigan ----- 1/2

Award of just compensation pursuant
to Commissioners' Report ----- \$1.00 \$1.00

Deposited as estimated compensation
for this interest ----- .50

Disbursed to owners ----- None

Balance due to owners ----- \$1.00

Deposit deficiency ----- \$.50

14.

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 total deposit deficiency for the subject tract as shown in paragraph 13, in the amount of \$38.00, together with interest on the deficiency for the overriding royalty interest only (\$0.50) at the rate of 6% per annum from February 12, 1971 until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

Upon receipt of such deficiency deposit the Clerk of this Court shall disburse from the deposit for the subject tract as follows:

To - Jennie Dronberger the sum of \$75.00;
Oscar R. Adler and Myrtle M. Adler, jointly,
the sum of \$3.75;
Edward J. Worseck and Grace A. Worseck,
jointly, the sum of \$3.75; and
James V. Flanigan and Bernice Flanigan, jointly,
the sum of \$0.50, together with 1/2 of all accrued interest credited to the deposit for subject tract.

15.

It Is Further ORDERED that the share of the award due to James G. Bennett shall not be disbursed at the present time because the address of said defendant is now unknown. When said defendant is located the Court will enter an appropriate order of disbursement. In the event that the balance due to such defendant remains on deposit for a period of five years from the date of filing this judgment, then, after that period, the Clerk of this Court, without further order, shall disburse the balance on deposit for subject tract to the Treasurer of the United States of America pursuant to the provisions of Title 28, Section 2042, U.S.C.

APPROVED:

UNITED STATES DISTRICT JUDGE

HUBERT A. MARLOW
Assistant U. S. Attorney -5-

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 40.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 State of Oklahoma, and Mayabb)
 Oil Company, et al., and)
 Unknown Owners,)
)
 Defendants.)

CIVIL ACTION NO. 71-C-35
Tract No. 1452M

FILED
1972 OCT 19
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

J U D G M E N T

1.

NOW, on this 19 day of October, 1972, 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 13, 1972, 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 entire estate taken in Tract No. 1452M, as such estate and tract are described in the Complaint filed in this case.

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 tract.

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 property. Pursuant thereto, on February 12, 1971, the United States of

America filed its Declaration of Taking of a certain estate in such tract of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

Simultaneously with filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out below in paragraph 12.

7.

The Report of Commissioners filed herein on March 13, 1972, hereby is accepted and adopted as a finding of fact as to subject tract. The amount of just compensation as to the estate taken in subject tract as fixed by the Commission is set out below in paragraph 12.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate taken in subject tract 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 below in paragraph 12.

9.

The defendants named in paragraph 12 as owners of the estate taken in subject tract are the only defendants asserting any interest in such estate. All other defendants having either disclaimed or defaulted, the named defendants were (as of the date of taking) the owners of the estate condemned herein 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 tract, as it is described in

the Complaint filed herein, and such property, to the extent of the estate described in such Complaint is condemned, and title thereto is vested in the United States of America, as of February 12, 1971, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking in this case, the owners of the estate taken herein in subject tract were the defendants whose names appear below in paragraph 12, and the right to receive the just compensation for such estate is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on March 13, 1972, hereby is confirmed, and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject tract, and such award is allocated among the various interests as shown by the following schedule:

TRACT NO. 1452M

1. Lessor interest:

Owner:

Claude A. Dixon, Administrator of the
estate of Ollie E. Ball, deceased.
(She was successor to J. T. Ball, also
deceased)

Award of just compensation pursuant to Commissioners' Report --	\$200.00	\$200.00
Deposited as estimated compen- sation for this interest -----	<u>\$200.00</u>	
Disbursed to owner -----		<u>None</u>
Balance due to owner -----		\$200.00

2. Working interest: (15/16 of 7/8)

Award of just compensation pursuant to Commissioners' Report ---- \$506.00

Deposited as estimated compensation for this interest ----- \$180.00

Deposit deficiency ----- \$326.00

Ownership, distribution of award and disburseals:

Owners and interest		Dollar Share of Award	Disbursed	Balance Due
J. R. Joplin and Don Adams -----	29/32	\$458.57	\$163.12	\$295.45
Gust Coroneos and Theodore Coroneos -----	1/32	15.81	None	15.81
Anthony Pish and Julia Pish -----	1/32	15.81	None	15.81
Robert Eugene Adkins --	1/32	15.81	None	15.81

3. Overriding royalty interest: (1/16 of 7/8)

Award of just compensation pursuant to Commissioners' Report ----- \$1.00

Deposited as estimated compensation ----- \$1.00

Ownership, distribution of award and disburseals:

Owner and interest		Dollar Share of Award	Disbursed	Balance Due
Celia M. Greenwood and Mary Lou Lay-----	1/2	\$.50	None	\$.50
Myron Gohn -----	1/2	.50	None	.50

13.

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 tract as shown in paragraph 12, in the total amount of \$326.00, together with interest on such deficiency at the rate of 6% per annum from February 12, 1971, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tract in this civil action.

Upon receipt of such deficiency deposit the Clerk of this Court shall disburse the deposit for the subject tract as follows:

To - J. R. Joplin and Don Adams, jointly, the sum of \$295.45 plus 29/32 of all accrued interest credited to this deposit;
Gust Coroneos and Theodore Coroneos, jointly, the sum of \$15.81 plus 1/32 of all accrued interest credited to this deposit;
Anthony Pish and Julia Pish, jointly, the sum of \$15.81 plus 1/32 of all accrued interest credited to this deposit; and
Robert Eugene Adkins, the sum of \$15.81 plus 1/32 of all accrued interest credited to this deposit.

14.

It Is Further ORDERED that the Clerk of this Court now shall disburse from the deposit for the subject tract certain sums as follows:

To: Claude A. Dixon, Administrator of the Estate of Ollie E. Ball, deceased, the sum of \$200.00;
Celia M. Greenwood and Mary Lou Lay, jointly, the sum of \$0.50; and
Myron Gohn, the sum of \$0.50.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Atty.

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

EMILY G. MAINARD,

Plaintiff,)

vs.)

ELLIOT L. RICHARDSON, Secretary of
Health, Education, and Welfare,)

Defendant.)

CIVIL ACTION NO. 71-C-294 ✓

FILED

OCT 19 1972

Clerk
U. S. DISTRICT COURT

ORDER

After reviewing the file and record in this cause, the recommendations of the Magistrate are hereby approved and

IT IS, THEREFORE, ORDERED THAT the plaintiff's Motion for Summary Judgment be and the same is hereby denied.

IT IS FURTHER ORDERED THAT the defendant's Motion for Summary Judgment be and the same is hereby granted.

The Clerk of the Court shall forward by mail a copy of this Order to each of the attorneys for the above-named plaintiff and defendant.

Dated this 19 day of October, 1972.


UNITED STATES DISTRICT JUDGE

FINDINGS OF FACT

1. That the plaintiff, Edward Neal Martin, was and is a citizen of the City of Broken Arrow, Tulsa County, State of Oklahoma, within the Northern District of Oklahoma.

2. That the defendant, Connecticut General Life Insurance Company, is a corporation existing under and by virtue of the laws of the State of Connecticut, with its principal place of business in Hartford, Connecticut. The defendant insurance company is authorized to transact business within the State of Oklahoma.

3. That the amount in controversy exceeds the sum of \$10,000.00, exclusive of interest and costs.

4. It appears to the Court that the requisite diversity of citizenship and amount in controversy are present in this litigation.

5. Plaintiff, Edward Neal Martin, was employed by Douglas Aircraft Company, Inc., at Tulsa, Oklahoma, as an engineer, from December 4, 1956, until September 15, 1967. Plaintiff was terminated by said company, due to a reduction in work force. The evidence shows that plaintiff was offered a similar position with Douglas Aircraft Company, Inc., in California, and plaintiff did not avail himself of such employment.

6. Commencing on September 1, 1965, Edward Neal Martin became insured under an employees' group insurance policy (No. 22077-12) by the defendant, Connecticut General Life Insurance Company.

7. The component coverages afforded by said group policy were as follows:

(a) Life Insurance

(b) Accidental Death and Dismemberment Insurance

(c) Disability Income Insurance

(d) Comprehensive Medical Expense Benefits.

8. Said policy contained a Conversion Privilege, which provided in part as follows:

"PRIVILEGE OF CONVERTING TO AN INDIVIDUAL POLICY. If all of your life insurance terminates or any portion of it, because of termination of employment, because of retirement or because you cease to be in a class of Employees eligible for the insurance, and if written application is made and the first premium is paid within 31 days after the insurance terminates, the Insurance Company will issue to you, without evidence of insurability, any individual policy of life insurance without disability benefits then customarily issued by the Insurance Company, ***, in an amount not greater than the amount of your group life insurance which terminates. The new policy will be issued at your then attained age, for the premium applicable to the class of risk to which you then belong and will be effective on the 32nd day after the date your group life insurance terminates.

"***If you exercise the privilege of converting to an individual policy, the conversion will be in lieu of all other benefits to which you may be entitled under this policy.***."

9. The policy that covered plaintiff during the term of his employment, prior to termination, also provided, in part:

"Upon receipt by the insurance company of due proof that you, prior to your 60th birthday and while insured under this policy have become permanently totally disabled, the insurance company, in lieu of all other benefits and options provided under this policy, will pay to you the amount of insurance in force on your life on the day you became permanently totally disabled."

10. Plaintiff did, on or about October 17, 1967, convert the group life insurance policy to an individual life insurance policy, in accordance with the Conversion Privilege contained in the policy. The individual life insurance policy did not contain disability benefits.

11. Plaintiff had suffered, for some period of time, prior to his hospitalization on June 15, 1967, from refractory diabetes melitus.

12. Plaintiff was hospitalized, during his employment, with a diagnosis of volvulus of the cecum. In addition he suffered from diabetes mellitus and pyelonephritis. He was operated for the volvulus of the cecum by exploratory operation and released from the hospital July 3, 1967. Plaintiff returned to work July 31, 1967, and worked until the termination of his employment.

13. On September 13, 1967, plaintiff was examined by a physician at North American Aviation, Inc., for the purpose of gaining employment with that concern. He was thereafter rejected for employment by that Company due to his diabetic condition.

14. On December 4, 1967, plaintiff obtained employment with Braden Steel Company. The record reveals that a physical examination was not required by that Company. He worked for Braden Steel Company until December 23, 1967, when due to his health he terminated the position. He was re-hospitalized on December 25, 1967, where he remained a patient through February 14, 1968. The diagnosis at this time was longstanding kidney infection, hypochromic anemia, diabetes mellitus and a gangrenous cecum with an abscess present in the lower quadrant of the abdomen. He was operated for the gangrenous cecum and the abscess was drained.

15. As reflected by the deposition of A. L. Gerner, D.O., on file in this case, and a part of the record, on June 20, 1968, said physician, by "Physician's Certificate" to Connecticut General Life Insurance Company, certified that plaintiff had become totally disabled on December 23, 1967. Said certificate is attached as Exhibit "A" to Dr. Gerner's deposition. Dr. Gerner testified that the bowel problem present in December was the primary cause for his disability (Deposition, Dr. Gerner, page 19).

16. On July 2, 1968, plaintiff filed an application with Douglas Aircraft Company and Connecticut General Life Insurance Company stating he became totally disabled by reason of illness on December 26, 1967. This was some three months after his termination and some two months after plaintiff had converted the insurance policy.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Court makes the following Conclusions of Law.

1. The Court has jurisdiction of the parties to this litigation and the subject matter thereof.
2. The Court concludes that the plaintiff, at the time of his termination of employment due to a work reduction, was not permanently totally disabled within the provisions of Group Insurance Policy No. 22077-12.
3. The Court concludes that Group Insurance Policy No. 22077-12 did in fact automatically terminate in accordance with its provisions on September 15, 1967, coincident with plaintiff's termination of employment by Douglas Aircraft Company.

4. The Court concludes that plaintiff was not covered by the provision of the Group Insurance Policy No. 22077-12 on or after December 23, 1967, the date of commencement of his total permanent disability.

5. The Court concludes that judgment should be entered for the defendant in accordance with the above Findings of Fact and Conclusions of Law.

JUDGMENT

Based on the Findings of Fact and Conclusions of Law filed by the Court,

IT IS ORDERED that judgment be entered in favor of defendant and against plaintiff and that plaintiff take nothing on his cause of action.

ENTERED this 18th day of October, 1972.



CHIEF UNITED STATES DISTRICT JUDGE

Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DIXIE LEE SIMMONS,)
 a single person,)
)
 Defendant.)

Civil Action No. 72-C-224

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendant, Dixie Lee Simmons, appearing not.

The Court being fully advised and having examined the file herein finds that the Complaint in this action was served on the defendant, Dixie Lee Simmons, by publication, as appears from the Proof of Publication filed herein on October 5, 1972, and

It appearing that the said defendant has failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Washington County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Two (2), Block Twenty-Three (23), Oak Park Village, Section II, an Addition to the City of Bartlesville, Oklahoma, as per recorded plat of said addition on file in the office of the County Clerk, Washington County, Oklahoma.

THAT the defendant, Dixie Lee Simmons, did, on June 1, 1970, execute and deliver to the Administrator of Veterans Affairs, her mortgage and mortgage note in the sum of \$9,800.00

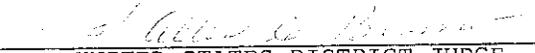
with 8 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendant, Dixie Lee Simmons, made default under the terms of the aforesaid mortgage note by reason of her failure to make monthly installments due thereon for more than six (6) months last past, which default has continued and that by reason thereof the above-named defendant is now indebted to the plaintiff in the sum of \$9,702.69 as unpaid principal, with interest thereon at the rate of 8 1/2 per cent interest per annum from November 1, 1971, until paid, plus the cost of this action accrued and accruing.

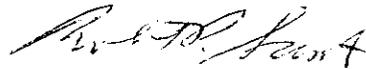
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendant, Dixie Lee Simmons, ^{in rem,} for the sum of \$9,702.69 with interest thereon at the rate of 8 1/2 per cent per annum from November 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendant to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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


UNITED STATES DISTRICT JUDGE

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

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

OCT 11 1972

CLERK

U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DALE E. COBB, et al.,)
)
 Defendants.)

Civil Action No. 72-C-223

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11th day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendants, Dale E. Cobb and Sharon D. Cobb, appearing not.

The Court being fully advised and having examined the file herein finds that Dale E. Cobb and Sharon D. Cobb were served by publication as appears by the Proof of Publication filed herein on October 5, 1972, and

It appearing that the said defendants have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Three (3) in Block Three (3) NORTHGATE THIRD ADDITION to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof.

THAT the defendants, Dale E. Cobb and Sharon D. Cobb, did, on April 15, 1971, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,750.00 with 7 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Dale E. Cobb and Sharon D. Cobb, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than four (4) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$10,742.02 as unpaid principal, with interest thereon at the rate of 7 1/2 per cent interest per annum from October 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Dale E. Cobb and Sharon D. Cobb, in rem, for the sum of \$10,742.02 with interest thereon at the rate of 7 1/2 per cent per annum from October 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

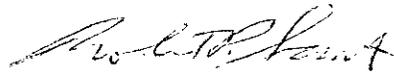
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisalment the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and

all persons claiming under them since the filing of the complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

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

FILED
OCT 18 1972

Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 72-C-220
)	
BETTY JO COBBS and)	
TONY L. COBBS,)	
)	
Defendants.)	

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendants, Betty Jo Cobbs and Tony L. Cobbs, appearing not.

The Court being fully advised and having examined the file herein finds that the defendants, Betty Joe Cobbs and Tony L. Cobbs, were served by publication as appears from the Proof of Publication filed herein on October 5, 1972, and

It appearing that the said defendants have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Thirteen (13), Block Forty-Three (43),
VALLEY VIEW ACRES SECOND ADDITION to the
City of Tulsa, Tulsa County, Oklahoma, accord-
ing to the recorded plat thereof.

THAT the defendants, Betty Jo Cobbs and Tony L. Cobbs, did, on May 5, 1971, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,650.00 with 7 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Betty Jo Cobbs and Tony L. Cobbs, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than five (5) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$10,634.13 as unpaid principal, with interest thereon at the rate of 7 1/2 per cent interest per annum from November 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Betty Jo Cobbs and Tony L. Cobbs, for the sum of \$10,634.13 with interest thereon at the rate of 7 1/2 per cent per annum from November 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the complaint

herein be and they are forever barred and foreclosed of any right,
title, interest or claim in or to the real property or any part
thereof.

[Handwritten Signature]
United States District Judge

APPROVED.

[Handwritten Signature]

ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 GARY B. BALLARD, et al.,)
)
 Defendants.)

Civil Action No. 72-C-219

FILED
OCT 18 1972
U. S. DISTRICT COURT - Clerk

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17 day
of October, 1972, the plaintiff appearing by Robert P.
Santee, Assistant United States Attorney, and the defendants,
Gary B. Ballard, Sharon K. Ballard, Dale W. Walston, and Pamela
S. Walston, appearing not.

The Court being fully advised and having examined
the file herein finds that Gary B. Ballard and Sharon K. Ballard
were served by publication as appears from the Proof of Publication
filed herein on October 5, 1972; that personal service was made
on Dale W. Walston and Pamela S. Walston as appears from the
Marshal's Return of Service; that Dale W. Walston has filed a
Disclaimer in this action, and

It appearing that the said defendants have failed
to answer herein and that default has been entered by the
Clerk of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property
mortgage securing said mortgage note and that the following
described real property is located in Tulsa County, Oklahoma,
within the Northern Judicial District of Oklahoma:

Lot Five (5), Block Fifty-Four (54), VALLEY VIEW
ACRES THIRD ADDITION to the City of Tulsa, Tulsa
County, Oklahoma, according to the recorded plat
thereof.

THAT the defendants, Gary B. Ballard and Sharon K. Ballard, did, on March 11, 1965, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,250.00 with 5 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Gary B. Ballard and Sharon K. Ballard, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 12 months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$9,333.40 as unpaid principal, with interest thereon at the rate of 5 1/2 per cent interest per annum from May 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Gary B. Ballard and Sharon K. Ballard, ^{in rem} for the sum of \$9,333.40 with interest thereon at the rate of 5 1/2 per cent per annum from May 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

William B. Brown
United States District Judge

APPROVED.

Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

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

FILE
OCT 18 1972

U. S. DISTRICT CO

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.) Civil Action No. 72-C-210
)
WILLIAM D. HILL, et al.,)
)
Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day
of October, 1972, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, William D.
Hill and Phyllis Hill, appearing not.

The Court being fully advised and having examined the
file herein finds that William D. Hill and Phyllis Hill were served
by publication as appears by the Proof of Publication filed herein
on September 29, 1972, and

It appearing that the said defendants have failed to
answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Tulsa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

Lot Four (4), Block Nine (9), OAK CREST THIRD
ADDITION to the City of Broken Arrow, County
of Tulsa, State of Oklahoma, according to the
recorded plat thereof.

THAT the defendants, William D. Hill and Phyllis Hill,
did, on May 26, 1971, execute and deliver to Mercury Mortgage
Company, Inc. , their mortgage and mortgage note in the sum of
\$17,250.00 with 7 per cent interest per annum, and further providing
for the payment of monthly installments of principal and interest;
and

That by instrument dated May 28, 1971, Mercury Mortgage Company, Inc., assigned said mortgage to Government National Mortgage Association; that by instrument dated June 11, 1971, Government National Mortgage Association reassigned said mortgage to Mercury Mortgage Company, Inc., and on November 17, 1971, Mercury Mortgage Company, Inc., assigned said mortgage to the Secretary of Housing and Urban Development, Washington, D. C., his successors and assigns.

The Court further finds that the defendants, William D. Hill and Phyllis Hill, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than six (6) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$17,206.96 as unpaid principal, with interest thereon at the rate of 7 per cent interest per annum from November 22, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, William D. Hill and Phyllis Hill, for the sum of \$17,206.96 with interest thereon at the rate of 7 per cent per annum from November 22, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisal the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

William H. Beaumont
United States District Judge

APPROVED.

Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

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

FILED

OCT 18 1972

Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Civil Action No. 72-C-209
)
THOMAS JOE BISHOP, et al.,)
)
Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendants, Thomas Joe Bishop and Robin Lynn Bishop, appearing not.

The Court being fully advised and having examined the file herein finds that the defendants, Thomas Joe Bishop and Robin Lynn Bishop, were served by publication as appears from the Proof of Publication filed herein on September 25, 1972, and

It appearing that the said defendants have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Eighteen (18), Block Nine (9), ROLLING HILLS THIRD, an Addition in Tulsa County, State of Oklahoma, according to the recorded plat thereof.

THAT the defendants, Thomas Joe Bishop and Robin Lynn Bishop, did, on August 5, 1970, execute and deliver to the Lomas & Nettleton Company, their mortgage and mortgage note in the sum of \$16,000.00 with 8 1/2 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

That by instrument dated August 26, 1970, Lomas & Nettleton Company assigned said mortgage to Lomas & Nettleton Financial Corporation; that by instrument dated August 26, 1970, Lomas & Nettleton Financial Corporation assigned said mortgage to the Federal National Mortgage Association, and on December 2, 1971, Federal National Mortgage Association assigned said mortgage to the Secretary of Housing and Urban Development, Washington, D. C.

The Court further finds that the defendants, Thomas Joe Bishop and Robin Lynn Bishop, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than twelve (12) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$15,868.31 as unpaid principal, with interest thereon at the rate of 8 1/2 per cent interest per annum from December 28, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Thomas Joe Bishop and Robin Lynn Bishop, in rem, for the sum of \$15,868.31 with interest thereon at the rate of 8 1/2 per cent per annum from December 28, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisal the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

W. C. ...
United States District Judge

APPROVED.

Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) Civil Action No. 72-C-196
)
 ERNEST E. HARRIS, et al.,)
)
 Defendants.)

FILED

OCT 18 1972

U. S. DISTRICT COURT
Clerk

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day
of October, 1972, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Ernest E.
Harris, Shirley Harris, and Ellen Harris, appearing not.

The Court being fully advised and having examined the
file herein finds that Ernest E. Harris, Shirley Harris, and
Ellen Harris were served by publication as appears on the Proof
of Publication filed herein on September 29, 1972, and

It appearing that the said defendants have failed to
answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Tulsa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

Lot Three (3) in Block Two (2), NORTHGATE 3RD
ADDITION to the City of Tulsa, Tulsa County,
Oklahoma, according to the recorded plat thereof.

THAT the defendants, Ernest E. Harris and Shirley Harris,
did, on September 2, 1969, execute and deliver to Diversified
Mortgage and Investment Company their mortgage and mortgage note
in the sum of \$13,250.00 with 7 1/2 per cent interest per annum,
and further providing for the payment of monthly installments
of principal and interest;

That by instrument dated September 9, 1969, Diversified Mortgage and Investment Company assigned said mortgage to Federal National Mortgage Association, and by instrument dated July 21, 1971, Federal National Mortgage Association assigned said mortgage to the Secretary of Housing and Urban Development, Washington, D. C., his successors and assigns.

and

The Court further finds that the defendants, Ernest E. Harris and Shirley Harris, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than twelve (12) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$13,585.03 as unpaid principal, with interest thereon at the rate of 7 1/2 per cent interest per annum from April 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Ernest E. Harris and Shirley Harris, in rem, for the sum of \$13,585.03 with interest thereon at the rate of 7 1/2 per cent per annum from April 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

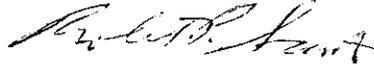
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

MULLEN DOHANON

United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 CHARLES DAVID FLOWERS, et al.,)
)
 Defendants.)

Civil Action No. 72-C-195

FILED

OCT 18 1972

, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendants, Charles David Flowers and Barbara G. Flowers, appearing not.

The Court being fully advised and having examined the file herein finds that the Complaint in this action was served on the defendants, Charles David Flowers and Barbara G. Flowers, by publication, as appears from the Proof of Publication filed herein on September 29, 1972, and

It appearing that the said defendants have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Rogers County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Three (3), Block Four (4), WESTGATE MANOR ADDITION to the City of Claremore, Rogers County, Oklahoma, according to the recorded plat thereof.

That on April 7, 1971, the defendants executed and delivered to the Lomas and Nettleton Company their mortgage note and mortgage in the principal amount of \$16,900.00 with interest thereon at the

at the rate of 7 per cent per annum and further providing for the payment of monthly installments of principal and interest.

That by instrument dated November 9, 1971, the Lomas and Nettleton Company assigned said mortgage to the Secretary of Housing and Urban Development, Washington, D. C., his successors and assigns, and

The Court further finds that the defendants, Charles David Flowers and Barbara G. Flowers, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than thirteen (13) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$16,900.00 as unpaid principal, with interest thereon at the rate of 7 per cent interest per annum from April 7, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Charles David Flowers and Barbara G. Flowers, in rem, for the sum of \$16,900.00 with interest thereon at the rate of 7 per cent per annum from April 7, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisal the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

W. Robert E. Beaman
United States District Judge

APPROVED.

Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
MICHAEL PERRY, et al.,)
)
Defendants.)

Civil Action No. 72-C-151

FILED
OCT 18 1972

Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 17th day of October, 1972, the plaintiff appearing by Robert P. Santee, Assistant United States Attorney, and the defendants, Michael Perry, Verda V. Perry, Clarence Norman Braggs, if living or, if not, the unknown heirs, executors, administrators, devisees, trustees, and assigns of Clarence Norman Braggs, and Paula Yvonne Braggs now Young, Individually and as guardian ad litem for Steven Lamar Braggs and Randy Norman Braggs, both minors, appearing not.

The Court being fully advised and having examined the file herein finds that personal service has been made on all defendants herein, as indicated by the Marshal's Returns of Service, with the exception of Clarence Norman Braggs; that after diligent effort the whereabouts and residence of the defendant, Clarence Norman Braggs, cannot be ascertained; that the Complaint in this action was served on defendant, Clarence Norman Braggs, if living, or if not, the unknown heirs, executors, administrators, devisees, trustees and Assigns of Clarence Norman Braggs, by publication, as appears from the Proof of Publication filed herein on September 29, 1972; and

It appearing that the said defendants have failed to answer herein and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based

upon a mortgage note and foreclosure on a real property mortgage securing said mortgage note and that the following described real property is located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Nineteen (19), Block Five (5), in NORTHRIDGE an Addition in Tulsa County, State of Oklahoma, according to the recorded plat thereof.

THAT the defendants, Michael Perry and Verda V. Perry, did, on December 13, 1967, execute and deliver to the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,400.00 with 6 per cent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Michael Perry and Verda V. Perry, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than seven (7) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$9,934.30 as unpaid principal, with interest thereon at the rate of 6 per cent interest per annum from August 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Michael Perry and Verda V. Perry, for the sum of \$9,934.30 with interest thereon at the rate of 6 per cent per annum from August 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

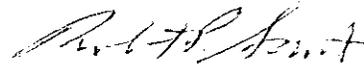
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisalment the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

LUTHER BOHANON

United States District Judge

APPROVED.



ROBERT P. SANTEE
Assistant United States Attorney

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

JOHN WILLIAM LAMB,)
)
) Petitioner,)
)
 vs.) NO. 71-C-414
)
) PARK J. ANDERSON, Warden,)
) Oklahoma State Penitentiary,)
) McAlester, Oklahoma,)
) Respondent.)

FILED
OCT 17 1972

.. Clerk
U. S. DISTRICT COURT

ORDER

The Court has for consideration the petitioner's Motion for Dismissal Without Prejudice filed September 29, 1972.

The respondent having made no objection, and the Court being fully advised in the premises, the Court finds that the motion to dismiss without prejudice should be sustained.

IT IS, THEREFORE, ORDERED that the motion of the petitioner, John William Lamb, to dismiss this cause of action be and it is sustained, and this cause of action is hereby dismissed without prejudice.

Dated this 17th day of October, 1972, at Tulsa, Oklahoma.


CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

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

THOMPSON SALES COMPANY, INC.,)
)
Plaintiff,)
)
vs.)
)
RAYTHEON COMPANY, a)
corporation,)
)
)
Defendant.)

FILED
OCT 17 1972
Clerk
U. S. DISTRICT COURT

No. 72-C-350 /

ORDER OF DISMISSAL

NOW on this 17th day of October, 1972, the above
cause of action is dismissed by the Plaintiff on Plaintiff's
Motion with prejudice.

Allen E. Barrett

JUDGE

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

CLIFFORD R. TURNER,

Plaintiff,)

CIVIL ACTION NO. 71-C-293

vs.)

ELLIOT L. RICHARDSON, Secretary of
Health, Education, and Welfare,)

Defendant.)

FILED

OCT 17 1972

Clerk
U. S. DISTRICT COURT

ORDER

After reviewing the file and record in this cause, the recommendations of the Magistrate are hereby approved and

IT IS, THEREFORE, ORDERED THAT the plaintiff's Motion for Summary Judgment be and the same is hereby denied.

IT IS FURTHER ORDERED that the defendant's Motion for Summary Judgment be and the same is hereby granted.

The Clerk of the Court shall forward by mail a copy of this Order to each of the attorneys for the above-named plaintiff and defendant.

Dated this 17th day of October, 1972.


UNITED STATES DISTRICT JUDGE

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) Civil Action No. 72-C-194
)
 BUD LAUDERDALE, et al.,)
)
 Defendants.)

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 14th day
of October, 1972, the plaintiff appearing by Robert P. Santee,
Assistant United States Attorney, and the defendants, Bud
Lauderdale and Mary Lauderdale, appearing not.

The Court being fully advised and having examined the
file herein finds that the Complaint in this action was served on
the defendants, Bud Lauderdale and Mary Lauderdale, by publication
as appears from the Proof of Publication filed herein on September
29, 1972, and

It appearing that the said defendants have failed to
answer herein and that default has been entered by the Clerk
of this Court.

The Court further finds that this is a suit based upon
a mortgage note and foreclosure on a real property mortgage securing
said mortgage note and that the following described real property
is located in Tulsa County, Oklahoma, within the Northern Judicial
District of Oklahoma:

Lot Five (5), Block Six (6), NORTHGATE 3RD ADDITION
to the City of Tulsa, Tulsa County, Oklahoma, accord-
ing to the recorded plat thereof.

THAT the defendants, Bud Lauderdale and Mary Lauderdale,
did, on March 2, 1971, execute and deliver to Diversified Mortgage
and Investment Company their mortgage and mortgage note in the
sum of \$14,400.00 with 7 per cent interest per annum, and further

providing for the payment of monthly installments of principal and interest; and

That by instrument dated March 2, 1971, Diversified Mortgage and Investment Company assigned said mortgage to Federal National Mortgage Association, and on December 10, 1971, Federal National Mortgage Association assigned said mortgage to the Secretary of Housing and Urban Development, Washington, D. C., his successors and assigns.

The Court further finds that the defendants, Bud Lauderdale and Mary Lauderdale, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than thirteen (13) months last past, which default has continued and that by reason thereof the above-named defendants are now indebted to the plaintiff in the sum of \$14,315.23 as unpaid principal, with interest thereon at the rate of 7 per cent interest per annum from December 20, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover judgment against defendants, Bud Lauderdale and Mary Lauderdale, in rem, for the sum of \$14,315.23 with interest thereon at the rate of 7 per cent per annum from December 20, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisement the real property and apply the proceeds thereof in satisfaction of plaintiff's judgment. The residue, if any, to be deposited with the Clerk of the Court to await further order of the Court.

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

William E. Bennett
United States District Judge

APPROVED.

Robert P. Santee

ROBERT P. SANTEE
Assistant United States Attorney

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

METROPOLITAN LIFE INSURANCE COMPANY,)
A CORPORATION,)
)
) Plaintiff,)
)
)
) vs.)
)
) A. J. SCHEER, EXECUTOR OF THE LAST)
) WILL AND TESTAMENT OF THOMAS O.)
) ERVIN, DECEASED; WILLA LEE GRAY;)
) THOMAS E. ERVIN; CLYDE B. ERVIN;)
) HARRY G. ERVIN; AND WOODY S. ERVIN,)
)
) Defendants.)

FILED

OCT 13 1972

JACOB G. SILVER - ACTING Clerk
U. S. DISTRICT COURT *h.*

No. 72 - C - 275 ✓

JUDGMENT ALLOWING INTERPLEADER, DISCHARGING
THE PLAINTIFF FROM FURTHER LIABILITY, MAKING
INJUNCTION PERMANENT, AND FIXING ATTORNEYS' FEES AND COSTS

Upon stipulation of the parties, evidenced by their stipulations filed herein, the Court makes findings of fact and conclusions of law in accordance with the following judgment and finds that judgment should be entered as follows:

IT IS ORDERED, ADJUDGED, AND DECREED by the Court that interpleader in this cause is allowed and approved; that the plaintiff, Metropolitan Life Insurance Company, has paid the sum of \$3,200.00 in to the Clerk of this Court to abide the final judgment of this Court; that the sum paid into Court is the full amount payable under Metropolitan Life Insurance Company Group Policy No. 103 issued to Socony-Vacuum Oil Company, Incorporated, and Certificate No. 6336 issued thereunder to Thomas O. Ervin, upon the death of such insured.

IT IS FURTHER ORDERED that said plaintiff is hereby discharged from any and all liability to the defendants herein, their heirs, executors, administrators, and assigns, under and in connection with such policy and certificate, and said certificate is hereby ordered to be surrendered and is hereby cancelled.

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

FILED
OCT 13 1972

Clerk
U. S. DISTRICT COURT

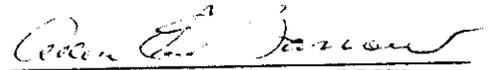
NEVER M. FAIL, JR. and GERALD L.)
KRAMER,)
vs.) Plaintiffs,) No. 71 C 255
THE TEXAS & PACIFIC RAILWAY COMPANY,)
Defendant.)

ORDER APPROVING SETTLEMENT AND ORDERING DISMISSAL

NOW on this 13th day of September, 1972, upon stipulation of the parties here-
to, the Court finds that the parties have entered in to a full and complete settlement
of all their respective claims and that said action should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said action
be dismissed with prejudice.

Done at Tulsa, Oklahoma, this 13th day of September, 1972.


HONORABLE ALLEN E. BARROW

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

GLADYS McNEW and MECIA MARSH,)
)
 Plaintiffs,)
)
 vs.)
)
 HOME INSURANCE COMPANY,)
)
 Defendant.)

NO. C-72-80

FILED

OCT 11 1972

.. Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

The above matter coming on to be heard this 11th day of October, 1972 upon written application of the parties for a dismissal of the cause of action of Gladys McNew, the Court having examined said application finds that said parties have entered into a compromise settlement covering all claims of Gladys McNew and have requested the Court to dismiss said action with prejudice to any future action, and the Court being fully advised in the premises, finds that said action should be dismissed pursuant to said application.

The Court further finds that this settlement does not prejudice or involve the claims, damages, loss or causes of action of Mecia Marsh and reserves unto said Mecia Marsh any claims which she may have for the accident.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that this settlement does not prejudice or involve the claims, damages, loss or causes of action of Mecia Marsh, and reserves unto Mecia Marsh any claims which she may have for the accident.

Allen E. Senow
JUDGE, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

APPROVALS:

Joseph Wm. Segers, Jr.
JOSEPH WM. SEGERS, Attorney for Gladys
McNew

Alfred B. Knight
ALFRED B. KNIGHT, Attorney for Home
Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 TULSA BOTTLERS ASSOCIATION;)
 LAKE COUNTRY BEVERAGE, INC.;)
 BEVERAGE PRODUCTS CORPORATION;)
 and COCA-COLA BOTTLING COMPANY)
 OF TULSA, INC.,)
)
 Defendants.)

CIVIL ACTION
NO. 72 C 230

FILED
OCT 11 1972
JACK C. SILVER - ACTING Clerk
U. S. DISTRICT COURT

FINAL JUDGMENT

Plaintiff, United States of America, having filed its Complaint herein on June 29, 1972, the defendants having appeared herein and filed their answers to such complaint denying the substantive allegations hereof, and the parties by their respective attorneys having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein and without this Final Judgment constituting evidence or admission by any party with respect to any such issue;

AND, THEREFORE, before any testimony has been taken herein and without trial or adjudication of any issue of fact or law herein and upon consent of the parties hereto,

ORDERED ADJUDGED AND DECREED as follows:

I

This Court has jurisdiction of the subject matter of this action and of the parties hereto. The Complaint states a claim upon which relief may be granted against the defendants under Section 1 of the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", commonly known as the Sherman Act, as amended.

II

As used in this Final Judgment:

(A) "Person" means any individual, partnership, firm, association, corporation or other business or legal entity including any governmental agency or instrumentality;

(B) "Soft drinks" means non-alcoholic beverages containing concentrated syrups, sugar or sugar substitutes, carbonated or non-carbonated water, and flavor;

(C) "Bottling" means filling bottles, cans or similar containers with soft drinks;

(D) "Bottler" means any person engaged in producing, bottling and selling soft drinks.

III

The provisions of this Final Judgment applicable to each of the defendants shall apply also to each of its subsidiaries and successors, and its assigns of substantially all of the assets of its business, and to its officers, directors, agents and employees, and to all other persons in active concert or participation with any such defendant who shall have received actual notice of this Final Judgment by personal service or otherwise.

IV

Each defendant is enjoined and restrained from, directly or indirectly:

(A) Entering into, adhering to, maintaining or furthering any contract, agreement, understanding, plan or program with any other bottler to:

1. Fix, raise, determine, maintain or stabilize prices, deposits, discounts or other terms or conditions for the sale of soft drinks to any third person.

2. Advertise uniform or specific prices, deposits, or discounts or other uniform or specific terms or conditions for the sale of soft drinks to any third person.

3. Submit collusive or rigged bids or quotations or to allocate such bids or quotations for the sale of soft drinks.

4. Exchange information concerning bids, quotations, prices, deposits, discounts, or other terms or conditions for the sale of soft drinks to any third person.

(B) Advocating, urging, inducing, threatening, coercing, intimidating or compelling any person to:

1. Adopt, use or adhere to uniform or specific prices, deposits, discounts or other terms or conditions for the sale of soft drinks to any third person.

2. Refrain from selling or to refuse to permit the sale of private label soft drinks in vending machines; provided, however, an individual bottler may determine what soft drinks will be sold in vending machines owned by him.

(C) Communicating to any other bottler any information concerning past, present or future prices, deposits, discounts or other terms or conditions for the sale of soft drinks, except in connection with bona fide negotiations for the purchase or sale of soft drinks between the parties to such communications, or except in connection with bona fide negotiations for the purchase, sale or other transfer of any defendant or any part of the business of any defendant.

V

(A) Each defendant is enjoined and restrained, directly or indirectly, from joining, participating in, or belonging to, or contributing anything of value to any trade association, organization, or other group with knowledge that any of the activities thereof are inconsistent with any term of this Final Judgment.

(B) The defendant Tulsa Bottlers Association is hereby dissolved.

VI

Each of the corporate defendants is ordered and directed, not later than ninety (90) days following the date of entry of this Final Judgment, independently and individually to review and redetermine, based upon its own costs, business judgments and other lawful considerations the prices, deposits, discounts, or other terms and conditions at which it sells soft drinks.

VII

Each of the corporate defendants shall, for a period of five (5) years from the effective date of this Final Judgment

and within thirty (30) days of each publication of that defendant's price sheets which amends or adds to the prices, deposits, discounts, or terms and conditions of sale for soft drinks contained therein, execute an affidavit by one of its officers or other employees with authority to initiate such action that said changes, amendments or additions were individually and independently arrived at by that defendant and were not the result of any agreement or understanding with any other person; and further, that each corporate defendant shall retain in its files the aforesaid affidavits for five (5) years after the date of execution of such affidavits.

VIII

(A) Each of the corporate defendants shall maintain for a period of ten (10) years from the entry of this Final Judgment a record of all meetings, formal or informal, attended by any of its officers, directors or employees having managerial or supervisory authority in connection with the sale of pricing of any soft drinks, and similar representatives of any other bottler, whenever at such formal or informal meeting there is any discussion concerning bids, prices, deposits, discounts, or other terms or conditions of sale of any soft drink to any third person; said record shall include the date of and place of the meeting, the names of all persons in attendance, and a list of the topics or subjects which were discussed at each such meeting.

(E) Within ninety (90) days after the date of entry of this Final Judgment, each corporate defendant shall furnish a copy thereof to each of its officers and directors and to each of its plant managers, and

to file with this Court and serve upon the plaintiff an affidavit as to the fact and manner of its compliance with this Section VIII(B).

IX

For a period of ten (10) years from the date of entry of this Final Judgment each corporate defendant is ordered to file with the Assistant Attorney General in charge of the Antitrust Division, Washington, D. C. on each anniversary date of this Final Judgment, a report setting forth the steps it has taken during the prior year to carry out the terms thereof, and to advise the defendant's appropriate officers, directors and employees of its and their obligations under this Final Judgment.

X

For the purpose of determining or securing compliance with this Final Judgment, duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to any defendant made to its principal office, be permitted, subject to any legally recognized privilege:

(A) Access during the office hours of such defendant to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of such defendant relating to any matters contained in this Final Judgment; and

(B) Subject to the reasonable convenience of such defendant and without restraint or interference from it, to

interview officers or employees of such defendant, who may have counsel present, regarding any such matters.

Upon such written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, each defendant shall submit such written reports with respect to any of the matters contained in this Final Judgment as from time to time may be requested. No information obtained by means provided in this Section X shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States except in the course of legal proceedings for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

XI

Jurisdiction is retained for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders or directions as may be necessary or appropriate for the construction of or carrying out of this Final Judgment, or for the modification of any of the provisions thereof, and for the enforcement of compliance therewith and the punishment of violations thereof.


United States District Judge

Done: October 11, 1972

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

FILED
OCT 10 1972
JACK C. SILVER - ACTING Clerk
U. S. DISTRICT COURT

JAMES PATRICK COLLINS,)
)
 Petitioner,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

NO. 72-C-178 ✓

O R D E R

The Court, having examined the files and records of this proceeding, and the report of the United States Magistrate concerning same, together with the files and records in the cause, United States of America vs. James Patrick Collins, et al., Case No. CR-14185, including the transcript of the hearing, as well as having a clear recollection and memory of the arraignment, plea and sentence, thus being fully advised in the premises, finds:

1. The plea of guilty was made voluntarily and with understanding of the nature of the charge and the consequences of the plea;
2. The files, records and transcript herein conclusively show the defendant was not coerced in his plea of guilty; and
3. Such records, and the Court's own memory of the proceedings, are conclusive that the petitioner's allegation that he was not properly represented by his retained counsel is wholly frivolous and without basis in fact or law.
4. The files and records are clear that the petitioner is not entitled to relief, and therefore, no evidentiary hearing is required.

IT IS, THEREFORE, ORDERED:

1. That petitioner's motion pursuant to 28 U.S.C. § 2255 is overruled and denied;
2. That a copy of this Order be mailed by the ^{acting} Clerk of this Court to the petitioner together with a copy of the Report of the United States Magistrate;
3. That the ^{acting} Clerk of this Court furnish a copy of this Order together with a copy of the Report of the United States Magistrate, by mailing the same to the United States Attorney for the Northern District of Oklahoma.

Dated this 10th day of October, 1972, at Tulsa, Oklahoma.

[Signature]
CHIEF JUDGE, UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

50.11 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and R. G.
Johnson, et al., and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 71-C-114

Tract No. 1753M

FILED

OCT 4 - 1972

JACK C. SILVER - ACTING Clerk
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 3rd day of October, 1972, 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 June 12, 1972, 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 entire estate condemned in Tract No. 1753M, as such tract and estate are described in the Complaint filed in this action.

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 property.

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 property. Pursuant thereto, on April 2, 1971 the United States of America

filed its Declaration of Taking of a certain estate in such tract 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.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estate in the subject tract, a certain sum of money and part of this deposit has been disbursed.

7.

The Report of Commissioners filed herein on June 12, 1972, is hereby accepted and adopted as findings of fact as it applies to the subject tract. The amount of just compensation as to the various interests in subject tract, as fixed by the Commissioners, is set out below in paragraph 13.

8.

This Judgment will create a surplus in the amount deposited as estimated just compensation for the taking of subject property, and such surplus should be refunded to the Plaintiff. The calculation of such surplus is set out below in paragraph 13.

9.

The amount deposited as estimated compensation for the 1/8 overriding royalty interest in the estate taken in the subject tract is greater than the sum awarded as just compensation for such interest, as shown below in paragraph 13. The owner of such interest has withdrawn the entire amount of estimated compensation for his interest. The owner of such interest, therefore, has received an overpayment, which he should refund into the Registry of the Court.

10.

The Defendants named in paragraph 13 as owners of subject property are the only Defendants asserting any interest in the estate condemned herein. All other Defendants having either disclaimed or defaulted, the named Defendants, as of the date of taking, were the owners of the respective interests in the estate

condemned herein, as shown in such paragraph 13, and, as such, are entitled to receive the just compensation awarded by this Judgment.

11.

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 tract, as such tract is describe in the Complaint filed herein, and such property, to the extent of the estate described in such Complaint, is condemned, and title thereto is vested in the United States of America, as of April 2, 1971, and all Defendants herein and all other persons are forever barred from asserting any claim to such estate.

12.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking, the owners of the estate taken in the subject tract were the Defendants whose names appear below in paragraph 13, and the interest owned by each is as therein shown. The right to receive the just compensation awarded by this Judgment is vested in the parties so named in paragraph 13.

13.

It Is Further ORDERED, ADJUDGED and DECREED that the Report of Commissioners filed herein on June 12, 1972, is hereby confirmed, and the sum therein fixed is adopted as just compensation for the estate taken in subject tract; and such award is allocated among the various interests in subject property, as shown by the following schedule:

TRACT NO. 1753M

Award of just compensation

for all interests, pursuant

to Commissioners' Report ----- \$3,148.00

Ownership, Allocation of Award and Disbursals:

1. Basic mineral interest (lessor)

Owners:

George C. Lynde and Cornelia
L. Sneed, Co-executors of the
estate of Elizabeth F. Lynde,
deceased ----- 1/2

The Trustees of Iowa College ---- 1/2

Share of award ----- \$251.00
 Disbursed to owners ----- None
 Balance due to owners ----- \$251.00

2. Working interest (7/8 of the leasehold interest):

Owner: Razorback Oil Company
 Share of award ----- \$2,600.00
 Disbursed to owner ----- None
 Balance due to owner ----- \$2,600.00

3. Overriding royalty interest (1/8 of the leasehold interest):

Owner: W. F. Moutray
 Disbursed to owner ----- \$738.83
 Share of award ----- 117.00
 Overpayment ----- \$621.83

4. Unitized royalty interests:

A. Total share of award
 for this interest ----- \$180.00

B. Distribution:

<u>Owners and Unitized Interest</u>	<u>Dollar Share of Award</u>	<u>Disbursed</u>	<u>Balance Due</u>
James A. Arnold and Glenn H. Chappell, Trustees of H. W. Reed, deceased, Trust (ORRI) ----- .00384079	\$ 4.58	None	\$ 4.58
Julia J. Harmon, Hugh Conine, George L. Hangs, George W. Lee, L. A. Leffler and The First National Bank, Nowata, Oklahoma as Trustees of the Pearl M. Harmon and Julia J. Harmon Foundation (ORRI) ---- .00384078	4.58	None	4.58
George C. Lynde, and Cornelia L. Sneed, Co-executors of the Estate of Elizabeth W. Lynde, deceased, (RI) ----- .00384078	4.58	None	4.58
Trustees of Iowa College (RI) ----- .00384078	4.58	None	4.58
F. A. Calvert (RI) --- .00970864	11.58	None	11.58

Distribution (continued):

Owners and Unitized Interest	Dollar Share of Award	Disbursed	Balance Due
Julian W. Glass, Jr., Trustee for Eva Payne Glass, Ernest Frances Bradfield and Julian W. Glass, Jr., (RI) .01417016	\$16.89	None	\$16.89
Edward Craig Lovett (RI) ----- .01852498	22.08	None	22.08
Gordon Hale Lovett (RI) ----- .01852499	22.08	None	22.08
Consolidated School District #36 (RI) ----- .00377289	4.50	None	4.50
Esther Weible, Nowata, (ORRI) ----- .03259419	38.85	None	38.85
Louis Kahan (RI) ----- .00257689	3.07	None	3.07
Sara Esther Kahan (RI) .00128845	1.54	None	1.54
Ronia Faye Kahan (RI) .00128845 C/o Rosenstein, Livingston & Fist, Attorneys, 413 Thurston National Bldg., Tulsa	1.54	None	1.54
Carey and Company - a co- partnership, (RI) ----- .00515377	6.14	None	6.14
The First National Bank and Trust Company of Tulsa, Trustee of Helen Whitehill Kenyon Trust (RI) ----- .00515377	6.14	None	6.14
The First National Bank and Trust Company of Tulsa, Trustee of Juliann W. Funke Living Trust (RI) ----- .00515377	6.14	None	6.14
Anne M. Whitehill (RI) ----- .00074197	.88	None	.88
Anne B. Whitehill(RI) .00074197	.88	None	.88
Ruth A. Whitehill (RI) ----- .01498487	17.86	None	17.86
Mary J. Daniels (RI) - .00127057	1.51	None	1.51

Deposit accounting:

Deposited as estimated compen- sation for all interests -----	\$7,212.00	\$7,212.00
Award of just compensation, for all interests -----		<u>3,148.00</u>
Original over-deposit -----		\$4,064.00
Disbursed to owners -----	738.83	
Overpayment to W. F. Moutray		621.83
Balance on hand -----	\$6,473.17	
Balance due to owners -----	<u>3,031.00</u>	
Present deposit surplus -----	\$3,442.17	<u>\$3,442.17</u>

14.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America have Judgment against W. F. Moutray for the overpayment to him, as shown in paragraph 13, in the amount of \$621.83.

To satisfy such Judgment the said defendant shall pay the sum of \$621.83 to the Clerk of this Court, and the Clerk shall disburse said sum to: Treasurer of the United States of America.

15.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for the subject tract the present deposit surplus created by this Judgment, in the amount of \$3,442.17, to the Treasurer of the United States of America.

The Clerk shall further disburse from the deposit for the subject tract to each owner, with the exception of Esther Weible, the balance due to him or her as shown above in paragraph 13.

16.

It Is Further ORDERED that the balance due to Esther Weible shall not be disbursed at this time because the address for such defendant is presently unknown. An appropriate order of disbursal will be entered when such defendant is located.

In the event that the balance due to such defendant remains on deposit for a period of five years from the date of filing this Judgment, then, after that period, the Clerk of this Court, without further order shall disburse the balance on deposit in this action to the Treasurer of the United States of America, pursuant to the provisions of Title 28, Section 2042, U.S.C.

ALLEN E. DARNOW

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 4 1972

Clerk
U. S. DISTRICT COURT

United States of America,
Plaintiff,

vs.

117.06 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and Lawson
Petroleum Company, et al.,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 70-C-378

Tract No. 1227M

(Leasehold Interest Only)

United States of America,
Plaintiff,

vs.

10.00 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and Nancy W.
Pollard, et al., and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 70-C-383

Tract No. 1236M

(All Interests)

United States of America,
Plaintiff,

vs.

50.00 Acres of Land, More or
Less, Situate in Nowata County,
State of Oklahoma, and Emma M.
Gray, et al., and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 70-C-384

Tract No. 1239M

(All Interests)

J U D G M E N T

1.

NOW, on this 3rd day of October, 1972, 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 July 18, 1972, and the Court, after having examined the files in this action and being advised by counsel, finds that:

2.

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

3.

This judgment applies to the leasehold interest only in Tract No. 1227M and to the entire estate taken in Tracts Nos. 1236M and 1239M, as such tracts and estate are described in the Complaints filed in the captioned civil actions.

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 actions who are interested in the subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaints filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on December 9, 1970, the United States of America filed its Declarations of Taking of a certain estate 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 instruments.

6.

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

7.

The Report of Commissioners filed herein on July 18, 1972 hereby is accepted and adopted as findings of fact in regard to the subject property. The amount of just compensation as to the various interests in subject tracts, as fixed by the Commissioners, is set out below in paragraph 11.

8.

This judgment will create a deficiency between the total amount deposited as estimated just compensation for the estate taken in subject property 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 below in paragraph 11.

9.

The defendants named in paragraph 11 as owners of the estate taken in subject property are the only defendants asserting any claim to such estate. All other defendants having either disclaimed or defaulted, as of the date of taking, the named defendants were the owners of the estate condemned herein 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 property described in paragraph 3, and such property, to the extent of the estate described in the Complaints filed herein, is condemned, and title to such estate is vested in the United States of America, as of December 9, 1970, and all defendants herein and all other persons are forever barred from asserting any claim to such estate.

11.

It Is Further ORDERED, ADJUDGED and DECREED that the right to receive the just compensation for the estate taken herein in subject property is vested in the defendants whose names appear below in this paragraph; the Report of Commissioners filed July 18, 1972, hereby is confirmed and the sum therein fixed is adopted as the award of just compensation for the estate taken in subject property, and said award is allocated among the various interests, as shown by the following schedule:

PART I: Leasehold interest (working interest) in all three tracts, to-wit: 1227M, 1236M, and 1239M, combined.

Owner: Rigdon and Bruen Oil Company

Award of just compensation pursuant to Commissioners' Report ----- \$28,800.00 \$28,800.00

Deposited as estimated compensation --- 6,480.00

(1227M ----- \$3,551.00)

(1236M ----- 687.00)

(1239M ----- 2,242.00)

Disbursed to owner ----- None

Balance due to owner ----- \$28,800.00

Deposit deficiency for this interest -- \$22,320.00

PART II: Lessor interests (by tract).

A. Tract No. 1236M (lessor interest).
(Civil Action No. 70-C-383)

Owners:

Nancy W. Pollard ----- 1/8
 Ann W. Howard ----- 1/8
 Nancy W. Pollard and
 Ann W. Howard, Trustees
 under Will of Gena M.
 Warner ----- 1/4
 Henry Evans Gray ----- 1/4
 Mildred Phillips Gray ----- 1/4

Award of just compensation pursuant
 to Commissioners' Report ----- \$375.00 \$375.00
 Deposited as estimated compensation -- 60.00
 Disbursed to owners ----- None
 Balance due to owners ----- \$375.00
 Deposit deficiency for this interest - \$315.00

B. Tract No. 1239M (lessor interest).
(Civil Action No. 70-C-384)

Award of just compensation pursuant
 to Commissioners' Report ----- \$3,000.00
 Deposited as estimated compensation ----- 1,127.00
 Deposit deficiency ----- \$1,873.00

Ownership, distribution and disbursal:

<u>Owner and Interest</u>	<u>Dollar Share of Award</u>	<u>Disbursed</u>	<u>Balance Due</u>
Emma M. Gray ----- 1/2	\$1,500.00	\$563.50	\$936.50
Harold Boyd and Dorothy E. Boyd ----- 1/2 (After D.T. Harold Boyd died and his interest passed to Dorothy E. Boyd)	1,500.00	None	\$1500.00

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 sum of the deposit deficiencies shown in paragraph 11 above, in the total amount of \$24,508.00, together with interest thereon, computed at the rate of 6% per annum from December 9, 1970, to the date of such payment.

The Clerk of this Court shall credit this payment to the deposits for the respective tracts in the subject actions as follows:

To Tract No. 1227M, in Civil Action 70-C-378

(For deficiency on leasehold interest in all three tracts)

The sum of \$22,320.00 plus .910723 of the accrued interest on the total deficiency created by this judgment.

To Tract No. 1236M, in Civil Action 70-C-383

(For lessor deficiency only)

The sum of \$315.00 plus .012853 of the accrued interest on the total deficiency created by this judgment.

To Tract No. 1239M, in Civil Action 70-C-384

(For lessor deficiency only)

The sum of \$1,873.00 plus .076424 of the accrued interest on the total deficiency created by this judgment.

13.

It Is Further ORDERED, ADJUDGED and DECREED that when the requirements of paragraph 12 above have been fulfilled, the Clerk of this Court then shall make certain disbursements as follows:

- A. From the deposit for Tract No. 1227M, in Civil Action 70-C-378, the sum of \$25,871.00, together with all accrued interest in this deposit; and from the deposit for Tract No. 1236M, in Civil Action 70-C-383, the sum of \$687.00; and from the deposit for Tract No. 1239M, in Civil Action 70-C-384, the sum of \$2,242.00, (making a total disbursement of \$28,800.00, plus interest) to Rigdon and Bruen Oil Company.
- B. From the deposit for Tract No. 1236M in Civil Action 70-C-383, to:
 1. Nancy W. Pollard, the sum of \$46.88 plus 1/8 of all accrued interest credited to this deposit.

2. Ann W. Howard, the sum of \$46.87 plus 1/8 of all accrued interest credited to this deposit.
3. Nancy W. Pollard and Ann W. Howard, Trustees under will of Gena M. Warner, the sum of \$93.75 plus 1/4 of all accrued interest credited to this deposit.
4. Henry Evans Gray, the sum of \$93.75 plus 1/4 of all accrued interest credited to this deposit.
5. Mildred Phillips Gray, the sum of \$93.75 plus 1/4 of all accrued interest credited to this deposit.

C. From the deposit for Tract No. 1239M, in Civil Action 70-C-384, to:

1. Emma M. Gray, the sum of \$936.50 plus 1/2 of all accrued interest credited to this deposit.
2. Dorothy E. Boyd, the sum of \$1,500.00 plus 1/2 of all accrued interest credited to this deposit.

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant U. S. Attorney

FILED

OCT 4 - 1972

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA
W. C. SILVER - ACTING Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 60.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 State of Oklahoma Margaret)
 Beckerm, et al., and Unknown)
 Owners,)
)
 Defendants.)

CIVIL ACTION NO. 70-C-22

Tract No. 841M

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 50.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 State of Oklahoma, and)
 Catherine Long, et al., and)
 Unknown Owners,)
)
 Defendants.)

CIVIL ACTION NO. 70-C-23

Tract No. 844M

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 10.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 State of Oklahoma, and Evelyn)
 L. Cohn, et al., and Unknown)
 Owners,)
)
 Defendants.)

CIVIL ACTION NO. 70-C-24

Tract No. 847M

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 110.00 Acres of Land, More or)
 Less, Situate in Nowata County,)
 State of Oklahoma, and)
 Carolina Koopman Steffens,)
 et al., and Unknown Owners,)
)
 Defendants.)

CIVIL ACTION NO. 70-C-25

Tract No. 851M

UNITED STATES OF AMERICA,

Plaintiff,

vs.

20.00 Acres of Land, More or Less, Situate in Nowata County, State of Oklahoma, and Julian W. Glass, Jr., et al., and Unknown Owners,

Defendants.

CIVIL ACTION NO. 70-C-26

Tract No. 1138M

J U D G M E N T

1.

NOW, on this 3 day of ~~September~~^{October}, 1972, 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 June 19, 1972, and the Court, after having examined the files in this action and being advised by counsel, finds that:

2.

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

3.

This judgment applies to the entire estate taken in Tracts Nos. 841M, 844M, 847M, 851M and 1138M, as such tracts and estate are described in the Complaints filed in the captioned civil actions.

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 actions who are interested in the subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaints filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on January 23, 1970, the United States of America filed its Declarations of Taking of a certain estate 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 instruments.

6.

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

7.

The Report of Commissioners filed herein on June 19, 1972, hereby is accepted and adopted as findings of fact in regard to the subject tracts. The amount of just compensation as to the various interests in subject tracts, as fixed by the Commissioners, is set out below in paragraph 11.

8.

This judgment will create a deficiency between the amount deposited as estimated just compensation for the estate 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 below in paragraph 11.

9.

The defendants named in paragraph 11 as owners of the estate taken in subject tracts are the only defendants asserting any claim to such estate. All other defendants having either disclaimed or defaulted, as of the date of taking, the named defendants were the owners of the estate condemned herein 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 they are described in the Complaints filed herein, and such property, to the extent of the estate described in such Complaints, is condemned, and title to such estate is vested in the United States of America,

D. Tract No. 851M (lessor interest).
(Civil Action No. 70-C-25)

Award of just compensation pursuant
to Commissioners' Report ----- \$4,583.00
Deposited as estimated compensation ----- 3,718.00
Deposit deficiency ----- \$ 865.00

Ownership, distribution and disburseals:

Owner and Interest		Dollar Share of Award	Disbursed	Balance Due
P.I.C. Management Co., Inc. -----	11/42	\$1200.30	\$ 973.75	\$ 226.55
H. S. Milam -----	11/126	400.10	324.59	75.51
Mildred M. Viles -----	11/126	400.10	324.59	75.51
Mary M. Stevenson (Mary M. Hackett)-----	11/126	400.10	324.59	75.51
Carolina Koopman Steffens -----	2/21	436.48	354.09	82.39
Minnie Koopman Davenport -----	2/21	436.48	354.09	82.39
F. L. Koopman -----	2/21	436.48	None	436.48
Emma Koopman Bungarner -----	2/21	436.48	354.10	82.38
Gertrude Koopman Davis -	2/21	436.48	354.10	82.38
		\$4583.00	\$3363.90	\$1219.10

E. Tract No. 1138M (lessor interest).
(Civil Action No. 70-C-26)

Owner: Julian W. Glass, Jr., Trustee under
the Will of J. Wood Glass, deceased
Eva Payne Glass,
Ernest Frances Bradfield and
Julian W. Glass, Jr.

Award of just compensation
pursuant to Commission-
ers' Report ----- \$11,000.00 \$11,000.00
Deposited as estimated
compensation ----- 4,270.00
Disbursed to owners ----- None
Balance due to owners ----- \$11,000.00
Deposit deficiency ----- \$ 6,730.00

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 sum of the deposit deficiencies

shown in paragraph 11 above, in the total amount of \$38,019.00, together with interest thereon, computed at the rate of 6% per annum from January 23, 1970, to the date of such payment.

The Clerk of this Court shall credit this payment to the deposits for the respective tracts in the subject actions as follows:

Tract No. 841M in Civil Action 70-C-22:

(For lessor deficiency only)

The sum of \$2,651.00 plus .069728 of the accrued interest on the total deficiency.

Tract No. 844M in Civil Action 70-C-23:

(For lessor deficiency only)

The sum of \$1,545.00 plus .040638 of the accrued interest on the total deficiency.

Tract No. 847M in Civil Action 70-C-24:

(For lessor deficiency only)

The sum of \$81.00 plus .002131 of the accrued interest on the total deficiency.

Tract No. 851M in Civil Action 70-C-25:

(For lessee deficiency in all 5 tracts and the lessor deficiency in 851M)

The sum of \$27,012.00 plus .710487 of the accrued interest on the total deficiency.

Tract No. 1138M in Civil Action 70-C-26:

(For lessor deficiency only)

The sum of \$6,730.00 plus .177016 of the accrued interest on the total deficiency.

13.

It Is Further ORDERED, ADJUDGED and DECREED that when the requirements of paragraph 12 above have been fulfilled, the Clerk of this Court then shall make certain disbursements as follows:

From the deposit for Tract No. 841M in C.A. 70-C-22, to:

Margaret E. Becker, the sum of \$4,600.00 plus all accrued interest credited to this deposit.

From the deposit for Tract No. 844M, in C.A. 70-C-23, to:

Frank Hoover Long, Jr., Executor of the estate

of Catherine Long, deceased, the sum of \$1,545.00,
plus all accrued interest credited to this deposit.

From the deposit for Tract No. 847M, in C. A. 70-C-24, to:

Evelyn L. Cohn, the sum of \$331.00, plus all
accrued interest credited to this deposit.

From the deposit for Tract No. 851M, in C. A. 70-C-25, to:

P.I.C. Management Co., Inc. the sum of \$13,300.05,
plus .492375 of all accrued interest credited to
this deposit;

H. S. Milam, the sum of \$4,433.35, plus .164125 of
all accrued interest credited to this deposit;

Mildred M. Viles, the sum of \$4,433.34, plus
.164125 of all accrued interest credited to
this deposit;

Mary M. Stevenson, now Hackett, the sum of
\$4,433.34, plus .164125 of all accrued interest
credited to this deposit;

Carolina Koopman Steffens, the sum of \$82.39,
plus .003050 of all accrued interest credited
to this deposit;

Minnie Koopman Davenport, the sum of \$82.39,
plus .003050 of all accrued interest credited
to this deposit;

F. L. Koopman, the sum of \$436.48, plus .003050
of all accrued interest credited to this deposit.

Emma Koopman Bungarner, the sum of \$82.38,
plus .003050 of all accrued interest credited
to this deposit; and

Gertrude Koopman Davis, the sum of \$82.38, plus
.003050 of all accrued interest credited to this
deposit.

From the deposit for Tract No. 1138M, in C.A. 70-C-26, to:

Julian W. Glass, Jr., Trustee under the Will of
J. Wood Glass, deceased, Eva Payne Glass, Ernest

Frances Bradfield and Julian W. Glass, Jr.,
the sum of \$11,000.00, plus all accrued
interest credited to this deposit.

/s/ 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

TOM LESTER PUGH and ALBERT McDONALD,)	
)	
Plaintiffs,)	
vs.)	
)	
S. M. FALLIS, JR., individually and as)	
District Attorney of Tulsa County,)	
Oklahoma, and)	
HON. JESS I. MIRACLE, individually and)	
as assigned Judge of the District)	
Court of Tulsa County, Oklahoma,)	No. 72-C-351 ✓
and)	
HON. LEE R. WEST, individually and as)	
assigned Judge of the District)	
Court of Tulsa County, Oklahoma,)	
and)	
HON. C. F. BLISS, JR., HON. ROBERT L.)	
BAILEY, and HON. DWAIN D. BOX,)	
individually and as assigned Judges)	
of the Court of Criminal Appeals of)	OCT <i>for</i>
the State of Oklahoma,)	C. SILVER-ACTING
)	
Defendants.)	

ORDER

Plaintiffs, Tom Lester Pugh and Albert McDonald, filed the above captioned case on September 27, 1972, and urged this Court to have an immediate hearing and issue a restraining order enjoining the defendants and each of them from proceeding further against the plaintiffs on criminal charges and to order and direct the defendants to immediately dismiss said charges and release plaintiffs from said charges.

Plaintiffs further request that a three judge District Court be convened to hear said matter as provided by the laws of Congress and that said Court be composed of the United States District Judge for the Northern District of Oklahoma and two United States District Court or Court of Appeals Judges from outside the state of Oklahoma.

The Court has carefully reviewed the Complaint and has searched the authorities applicable to the Complaint and concludes:

- (A) that the request of plaintiffs for a three judge court is without merit, and
- (B) that the plaintiffs have not exhausted their state remedies, and this Court is wholly without jurisdiction until all state remedies have been exhausted, including the trial of the pending cases in state court.

(C) A federal court will not interfere with pending criminal proceedings in a state court in the absence of showing of irreparable injury and lack of adequate remedy in state courts. 28 U.S.C.A. §2283; Warren Frederick Tyler v. Robert L. Russel, et al., 410 F.2d 490 (10 C.A. 1969); 18 U.S.C.A. §3231. The

state courts of Oklahoma are adequately equipped and staffed to determine federal constitutional questions, and absent exceptional circumstances not here appearing, or presented, a federal court is not authorized or justified in interfering with state criminal proceedings.

THEREFORE, the Court concludes that this cause should be dismissed forthwith, and

IT IS SO ORDERED.

Dated this 28th day of September, 1972.

Luther Bohanon
UNITED STATES DISTRICT JUDGE

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

VICKERS, TULSA DIVISION OF)
SPERRY RAND CORP.,)
)
Plaintiff,)
)
vs.) No. 72-C-82
)
INTERNATIONAL ASSOCIATION OF)
MACHINISTS AND AEROSPACE WORKERS,)
LOCAL LODGE NO. 790,)
)
Defendant.)

FILED
OCT 2 1972
SACK C. SILVER - ACTING Clerk
U. S. DISTRICT COURT

MOTION TO DISMISS

COMES NOW the Plaintiff in the above styled
matter and moves to dismiss the instant case, with pre-
judice, with the costs to the parties.



Jeff Nix
Kothe and Eagleton, Inc.
204 Philtower Building
Tulsa, Oklahoma 74103

FILED
OCT 4 1972
Clerk
U. S. DISTRICT COURT

ORDER

The Order granting the Plaintiff's Motion to
Dismiss is entered this 4th day of October, 1972.



JUDGE OF THE DISTRICT COURT

CERTIFICATE OF SERVICE

This is to certify that on this 28 day of September, 1972, I mailed a true and correct copy of the within and foregoing Motion to Dismiss to the following party of record, with proper postage thereon fully prepaid:

Mr. John M. Keefer
Jarboe & Keefer
Attorneys at Law
1210 Mid-Continent Bldg.
Tulsa, Oklahoma 74103


Jeff Nix

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

J. E. D. HODGSON, Secretary of Labor,
United States Department of Labor,

Plaintiff)

Civil Action

VERSUS

No. 72-C-3

LOCAL 1093, INTERNATIONAL UNION,
UNITED AUTOMOBILE, AEROSPACE, AND
AGRICULTURAL IMPLEMENT WORKERS OF
AMERICA,

Defendant)

FILED

OCT 2 1972

JACK C. SILVER - ACTING CLERK
U. S. DISTRICT COURT

ORDER OF DISMISSAL

Plaintiff brought this action under Title IV of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. §§ 481-484) (hereinafter referred to as the Act) for judgment declaring defendant's June 15-16 and 22-23, 1971 election for all offices to be null and void; and directing defendant to conduct a new election for all offices under the supervision of plaintiff.

Plaintiff and defendant have stipulated

that:

Defendant will conduct its next regular election for all offices, including nomination of candidates, during May and June 1972 under the supervision of plaintiff, as provided for by section 401(c) of the Act in accordance with Title IV of the Act and, so far as lawful and practicable, in accordance with the Constitution of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, and with defendant's By-Laws.

* * * *

This action will be dismissed without costs.

Therefore, it is DECLARED, DIRECTED and ORDERED that defendant will conduct its next regular election for all offices, including nomination of candidates, during May and June 1973 under the supervision of plaintiff, as provided for by section 402(e) of the Act in accordance with Title IV of the Act and, so far as lawful and practicable, in accordance with the Constitution of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, and with defendant's By-Laws.

It is further ORDERED that this ^{Council and Company} action be and hereby ~~is~~ dismissed without costs.

Dated this 2nd day of ^{September} September, 1972.


UNITED STATES DISTRICT JUDGE

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

FILED
OCT 2 1972
Clerk
U. S. DISTRICT COURT

COMBUSTION ENGINEERING, INC.,)
)
Plaintiff,)
)
v.)
)
BLACK, SIVALLS & BRYSON, INC.,)
)
Defendant.)

CIVIL ACTION NO. 70-C-126

FILED
SEP 27 1972
Clerk
U. S. DISTRICT COURT

CONSENT JUDGMENT

Counsel for the parties having informed the Court that the parties have entered into a settlement agreement disposing of the controversy in this Action and having agreed that the complaint, and all counterclaims, may be dismissed with prejudice, IT IS ORDERED, ADJUDGED AND DECREED:

1.

Validity of the claims of United States Patent No. 3,105,748 is hereby acknowledged as between the parties.

2.

That certain devices and systems known as HI-COM UNITS manufactured and sold in the past by the Plaintiff, COMBUSTION ENGINEERING, INC., are acknowledged by the Plaintiff as infringing one or more claims of United States Patent No. 3,105,748.

3.

That the complaint is hereby dismissed with prejudice.