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

FILED

JUN 30 1982 *mm*

UNITED STATES OF AMERICA,
Plaintiff,
v.

Jack C. Silver, Clerk
U. S. DISTRICT COURT

THE REGIONAL METROPOLITAN UTILITY
AUTHORITY, TULSA, OKLAHOMA, THE
CITY OF TULSA, OKLAHOMA AND THE
CITY OF BROKEN ARROW, OKLAHOMA,
Defendants.

CIVIL NO. 79-C-672-6 ✓

 ORDER

Upon Motion of the United States of America and for good cause shown, it is hereby,

ORDERED ADJUGED AND DECREED that:

1. The City of Tulsa, Oklahoma, the City of Broken Arrow, Oklahoma and the Regional Metropolitan Utility Authority shall pay, within fifteen days of entry of this Order, the sum of \$168,500 for violations of this Court's Order, entered in the above-captioned case, May 12, 1981, through and including April 14, 1982. Payment shall be made by check made payable to the Treasurer of the United States, and delivered to the United States Attorney for the Northern District of Oklahoma, Tulsa, Oklahoma.

2. The same shall pay a sum of \$500 per day for each day after April 14, 1982 that this Court's Order of May 12, 1981, is not complied with. Said penalty to be paid in a lump sum on the 28th day of each month, beginning May 28, 1982 and continuing until all provisions of this Court's May 12, 1981 Order are complied with. Payment to be made by check made payable to the Treasurer of the United States, and delivered to the United States Attorney for the Northern District of Oklahoma, Tulsa, Oklahoma.

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3. That the terms and conditions of this Court's May 12, 1981 Order shall be complied with immediately.

Signed this 29th day in June, 1982,

James Lee
UNITED STATES DISTRICT COURT JUDGE

FILED

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

JUN 30 1982

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 BOBBY K. BONEBRAKE,)
)
 Defendant.)

Jack C. Silver, Clerk
DISTRICT COURT

CIVIL ACTION NO. 82-C-533-E

AGREED JUDGMENT

This matter comes on for consideration this 30th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendant, Bobby K. Bonebrake, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Bobby K. Bonebrake, was personally served with Summons and Complaint on May 12, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$1,133.00, plus 15 percent interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Bobby K. Bonebrake, in the amount of \$1,133.00, plus 15 percent interest from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


PHILARD L. ROUNDS, JR.
Assistant U.S. Attorney


BOBBY K. BONEBRAKE

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

FILED

JUN 30 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
WILLIAM H. BELL and BANK OF)
OKLAHOMA, TRUSTEE of the J.A.)
CHAPMAN and LETA M. CHAPMAN)
CHARITABLE TRUST, and WILLIAM H.)
BELL, TRUSTEE for the BARNARD)
RANCH PARTNERSHIP as LESSEE,)
)
Defendants.)

No. 82-C-110-E

O R D E R

The Court has now before it the Complaint of the Plaintiff and its prayer contained therein for preliminary and permanent injunction filed February 1, 1982.

This matter came on for hearing on February 26, 1982. Thereafter, the parties filed with the Court their Proposed Findings of Fact and Conclusions of Law. On April 26, 1982 this Court issued its Findings of Fact and Conclusions of Law and entered a preliminary injunction against the Defendants pending the consideration of the Plaintiff's prayer for permanent injunction.

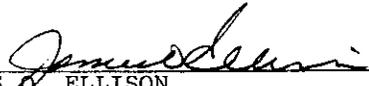
On May 5, 1982 this Court entered a minute order directing all parties to submit briefs on any additional evidence or authority for the Court's consideration in ruling on the issue of permanent injunction. The Plaintiff United States of America filed a response to the Court's minute order stating Plaintiff had no further evidence to offer. Defendants have submitted nothing in response to the Court's May 5, 1982 minute order.

The issues in this matter having been duly examined and the evidence having been carefully considered, it is the decision of this Court that a permanent injunction should issue against the Defendants.

IT IS THEREFORE ORDERED AND ADJUDGED, that the Defendants, their officers, agents, servants employees, attorneys, and all persons in active concert or participation with them, are hereby enjoined from interfering in any way with ingress and egress of

the lessee, its officers, agents, servants, employees and contractor, for the purpose of productions operations on the subject lease.

Dated this 30th day of June, 1982.



JAMES J. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

INVIVO RESEARCH LABORATORIES,)
INC., an Oklahoma corporation,)
Plaintiff,)
vs.)
BIOCHEM INTERNATIONAL, INC.,)
a Delaware corporation,)
Defendant.)

No. 81-C-442-E

JUN 30 1982

Jack C. Silver, Clerk
DISTRICT COURT

ORDER OF DISMISSAL

NOW on this 30th day of June, 1982, the Court has for its consideration the Stipulation for Dismissal jointly filed in the above-styled and numbered cause by plaintiff and defendant. Based upon the representations and requests of the parties, as set forth in the foregoing Stipulation, it is

ORDERED that plaintiff's Complaint and claims for relief against the defendant be and the same are hereby dismissed with prejudice. It is further

ORDERED that each party shall bear its own costs.

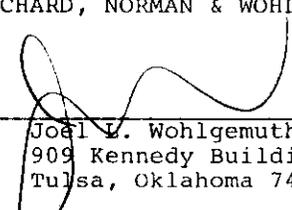


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

APPROVED:

SERGE NOVOVICH
P. O. Box 1526
Tulsa, Oklahoma 74101

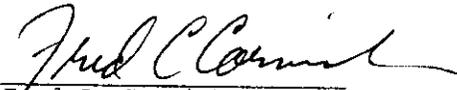
PRICHARD, NORMAN & WOHLGEMUTH

By 

Joel V. Wohlgemuth
909 Kennedy Building
Tulsa, Oklahoma 74103

Attorneys for the plaintiff,
Invivo Research Laboratories, Inc.

HALL, ESTILL, HARDWICK, GABLE,
COLLINGSWORTH & NELSON

By 

Fred C. Cornish
Fred S. Nelson
Claire E. Barrett
4100 Bank of Oklahoma Tower
One William Center
Tulsa, Oklahoma 74172

Attorneys for the defendant,
Biochem International, Inc.

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

JUN 30 1982

Jack C. Silver, Clerk
DISTRICT COURT

INVIVO RESEARCH LABORATORIES,)
INC., an Oklahoma corporation,)
Plaintiff,)
vs.)
BIOCHEM INTERNATIONAL, INC.,)
a Delaware corporation,)
Defendant.)

No. 81-C-256-E

ORDER OF DISMISSAL

NOW on this 30th day of June, 1982, the Court has for its consideration the Stipulation for Dismissal jointly filed in the above-styled and numbered cause by plaintiff and defendant.

Based upon the representations and requests of the parties, as set forth in the foregoing Stipulation, it is

ORDERED that plaintiff's Complaint and claims for relief against the defendant be and the same are hereby dismissed with prejudice. It is further

ORDERED that defendant's Counterclaims and claims for relief against the plaintiff be and the same are hereby dismissed with prejudice. It is further

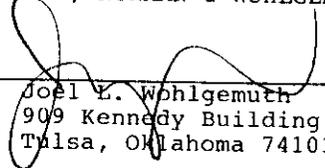
ORDERED that each party shall bear its own costs.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

APPROVED:

SERGE NOVOVICH
P. O. Box 1526
Tulsa, Oklahoma 74101

PRICHARD, NORMAN & WOHLGEMUTH

By 
Joel L. Wohlgemuth
909 Kennedy Building
Tulsa, Oklahoma 74103

Attorneys for the plaintiff,
Invivo Research Laboratories, Inc.

HALL, ESTILL, HARDWICK, GABLE,
COLLINGSWORTH & NELSON

By *Fred C. Cornish*

Fred C. Cornish
Fred S. Nelson
Claire E. Barrett
4100 Bank of Oklahoma Tower
One William Center
Tulsa, Oklahoma 74172

Attorneys for the defendant,
Biochem International, Inc.

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

JAMES L. HORNBEAK,)
)
 Plaintiff,)
)
 vs.)
)
 TEXACO, INC.,)
 a Delaware corporation,)
)
 Defendant.)

No. 81-C-416-C

FILED

JUN 30 1982

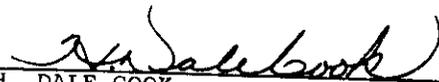
O R D E R

Jack C. Silver, Clerk
U. S. DISTRICT COURT

On June 7, 1982 this Court, by written Order, granted the plaintiff ten (10) days to file his amended complaint. Pursuant to the June 7, 1982 Order, this Court informed the plaintiff that if he did not file an amended complaint within said ten (10) day period, the present action would be dismissed with prejudice for failure to prosecute pursuant to Fed.R.Civ.P. 41(b). After a diligent search of the record in this case, the Court determines that the plaintiff has not timely filed his amended complaint as directed by the Court. It is further determined that this action should be dismissed with prejudice because of the plaintiff's failure to so comply with the June 7, 1982 Order and because of the prior failures of the plaintiff to follow the directions of this Court and to diligently prosecute the instant action.

It is therefore the Order of this Court that the present action is dismissed with prejudice for failure of the plaintiff to prosecute pursuant to Fed.R.Civ.P. 41(b).

It is so Ordered this 30th day of June, 1982.


H. DALE COOK
Chief Judge, U. S. District Court

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

L. MICHAEL HICKS,)
S.S. #567-07-5784,)
Plaintiff,)
v.)
JOHN SUHAN, Secretary of)
Health and Human Services,)
ex rel, the UNITED STATES)
OF AMERICA,)
Defendant.)

No. 81-C-295-C

FILED
JUN 30 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

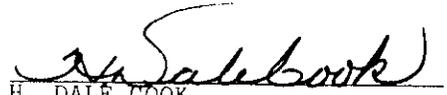
J U D G M E N T

The Court has for consideration the Findings and Recommendations of the Magistrate filed on June 15, 1982, in which it is recommended that Judgment be entered for the Defendant. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the matters presented to it, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed.

It is hereby Ordered that Judgment be and hereby is entered for the Defendant.

Dated this 30th day of June, 1982.


H. DALE COOK
CHIEF JUDGE

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

JAMES LEE BELL,)
)
 Plaintiff,)
)
 vs.)
)
 PATRICIA ROBERTS HARRIS,)
)
 SECRETARY OF HEALTH AND HUMAN)
 SERVICES OF THE UNITED STATES,)
)
 Defendant.)

No. 80-C-388-E

FILED
JUN 29 1982
Jack G. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT

This cause having been considered by the Court on the pleadings, the entire record certified to this Court by the Defendant Secretary of Health and Human Services (Secretary), and after due proceedings had, and upon examination of the pleadings and record filed herein, including the Briefs submitted by the parties, the Court is of the opinion as shown by its Memorandum Opinion filed herein of even date that the final decision of the Secretary is supported by substantial evidence as required by the Social Security Act, and should be affirmed.

IT IS THEREFORE ORDERED, DECREED AND ADJUDGED that the final decision of the Secretary should be and hereby is affirmed.

Dated this 29th day of June, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

STATE OF OKLAHOMA,)
)
)
vs.)
)
ROBERT JOSEPH ZANI,)
)
Petitioner.)

No. 82-C-644-E-FILED

JUN 29 1982

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

O R D E R

The Court has now before it the Petition for Removal to Federal Court of the Petitioner, Robert Joseph Zani.

Petitioner is currently the Defendant in a state criminal proceeding in the District Court of Tulsa County, Oklahoma (No CRF-81-3065), the charge in those proceedings against him being Murder with malice. Said charges were brought against the Petitioner by information on or about August 26, 1981. Petitioner states that interwoven with the state criminal proceeding now pending, is an action filed by the Petitioner on April 12, 1982 in this Court against David L. Moss, Tulsa County District Attorney, et al. (No. 82-C-438-E). Petitioner alleges violations of his Fourth, Ninth, and Fourteenth Amendment rights under the United States Constitution in connection with his arrest and subsequent trial now pending. He further asserts that because of his action against the Tulsa County District Attorney, now pending in this Court, that he cannot possibly receive a fair trial on the state criminal charges against him.

It is first evident to this Court that Petitioner has not yet exhausted the state remedies available to him for any alleged violation of his rights under the United States Constitution. This failure to exhaust, in and of itself, would prohibit the consideration of any alleged Constitutional violations by this Court.

It is also evident to this Court that the criminal proceeding now pending in the state court is not removable to this Federal Court under 28 U.S.C. §§ 1441-46.

Finally, any attempt to interfere with the pending state criminal proceeding would be an impermissible violation of the

"Younger abstention" doctrine as set out by the United States
Supremem Court. Younger v. Harris, 401 U.S. 37, 91 S.Ct. 746 (1971).

IT IS THEREFORE THE ORDER OF THIS COURT, that the Petition for
Removal to Federal Court is dismissed.

Dated at Tulsa, Oklahoma this 29TH day of June, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-541-B
)	
DAVID E. SULLIVAN,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 29th day of June, 1982.

UNITED STATES OF AMERICA
FRANK KEATING
United States Attorney
Nancy A. Nesbitt
NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 29th day of June, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

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

R&R LEASING, INC.,)
Plaintiff,)
and)
BOULDER BANK & TRUST CO.,)
Intervenor,)
vs.)
LOREN D. ALEXANDER and)
LINDA I. ALEXANDER,)
Defendants.)

FILED
JUN 29 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 81-C-754-E

O R D E R

The Court has before it for consideration Defendants' motion to dismiss for lack of in personam jurisdiction, made pursuant to Rule 12(b)(2), Fed.R.Civ.Pro.

Having considered the arguments of the parties, the affidavits of Defendants, the pleadings in this case, and the relevant authorities, the Court is of the opinion that there is a lack of personal jurisdiction in this case, and that it should therefore be dismissed.

Count one of the Complaint sounds in contract, and count two is based upon a negotiable instrument. Plaintiff is an Oklahoma corporation, and Defendants are residents of the State of Illinois. The dispute arises from an agreement to purchase an aircraft from Plaintiff by Defendants, the consideration for which was to be the trade of an automobile and a payment of the balance due, less this trade-in allowance.

Defendants, in support of their motion, have presented affidavits which state that they have never been to Oklahoma, that the contract in issue was entered into in St. Louis, Missouri, that the consideration was exchanged in St. Louis, Missouri, that all performances called for by the contract were made in St. Louis, Missouri, that they do no business in Oklahoma and never have done business in Oklahoma, that they own no real or personal property in Oklahoma, and that no part of the transaction in question took place in Oklahoma. Therefore, they argue, they have no contacts with this state sufficient to satisfy the minimum contacts requirements of due process.

Plaintiff has presented nothing to contradict these affidavits

factually, but bases its argument on the following clause contained in the contract in question:

CHOICE OF LAW: Any contract made by acceptance of this offer shall consider to have been made and entered in the State of Oklahoma and construed as such. The laws of the State of Oklahoma shall govern over this contract and be binding upon the parties hereto.

It is Plaintiff's argument that Defendants have, by this clause, consented to the jurisdiction of the State of Oklahoma.

There is no question that in personam jurisdiction may be conferred by prior consent, as is argued by Plaintiff. Forum selection clauses, once disfavored, are now generally given effect unless enforcement of such clauses would be unreasonable, see, e.g., M/S Bremen v. Zapata Off-Shore Co., 407 U.S. 1, 92 S.Ct. 1907 (1972); Kline v. Kawai America Corp., 498 F.Supp. 868, 871, n.1 (D. Minn. 1980). The case cited by Plaintiff, Aamco Automatic Transmissions, Inc. v. Hagenbarth, 296 F.Supp. 1142 (E.D. Pa. 1968), is but an example of this general proposition. In that case, however, the agreement specifically stated that the defendant-licensee consented to the jurisdiction of the Pennsylvania Courts and the United States District Court for the Eastern District of Pennsylvania, 296 F.Supp. at 1143.

The contractual language urged by Plaintiff is, in the Court's opinion a choice of law clause, and not a forum selection clause; there is no clear agreement to submit to the jurisdiction of the courts of Oklahoma, as there was a clear agreement to submit to the jurisdiction of the courts of Pennsylvania in Aamco, supra.

The Court believes that Plaintiff would read too much into this clause. The burden of proof here rests upon the Plaintiff as the party asserting the existence of jurisdiction, Wilshire Oil Company v. Riffe, 409 F.2d 1277 (Tenth Cir. 1969); Radiation Researchers, Inc. v. Fischer Industries, Inc., 70 F.R.D. 561 (W.D. Okla. 1976), and this burden can be met by a prima facie showing. See Block Industries v. DHJ Industries, Inc., 495 F.2d 256 (Eighth Cir. 1974); O'Hare International Bank v. Hampton, 437 F.2d 1173 (Seventh Cir. 1971); United States v. Montreal Trust Co., 358 F.2d 239 (Second Cir.), cert. denied, 384 U.S. 919 (1966).

The test to be applied in this case is well known. A defendant

must have minimum contacts with the forum such that the maintenance of the suit does not offend "traditional notions of fair play and substantial justice." Kulko v. California Superior Court, 436 U.S. 84 (1978); Shaffer v. Heitner, 433 U.S. 186 (1977); International Shoe Co. v. Washington, 326 U.S. 310 (1945). This test offers only general guidelines, to be applied to the facts of each case. It is not a "formula automatically determinative of every case." Barnes v. Wilson, 580 P.2d 991, 994 (Okla. 1978). In Kulko v. California Superior Court, supra, the Supreme Court said:

Like any standard that requires a determination of "reasonableness," the "minimum contacts" test of International Shoe is not susceptible of mechanical application; rather, the facts of each case must be weighed to determine whether the requisite "affiliating circumstances" are present. Hanson v. Denckla, 357 U.S. 235, 246 (1958). We recognize that this determination is one in which few answers will be written "in black and white." The greys are dominant and even among them the shades are innumerable." Estin v. Estin, 334 U.S. 541, 545 (1948).

436 U.S. at 92.

It is clear that the Oklahoma long-arm statutes were intended to extend the jurisdiction of Oklahoma courts over nonresidents to the outer limits permitted by the due process requirements of the United States Constitution. See, e.g., CMI Corp. v. Costello Constr. Corp., 454 F.Supp. 497 (W.D. Okla. 1977); Fields v. Volkswagen of America, Inc., 555 P.2d 48 (Okla. 1976); Carmack v. Chemical Bank New York Trust Co., 536 P.2d 897 (Okla. 1975); Yankee Metal Products Co. v. District Court, 528 P.2d 311 (Okla. 1974); Fidelity Bank, N.A. v. Standard Industries, Inc., 515 P.2d 219 (Okla. 1973); Vemco Plating, Inc. v. Denver Fire Clay Co., 496 P.2d 117 (Okla. 1972); Hines v. Clendenning, 465 P.2d 460 (Okla. 1970); Crescent Corp. v. Martin, 443 P.2d 111 (Okla. 1968); Simms v. Hobbs, 411 P.2d 503 (Okla. 1966); Marathon Battery Co. v. Kilpatrick, 418 P.2d 900 (Okla. 1965); Gregory v. Grove, 547 P.2d 400 (Okla.App. 1975), modified 547 P.2d 381 (Okla. 1976).

Extension to the "outer limits," however, does not mean that there are no limits.

In weighing the facts of the case to determine whether the requirements of due process are met, the Court must consider the totality

of contacts between the nonresident defendant and the State of Oklahoma.
Carmack v. Chemical Bank New York Trust Co., supra; Crescent Corp. v. Martin, supra; Gregory v. Grove, supra.

Having considered the contacts (or lack thereof) as is reflected in the pleadings before the Court, and considering the Plaintiff's burden of showing the existence of jurisdiction once that existence is challenged, the Court concludes that there are no contacts with this forum sufficient to support the exercise of in persona jurisdiction over the Defendants, nor is there a sufficient basis upon which it can be concluded that Defendants agreed to submit to the jurisdiction of this Court.

Accordingly, Defendants' motion to dismiss should be granted, and this action dismissed for lack of jurisdiction over the persons of the Defendants.

IT IS THEREFORE ORDERED that Defendants' motion to dismiss for lack of jurisdiction over their persons be, and the same hereby is, granted, and this action is therefore ordered dismissed.

It is so Ordered this 29th day of June, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

STATE OF OKLAHOMA,

vs.

ROBERT JOSEPH ZANI,

Petitioner.

No. 82-C-644-B-FILED

JUN 29 1982

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

O R D E R

The Court has now before it the Petition for Removal to Federal Court of the Petitioner, Robert Joseph Zani.

Petitioner is currently the Defendant in a state criminal proceeding in the District Court of Tulsa County, Oklahoma (No CRF-81-3065), the charge in those proceedings against him being Murder with malice. Said charges were brought against the Petitioner by information on or about August 26, 1981. Petitioner states that interwoven with the state criminal proceeding now pending, is an action filed by the Petitioner on April 12, 1982 in this Court against David L. Moss, Tulsa County District Attorney, et al. (No. 82-C-438-E). Petitioner alleges violations of his Fourth, Ninth, and Fourteenth Amendment rights under the United States Constitution in connection with his arrest and subsequent trial now pending. He further asserts that because of his action against the Tulsa County District Attorney, now pending in this Court, that he cannot possibly receive a fair trial on the state criminal charges against him.

It is first evident to this Court that Petitioner has not yet exhausted the state remedies available to him for any alleged violation of his rights under the United States Constitution. This failure to exhaust, in and of itself, would prohibit the consideration of any alleged Constitutional violations by this Court.

It is also evident to this Court that the criminal proceeding now pending in the state court is not removable to this Federal Court under 28 U.S.C. §§ 1441-46.

Finally, any attempt to interfere with the pending state criminal proceeding would be an impermissible violation of the

"Younger abstention" doctrine as set out by the United States
Supremem Court. Younger v. Harris, 401 U.S. 37, 91 S.Ct. 746 (1971).

IT IS THEREFORE THE ORDER OF THIS COURT, that the Petition for
Removal to Federal Court is dismissed.

Dated at Tulsa, Oklahoma this 29TH day of June, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

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

JUN 29 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

DON McHENDRY and ANDREA McHENDRY,)
husband and wife, SAM F. MUSKRAT,)
and THOMAS R. TROWER,)

Plaintiffs,)

vs.)

No. 81-C-388-C)

R. A. COTTINGIM and INDEPENDENT)
PRODUCERS, INC., a Kansas cor-)
poration,)

Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE

COME NOW Don McHendry, Andrea McHendry, Sam F. Muskrat, Thomas R. Trower, R. A. Cottingim and Independent Producers, Inc., the sole parties to this litigation, and pursuant to Rule 41 of the Federal Rules of Civil Procedure, hereby stipulate that this action is dismissed with prejudice. The parties hereto further stipulate that they shall each bear their own respective costs and attorney's fees incurred in this action.

Dated this 28th day of JUNE, 1982.

SUBLETT, McCORMICK, ANDREW
& KEEFER
Stephen L. Andrew
Gary Barnett
Charles M. Sublett
Suite 1776, One Williams Center
Tulsa, Oklahoma 74172

Attorneys for Plaintiffs

BY: Charles M. Sublett

DOERNER, STUART, SAUNDERS,
DANIEL & ANDERSON
Richard P. Hix
1000 Atlas Life Building
Tulsa, Oklahoma 74103

Attorneys for Defendant,
R. A. Cottingim

BY: Richard P. Hix

Bryon D. Todd
3140 S. Winston
Suite 19
Tulsa, Oklahoma 74135

Carl G. Wettig
421 East Third
P.O. Box 405
Wichita, Kansas 67201

Attorneys for Defendant,
Independent Producers, Inc.

BY: Bryon D. Todd

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

MAY 29 1982

Jack G. Silver, Clerk
U. S. DISTRICT COURT

BOISE CASCADE CORPORATION,)
)
 Plaintiff,)
)
 vs.)
)
 THE BURNING HILLS GROUP OF COMPANIES,)
 INC., a/k/a BURNING HILLS GROUP OF)
 COMPANIES, LIMITED, an Oklahoma cor-)
 poration, and COMMUNICATION ASSOCIATES)
 INC., an Oklahoma corporation,)
)
 Defendants.)

No. 81-C-441-B

J U D G M E N T

The Court entered its Findings of Fact and Conclusions of Law herein on May 6, 1982, concluding judgment should be entered in favor of the plaintiff, Boise Cascade Corporation, and against the defendants. The Court further concluded therein the plaintiff is entitled to a reasonable attorney's fee plus its costs from the defendants, but deferred entry of a final judgment in this matter pending determination of the amount of a reasonable attorney's fee.

By letter of April 29, 1982, signed by counsel for all of the parties, the parties agreed judgment should be entered in this case in favor of the plaintiff and against the defendant, The Burning Hills Group of Companies, Inc., in the amount of Four Hundred Twenty Seven Thousand One Hundred Forty Eight and 39/100 Dollars (\$427,148.39), plus interest at the rate of 20% accruing from April 28, 1982. Thereafter, by letter of June 29, 1982, signed by counsel for all the parties, the parties stipulated to an award in favor of the plaintiff in the amount of

Pennington, Deceased.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Arthur Joe Pennington, Individually, and as Administrator of the Estate of Arthur Pennington, Deceased, and Letha Sue Pennington Bowman Individually are dismissed with prejudice to their rights to claim any proceeds under the insurance policy issued by

State Mutual Life Assurance Company of North America, a Massachusetts Corporation, on the life of Arthur Pennington, Deceased.

S/ JAMES O. ELLISON

Judge of the United States District Court

APPROVED AS TO FORM:

Dennis King
Dennis King, Attorney for State Mutual Life Assurance Company of North America

Jean Caldwell
Jean Caldwell, Attorney for Nancy Pennington

Marion Dyer
Marion Dyer, Attorney for defendants, Arthur Joe Pennington and Letha Sue Pennington Bowman

JUN 29 1982

f

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

Jack C. Silver, Clerk
STREET

GERALD LaRONN MATTHEWS,
Plaintiff,

v.

GRAVES TRUCK LINE, INC.,
JIM WAYNE THOMAS and
JIM ZIMMERMAN,
Defendants.

Civil Action No.
81-C-556-B

STIPULATED DISMISSAL WITH PREJUDICE

COME NOW the parties hereto, by their attorneys of record, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), hereby stipulate that this action is dismissed with prejudice. This stipulated dismissal applies to all matters raised in this action as well as all matters which could have been raised herein.

Plaintiff:

Defendants:

Wesley E. Johnson
Wesley E. Johnson
Attorney for Plaintiff
1515 South Denver
Tulsa, Oklahoma 74119
(918) 599-8118

Thomas D. Robertson
Thomas D. Robertson
Attorney for Defendants
Nichols & Wolfe, Inc.
Old City Hall Building-Suite 400
124 East Fourth Street
Tulsa, Oklahoma 74103
(918) 584-5182

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

DENNY WAYNE HUBBARD and)
SHARON HUBBARD,)
)
Plaintiffs,)
)
vs.)
)
JIM FLEMING d/b/a FLEMING)
WRECKER SERVICE, and JOHN DOE,)
)
Defendants.)

NO. 81-C-766-E

FILED
JUN 29 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

ON this 29th day of June, 1982, upon the written application of the parties for A Dismissal With Prejudice of the Complaint and all said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the plaintiffs filed herein against the defendants be and the same hereby are dismissed with prejudice to any future action.

S/ JAMES O. ELLISON

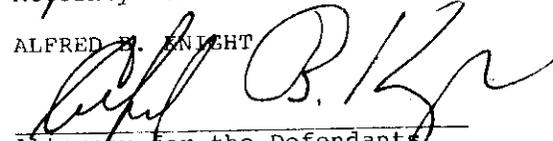
JUDGE, DISTRICT COURT OF THE UNITED STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:

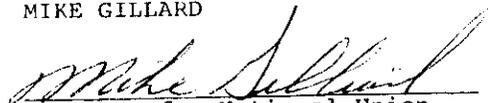
JOHN R. WOODARD


Attorney for the Plaintiffs

ALFRED H. ENIGHT


Attorney for the Defendants

MIKE GILLARD


Attorney for National Union Fire Insurance Company

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

FILED
JUN 23 1982

Jack G. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 81-C-847-E
)	
COOPER D. CAMPBELL,)	
)	
Defendant.)	

DEFAULT JUDGMENT

This matter comes on for consideration this 21st day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Cooper D. Campbell, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Cooper D. Campbell, was personally served with Summons and Complaint on December 1, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Cooper D. Campbell, for the principal sum of \$416.50, plus interest at the rate of 15 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

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

FILED
JUN 29 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN RE:)
UNIVERSITY BANK,)
Appellant,)
vs.)
SHIRLEY JEAN BENEFIELD,)
Appellee.)

No. 82-C-317-E ✓

ORDER

This is an appeal from the judgement of the Bankruptcy Court entered on February 10, 1982 in Bankruptcy No. 81-00882, Adversary No. 81-0556, ordering that the Plaintiff/Appellant take nothing and dismissing the proceeding on the merits, and further ordering that the debt which was the subject of the Plaintiff's/Appellant's complaint was dischargeable in bankruptcy and discharging that debt.

The Appellant raises the same questions on appeal that it raised before the Bankruptcy Court. It contends that the appellee obtained the subject loan by false pretenses, false representation or actual fraud and that the debt is therefore not dischargeable under the provisions of 11 U.S.C. §§523(a)(2)(A), 523(a)(4) and 523(a)(6).

Trial proceedings were held before the Bankruptcy Court in this district on February 10, 1982, a transcript of which was included in the record on appeal. This Court has made an independent examination of the cited law and the facts as presented at trial in this matter, and has determined that the conclusions reached by the Bankruptcy Judge are correct.

This Court therefore adopts the findings of the Bankruptcy Court and the judgement entered in accordance therewith is hereby affirmed.

Dated this 29th day of June, 1982.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

JUN 28 1981

Jack C. Silver, Clerk
U.S. DISTRICT COURT

MARGARET MOORE,)
)
Plaintiff,)
)
vs.)
)
RICHARD S. SCHWEIKER, JR.,)
Secretary of Health and)
Human Services,)
)
Defendant.)

No. 80-C-353-B

MEMORANDUM OPINION

Plaintiff brought this action in 1980 for a review under 42 U.S.C. §405(g) of the denial of disability insurance benefits under the Social Security Act, as amended. 42 U.S.C. §§416(i) and 423. Thereafter the Secretary of Health, Education, and Welfare (now the Secretary of Health and Human Services) moved to remand the case for further administrative action, and the motion was granted. After the record was supplemented with additional evidence, the administrative law judge issued a recommended decision denying plaintiff disability insurance benefits. Ultimately, the Appeals Council adopted the findings and conclusions of the administrative law judge, and plaintiff once again seeks judicial review of the denial.

The Social Security Act provides every individual who is under the age of sixty-five, suffers from a disability, and

meets special earning requirements, is entitled to disability insurance benefits. Jessie Francis v. Patricia Roberts Harris, Secretary, No. 81-1492 (10th Cir., March 12, 1982); 42 U.S.C. §423(a) (1).

A disability is an "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months..." 42 U.S.C. §433(d) (1) (A).

In this case, the ultimate administrative decision is evidenced by the Findings of the Administrative Law Judge before whom plaintiff appeared with her counsel. The Findings of the Administrative Law Judge were as follows: [TR-20]

1. Claimant stated she was born November 10, 1925, completed the seventh grade, and has worked as a nurse's aide, foster parent, and sewing machine operator.
2. Claimant met the special earnings requirements of the Act for disability purposes on July 25, 1977, the alleged date of onset of disability, and continued to meet said requirements through December 31, 1979, but not thereafter.
3. Claimant alleges disability from July 25, 1977 due to diabetes, loss of vision, headaches, shaking spells, shortness of breath due to emphysema, and continuous severe pain.
4. Claimant's diabetes is well controlled with medication, there is no evidence of emphysema or any significant obstructive pulmonary disease. There is no evidence of any cardiac impairment. Claimant's right eye has been basically blind since childhood but she retains good visual acuity in her left eye.

5. Claimant's allegations of severe continuous pain are not supported by any objective findings and are not credible.
6. The medical evidence demonstrates that claimant is able to function in a job requiring light to medium exertional activities which capabilities would permit her to engage in her past work as a nurses' aide or foster parent.
7. Claimant attained age 55 on November 10, 1980.
8. Claimant retains transferrable skills to perform sedentary bench assembly work and such work exists in very significant numbers in the region in which claimant resides.
9. Claimant was not under a disability as defined in the Social Security Act, as amended, which commenced at any time on or prior to December 31, 1979.

The scope of the Court's review authority is narrowly limited by 42 U.S.C. §405(g). The Secretary's decision must be affirmed if supported by substantial evidence. Chapman v. Schweiker, supra; Gardner v. Bishop, 362 F.2d 917 (10th Cir. 1966); Stevens v. Mathews, 418 F.Supp. 881 (WD Okl. 1976). Substantial evidence is more than a scintilla. It is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. Richardson v. Perales, 402 U.S. 389, 91 S.Ct. 1420, 28 L.Ed.2d 843 (1971); Beasley v. Califano, 608 F.2d 1162 (8th Cir., 1979). However, the possibility of drawing two inconsistent conclusions from the evidence does not prevent an administrative agency's finding from being supported by substantial evidence. Consolo v. Federal Maritime Commission, 383 U.S. 607, 86 S.Ct. 1018, 16 L.Ed.2d 131 (1966); Stevens v. Mathews, supra.

In conducting this judicial review it is the duty of this Court to examine the facts contained in the record, evaluate the conflicts and make a determination therefrom whether the facts support the several elements which make up the ultimate administrative decision. Heber Valley Milk Co. v. Butz, 503 F.2d 96 (10th Cir. 1974); Nichol v. United States, 501 F.2d 1389 (10th Cir. 1974); Stevens v. Mathews, supra.

The record indicates plaintiff has been examined by numerous physicians. Plaintiff entered the hospital in July 1977 for uncontrolled diabetes and was started on insulin injections with good results. During such hospitalization, pulmonary function studies were performed and lung volumes reflected a primary restrictive defect with a decreased residual volume vital capacity and total lung capacity. The flow rates were interpreted as showing only a mild small airway disease.

Also in July 1977, plaintiff was examined by an ophthalmologist who concluded plaintiff had a large amount of astigmatism in her right eye which caused blurred vision; however, this ophthalmologist concluded there was no evidence of diabetic retinopathy. Plaintiff was examined by an optometrist some time later and the optometrist reported best visual correction for distance as 20/200 in the right eye and 20/40 in the left eye. Best correctable vision for reading was reported by this optometrist as 20/200 in the right eye and 20/40 in the left eye. An ophthalmologist who examined plaintiff reported best corrected vision in the right eye as 20/300 and 20/40 in the left eye.

This ophthalmologist also noted plaintiff had some risk of developing glaucoma.

One physician, M.S. Bartlett, M.D., treated plaintiff for a number of years for multiple impairments, including: numbness of feet, ulcers, emphysema with asthmatic bronchitis, osteoarthritis of the thoracic spine with intercostal neuropathy, pleuritis, sinusitis, diabetes mellitus, glaucoma, diabetic retinopathy and coronary spasm with ischemia and angina. Dr. Bartlett also treated plaintiff for pneumonia and for a productive cough, chest pain, sweating, nausea, vomiting, and diarrhea.

A consultative examination was performed on plaintiff by a Dr. Craig. Dr. Craig's physical examination revealed swelling in the extremities with a mild degree of varicose veins, normal reflexes, and equal peripheral pulses. Dr. Craig gave a diagnosis of diabetes mellitus, exogenous obesity, varicose veins, and visual changes.

A second consultative examination was performed in 1979 by Richard Marple, M.D. Dr. Marple's examination of plaintiff's extremities revealed no abnormalities and dorsalis pedis and posterior tibial pulses were full and symmetrical. The results of a neurological examination were within normal limits. There were decreased breath sounds with scattered wheezing upon forced expiration. X-rays of plaintiff revealed mild cardiac enlargement and degenerative changes of

the dorsal spine. A resting electrocardiogram was normal and a multistage exercise test revealed extremely poor exercise tolerance. Pulmonary function studies revealed severe obstructive and restrictive disease with good response to bronchodilators. Dr. Marple gave diagnoses of diabetes mellitus, adult onset, chronic obstructive and restrictive disease, dizziness, and organic heart disease of uncertain etiology, and exogenous obesity. Dr. Marple expressed his opinion that plaintiff could not perform any work activity other than sedentary due to her lung disease.

A further consultative ophthalmological examination and evaluation was conducted in January 1981. The ophthalmologist reported plaintiff's best correctable distant visual acuity was the ability to count fingers only at three feet in the right eye. Best correctable vision in the left eye was reported as 20/30. The ophthalmologist reported plaintiff was able to move around the office and examining room in a normal manner without assistance, and further reported no finding of diabetic retinopathy.

Another consultative examination was performed in January 1981 by Robert L. Anderson, M.D., a specialist in thoracic surgery and cardiovascular disease. Dr. Anderson reviewed copies of all the medical evidence in the file at that time and provided an outline of his review of those documents. Dr. Anderson's physical examination of plaintiff revealed

differences in plaintiff's blood pressure in her right and left arms. No abnormalities were noted with respect to the skin, head, or hair. Dr. Anderson stated plaintiff's eyes reacted to light with no outward abnormalities "although she does have diabetic retinopathy." Further, plaintiff's chest showed some reduction in breath sounds with significant abnormalities. Plaintiff's heart was not enlarged and no heart failure was noted. Examinations of the abdomen, rectal and vaginal areas were reported as normal. An examination of plaintiff's back revealed kyphosis and arthritis with limitation of motion. Reflexes were reported to be physiologic, and blood vessels and pulses were reported as fairly good, except in the feet where they were definitely reduced. Plaintiff's extremities revealed no edema, varicosities or other significant abnormalities. Plaintiff's heart was said to be of normal size. Laboratory data revealed fasting glucose was within normal limits, and Dr. Anderson stated such laboratory data did not reveal any significant abnormalities.

Due to the great variations in the three pulmonary function studies, a medical adviser, Dr. Don Nelson, was asked to be present at the hearing. Dr. Nelson testified a diagnosis of emphysema is not substantiated by the pulmonary function tests or the x-rays. He further stated, based on the evidence in the file, plaintiff basically had no pulmonary restrictions. Dr. Nelson further stated there is no evidence to support a diagnosis of a disease, but rather plaintiff appears to have a

problem with physical fitness. He stated there are no medical findings to support a complaint of chest pain and no real documentation that plaintiff ever had heart failure. Dr. Nelson noted plaintiff does have diabetes mellitus, but said that it was well controlled with insulin. He further noted plaintiff's right eye has been basically nonfunctional since childhood, and visual acuity of plaintiff's left eye should not restrict claimant from reading, driving or normal daily activities. In summary, Dr. Nelson stated plaintiff's problems appeared to be related to poor physical exercise tolerance as they were not supported by the objective medical findings in the record.

Dr. Anderson stated the following in his report to defendant:

Regarding patient's physical capabilities, I don't really understand why you are asking for those. This woman's disability is on the basis of her diabetes, heart disease, chronic obstructive pulmonary disease and her decrease in vision and is not related to her ability to lift or grasp because of her greatly reduced heart and lung function, she is not capable of doing any type of work that requires lifting, carrying, climbing or squatting. She would only be able to do the very most sedentary type of activity and this only under special circumstances.

Dr. Anderson also noted in his report that he "would consider this woman as being totally and permanently disabled insofar as being employed is concerned. I realize that she is only capable of doing very sedentary activities." (TR-260).

Dr. Nelson testified that Dr. Anderson's report merely reiterates history and findings of other physicians and the chest x-rays, blood sugar, and electrocardiograms which were performed in conjunction with Dr. Anderson's report were normal, and the things Dr. Anderson lists as disabilities have nothing to do with claimant's activities. Dr. Nelson further stated that if Dr. Anderson completed any tests, he did not list them in his report, and further, Dr. Anderson did not report any findings or test results to substantiate his diagnoses. Specifically, Dr. Nelson pointed out there are no physical findings, test results, or laboratory studies reported by any physician that reflect the chronic obstructive pulmonary disease or greatly reduced heart function alluded to by Dr. Anderson.

For her appeal, plaintiff argues the administrative law judge should not have relied on the testimony of Dr. Nelson, and thus discredited the testimony of Dr. Anderson, as Dr. Nelson had never examined plaintiff. It was clearly within the discretion of the administrative law judge, however, to decide how much weight to accord Dr. Anderson's report.

Young v. Califano, 581 F.2d 549, 550 (5th Cir. 1978).

Similarly, the administrative law judge could have found Dr. Anderson's report was not based on objective test results, and was, therefore, conclusory only. Having reviewed the large amount of medical evidence in the record, the Court concludes the administrative law judge's findings are supported

by substantial evidence, and further, the Court perceives no error in the administrative law judge's discrediting of the testimony of Dr. Anderson.

The record also discloses substantial evidence supporting the administrative law judge's finding that plaintiff retains transferable skills to perform sedentary bench assembly work. This fact, taken in conjunction with the additional finding that such work exists in very significant numbers in the region in which plaintiff resides, supports the administrative law judge's conclusion that plaintiff is not entitled to disability insurance benefits under the Social Security Act.

In summary, after thoroughly examining the administrative record, the Court is of the opinion that substantial evidence is contained therein to support the Secretary's decision that plaintiff was not disabled within the pertinent meaning of the provisions of the Social Security Act and the regulations applicable thereto. Accordingly, the Secretary's decision will be affirmed. A separate judgment will be issued in accordance herewith.

ENTERED this 28 day of June, 1982.

A handwritten signature in cursive script, appearing to read "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

FILED

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

JUN 28 1982

Jack C. Silver, Clerk
DISTRICT COURT

MARGARET MOORE,)
)
 Plaintiff,)
)
 vs.)
)
 RICHARD S. SCHWEIKER, JR.,)
 Secretary of Health and)
 Human Services,)
)
 Defendant.)

No. 80-C-353-B

J U D G M E N T

This cause having been considered by the Court on the pleadings, the entire record certified to this Court by the defendant, Secretary of Health and Human Services ["Secretary"], and the briefs submitted by the parties, the Court is of the opinion as reflected by its Memorandum Opinion filed herein that the final decision of the Secretary is supported by substantial evidence as required by the Social Security Act, and should be affirmed.

IT IS, THEREFORE, ORDERED that the final decision of the Secretary be and hereby is affirmed.

ENTERED this 28 day of June, 1982.

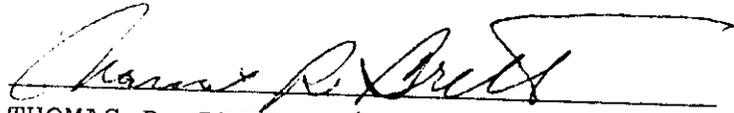


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

finding of no disability. Accordingly, the Findings and Recommendations of the Magistrate will be affirmed.

A separate judgment will be entered in accordance herewith.

IT IS SO ORDERED this 28th day of June, 1982.

A handwritten signature in cursive script, appearing to read "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT *
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

JUN 28 1982

IN THE UNITED STATES DISTRICT COURT ^{Jack C. Silver, Clerk}
FOR THE NORTHERN DISTRICT OF OKLAHOMA ^{U.S. DISTRICT COURT}

EQUICO LESSORS, INC.,)	
)	
Plaintiff,)	
)	
vs.	)	NO. 81-C-617-B
)	
MAYNARD'S, INC. AND)	
LYMAN MAYNARD AND ELLEN)	
MAYNARD,)	
)	
Defendants.)	

ORDER

NOW on this 25 day of June, 1982, the Defendants Maynards, Inc., Lyman Maynard and Ellen Maynard are hereby dismissed with prejudice by stipulation of Plaintiff and Defendants.

Thomas R. Brett
Thomas R. Brett, Judge of the
United States District Court

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

TRANSPORTATION LEASING)
COMPANY, an Oklahoma)
Corporation,)
)
Plaintiff,)
)
vs.)
)
HARTFORD ACCIDENT AND)
INDEMNITY COMPANY, a)
Corporation,)
)
Defendant.)

FILED

JUN 28 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

81-C-427 B
NO. ~~CT 80-869~~

STIPULATION OF DISMISSAL

COME NOW the parties, Transportation Leasing Co., Plaintiff, and Hartford Accident and Indemnity Company, Defendant, and pursuant to Rule 41 (a) (1) Federal Rules of Civil Procedure, hereby stipulate this cause can be dismissed with prejudice for the following reasons:

The Defendant, Hartford Accident and Indemnity Company, has agreed to assume the defense, indemnify and hold harmless, pursuant to the applicable insurance policy, and provide coverage to the Plaintiff, Transportation Leasing Company. Said defense, indemnification and coverage relates to the case of Thomas Apker vs. Transportation Leasing Company, et al, case number CT-80-869, District Court of Tulsa County, State of Oklahoma.

APPROVALS AS TO FORM AND CONTENT:

Stephen C. Wilkerson
KNIGHT, WAGNER, STUART, WILKERSON & LIEBER
By: Stephen C. Wilkerson, Attorney for Plaintiff

Richard C. Honn
Richard C. Honn, Attorney for Defendant

"either on the issue of guilt or in the issue of the existence of an aggravating circumstance.

(d) It permits the imposition of the death sentence following(sic) a murder conviction supported by circumstantial evidence, with no requirement that there be direct evidence that the petitioner was either the actual perpetrator of the murder, knew of the impending murder, or intended that the murder occur."

The respondent asserts another ground of constitutional violation was not heretofore raised in the state court so neither has it been exhausted. The specific ground of error stated in the Petition for Writ of Habeas Corpus is as follows:

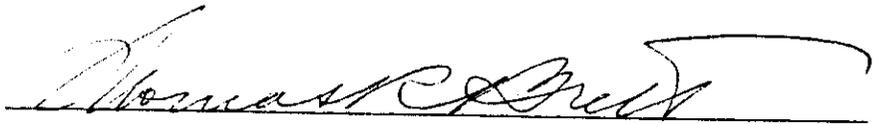
"(A) The sentence of death is disproportionate and excessive in view of the petitioner's alleged involvement."

Petitioner argues although not formally raised by him in the state court, that by virtue of 21 O.S.1982 §701.13 C 3, the issue was effectively decided by the Oklahoma Court of Criminal Appeals in the direct appeal, as reported in Chaney v. State, 612 P.2d 269 (Okl.Cr. 1980). The Court concludes the petitioner's contention in this regard is sound in view of the Legislative requirement the state appellate court specifically address the issue, which it did at page 282 of the Chaney opinion, supra.

As to the two unexhausted grounds, although given the opportunity to dismiss them, petitioner, in open court, declined to dismiss said two grounds. In accordance with the rule of Rose v. Lundy, ___ U.S. ___, 102 S.Ct. ___, 71 L.Ed.2d 379 (1981), and Robert Earl Jackson

v. L. T. Brown, Warden, No. 82-1015 (Tenth Circuit Court of Appeals, April 23, 1982, Not for Routine Publication), the Petition for Writ of Habeas Corpus and Amended Petition for Writ of Habeas Corpus is hereby dismissed and the Application for Stay of Execution is hereby denied.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRET
UNITED STATES DISTRICT JUDGE

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

FILED
JUN 25 1982

TWIN OAKS ENERGY, INC., an)
Oklahoma corporation,)
)
Plaintiff,)
)
-vs-)
)
NIKOS INTERNATIONAL PETROLEUM,)
a Texas corporation,)
)
Defendant.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Case No. 82-C-249-E

J U D G M E N T

This matter came on for hearing before the Court on plaintiff's motion for default judgment, on the 4th day of June, 1982, Honorable James O. Ellison, United States District Judge, presiding, and the issues having been duly heard and a decision having been duly rendered:

IT IS ORDERED AND ADJUDGED that the plaintiff, Twin Oaks Energy, Inc., recover of and from the defendant, Nikos International Petroleum, the sum of \$246,130.00, with interest thereon in the following manner:

on the sum of \$22,000.00 at the rate of 6 percent per annum from 1-20-82 up to the date of entry of judgment;

on the sum of \$224,130.00 at the rate of 6 percent per annum from 2-20-82 up to the date of entry of judgment;

and on the total sum of judgment at the rate of 12 percent per annum from the date of entry of judgment until paid.

IT IS FURTHER ORDERED AND ADJUDGED that the plaintiff, Twin Oaks Energy, Inc., recover of and from the defendant, Nikos International Petroleum, the following attorney fees:

to Blackstock, Joyce, Pollard, Blackstock & Montgomery the sum of \$6,005.50;

to David Ostfeld, of David Ostfeld, P.C. of Houston, Texas, the sum of \$471.00;

together with the costs of this action in the amount of \$107.55.

DATED this 21st day of June, 1982.

S/ JAMES O. ELLISON

James O. Ellison
UNITED STATES DISTRICT JUDGE

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

HESS OIL VIRGIN ISLANDS)
CORP., a United States)
Virgin Islands corporation;)
FEDERAL INSURANCE COMPANY,)
a New Jersey corporation,)
and INSURANCE COMPANY OF)
NORTH AMERICA, a Pennsylvania)
corporation,)

Plaintiffs,)

v.)

UOP, INC., a Delaware corpora-)
tion, and FISHER CONTROLS COMPANY,)
a subsidiary of Monsanto Corpora-)
tion, a Delaware corporation,)

Defendants.)

NO. 75-C-383-C

FILED

JUN 23 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT

This action first came on for trial on the 3rd day of March, 1980. By agreement of counsel, this action was bifurcated, for first trial of the liability issues and then trial of the damage issues. The liability phase of the case proceeded to jury trial and on the 19th day of March, 1980, the jury returned their verdict finding the Defendant Universal Oil Products, Inc., to be liable in comparative negligence to the degree of seventy per cent (70%) and that the Plaintiffs to be liable for thirty per cent (30%).

This action came on for trial of the damage issues on the 14th day of June, 1982, and on the 21st day of June, 1982, the jury did return verdict in favor of the Plaintiffs finding that the property damage sustained by Plaintiffs was in the sum of FOUR MILLION NINE THOUSAND FIFTY NINE AND NO/100 (\$4,009,359.00)

IT IS ORDERED AND ADJUDGED that on this 21st day of June, 1982, the Plaintiffs, Hess Oil Virgin Islands Corporation, Federal Insurance Company and Insurance Company of North America, are hereby granted Judgment upon and in accordance with the jury verdict herein. Credits or offsets against said Judgment and proper distribution or allotment of said Judgment between said Plaintiffs is to be made by the Court. Plaintiffs are to file

Briefs with this Court within ten (10) days as to said offset and distribution issues, and Defendant is to Respond within ten (10) days thereafter.

DATED this 25th day of June, 1982.



H. DALE COOK, CHIEF UNITED
STATES DISTRICT JUDGE

FILED

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

JUN 25 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JAMES C. SEXTON,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-465-C

DEFAULT JUDGMENT

This matter comes on for consideration this 25 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, James C. Sexton, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, James C. Sexton, was personally served with Alias Summons and Complaint on May 18, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, James C. Sexton, for the principal sum of \$528.70, plus interest at the rate of 15 percent from the date of this Judgment until paid.

s/H. DALE COOK
UNITED STATES DISTRICT JUDGE

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

FILED

JUN 24 1982

Jack C. Silver, Clerk
DISTRICT COURT

UNITED STATES OF AMERICA)
for the use of)
ELDON WINCHESTER d/b/a)
Winchester Cement Works,)
Plaintiff,)
vs.)
KENNETH LATTY d/b/a)
Kenneth Latty Construction,)
and GOLDEN AGES HOUSING)
AUTHORITY and WESTERN)
CASUALTY & SURETY,)
Defendants.)

NO. 80-C-331-E

JOURNAL ENTRY OF JUDGMENT

On this 15th day of June, 1982, this cause comes on for hearing pursuant to an Order of this Court entered on May 21, 1982. The defendants appeared in person by Kenneth Latty and by their attorney, Dan A. Rogers. Plaintiff appeared not.

The Court finds that plaintiff was represented by an attorney, Debra Gottschalk, at the hearing on May 21, 1982, and that the Court gave instructions at that time that this matter would be heard on June 15, 1982, and judgment entered; that plaintiff, Eldon Winchester, had legal notice of this hearing and failed to appear either in person or through counsel.

Upon evidence submitted by the defendant, Kenneth Latty d/b/a Kenneth Latty Construction Company, a study of the pleadings, the presentation of testimony and the statement of counsel, the Court finds that judgment should be entered in favor of the defendants on plaintiff's Complaint; and, that defendant, Kenneth Latty d/b/a Kenneth Latty Construction Company, should have and recover judgment from and against

Eldon Winchester d/b/a Winchester Cement Works, in the sum of ELEVEN THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS (\$11,489.00) damages sustained by him, as prayed for in his Cross-Complaint.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that judgment be and the same is hereby entered in favor of the defendants, Kenneth Latty d/b/a Kenneth Latty Construction, Golden Ages Housing Authority and Western Casualty and Surety, on plaintiff's Complaint, with costs assessed to the plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that judgment should be and is hereby entered in favor of the defendant, Kenneth Latty d/b/a Kenneth Latty Construction Company, on his Cross-Complaint against Eldon Winchester, d/b/a Winchester Cement Works, in the amount of ELEVEN THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS (\$11,489.00), plus the costs of this action. For all of which let execution lie.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

JUN 24 1982

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

Jack G. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
HOWELL S. STIMSON,)
)
Defendant.)

CIVIL ACTION NO. 82-C-~~41~~⁴¹-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 24th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Mary A. Nesbitt
for PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 24th day of June, 1982.

Mary A. Nesbitt
Assistant United States Attorney



FILED

IN THE UNITED STATES DISTRICT COURT FOR
NORTHERN DISTRICT OF OKLAHOMA JUN 24 1982

Jack C. Silver, Clerk
DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
LAWRENCE R. LEWIS,)
)
Defendant.)

CIVIL ACTION NO. 82-C-35-E ✓

DEFAULT JUDGMENT

This matter comes on for consideration this 24th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Lawrence R. Lewis, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Lawrence R. Lewis, was personally served with Summons and Complaint on January 27, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Lawrence R. Lewis, for the principal sum of \$549.43, plus interest at the rate of 15 percent from the date of this Judgment until paid.

James Deane
UNITED STATES DISTRICT JUDGE

FILED

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

JUN 24 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 KENNETH P. BALES,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-160-E

DEFAULT JUDGMENT

This matter comes on for consideration this 24th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Kenneth P. Bales, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Kenneth P. Bales, was personally served with Summons and Complaint on February 12, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Kenneth P. Bales, for the principal sum of \$352.47, plus interest at the rate of 15 percent from the date of this Judgment until paid.

JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

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

JUN 24 1982

Jack C. Silver, Clerk
ST-10-10

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
TIMOTHY D. HOOPER,)
)
Defendant.)

CIVIL ACTION NO. 82-C-338-E

DEFAULT JUDGMENT

This matter comes on for consideration this _____ day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Timothy D. Hooper, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Timothy D. Hooper, was personally served with Alias Summons and Complaint on May 12, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Timothy D. Hooper, for the principal sum of \$1,000.00, plus accrued interest of \$169.95 as of June 30, 1981, plus interest on the principal sum of \$1,000.00 at 7 percent from June 30, 1981, until the date of Judgment, plus interest at the rate of 15 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE ~~24~~ ²⁴
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-539-E
)	
JOSEPH N. BRUCE, JR.,)	
)	
Defendant.)	

DEFAULT JUDGMENT

This matter comes on for consideration this 20 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Joseph N. Bruce, Jr., appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Joseph N. Bruce, Jr., was personally served with Summons and Complaint on May 15, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Joseph N. Bruce, Jr., for the principal sum of \$615.60, plus interest at the rate of 15 percent from the date of this Judgment until paid.

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUN 23 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 81-C-830-E
)	
DONNIE G. FARMER,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 23rd day of June, 1982.

UNITED STATES OF AMERICA
FRANK KEATING
United States Attorney

Marcy A. Nesbitt
for PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties herein by mailing the same to them or to their attorneys of record on the 23rd day of June, 1982.

Marcy A. Nesbitt
Assistant United States Attorney

F I L E D
JUN 23 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
GARY H. SANDERSON,)
)
Defendant.)

Jack C. Miller, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-557-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 23rd day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Mary A. Nesbitt
for PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 23rd day of June, 1982.

Mary A. Nesbitt
Assistant United States Attorney

FILED

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

JUN 23 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LOUIS C. SCOTT,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-485-B

DEFAULT JUDGMENT

This matter comes on for consideration this 23 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Louis C. Scott, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Louis C. Scott, was personally served with Summons and Complaint on April 29, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Louis C. Scott, for the principal sum of \$600.23, plus interest at the rate of 15 percent from the date of this Judgment until paid.

S/ THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

FILED
JUL 1 1982
JUL 1 1982
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DOROTHY S. BRITTON,)
)
Defendant.)

CIVIL ACTION NO. 82-C-415-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 23rd day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Mary A. Nesbitt
for PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties herein by mailing the same to them or to their attorneys of record on the 23rd day of June, 1982.
Mary A. Nesbitt
Assistant United States Attorney

FILED

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

JUN 23 1982

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DENNIS J. KENDRICK,)
)
 Defendant.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-65-B

DEFAULT JUDGMENT

This matter comes on for consideration this 23 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Dennis J. Kendrick, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Dennis J. Kendrick, was personally served with Alias Summons and Complaint on April 27, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Dennis J. Kendrick, for the principal sum of \$372.80, plus interest at the rate of 15 percent from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUN 25 1982

Jack C. Sizer, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 81-C-739-B
)	
EDDY KEIZER,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 23rd day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Marcy A. Nesbitt
for PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 23rd day of June, 1982.

Marcy A. Nesbitt
Attorney

United States District Court

JUN 23 1982

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION FILE NO. 81-C-476-BT

GYLILA RODDEN,
Plaintiff,
vs.
FRANKLIN LIFE INSURANCE COMPANY,
Defendant.

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Thomas R. Brett, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict, on June 16, 1982.

It is Ordered and Adjudged that judgment is entered for the Plaintiff, Gylila Rodden, and against the Defendant, Franklin Life Insurance Company, in the total amount of \$75,000.00 (i.e., on life insurance policy number 2530299 at \$45,000.00, on life insurance policy number 2530300 at \$30,000.00), and interest on said total judgment in the amount of 15% per annum from this date. Pursuant to a stipulation of the parties filed on June 23, 1982 the attorneys fees in this action shall be taxed as costs in the amount of \$15,000.00 in favor of plaintiff and against the defendant, and the costs of record are assessed against the defendant.

Dated at Tulsa, Oklahoma, this 23rd day
of June, 1982.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

ROBERT W. McLAUGHLIN,)
)
 Plaintiff,)
)
 vs.)
)
 DISCOVERY OIL & GAS, INC., an)
 Oklahoma corporation, LARRY)
 HOOVER, an individual, ORVAL)
 LeLOZIER, WILLIAM H. PHILLIPS,)
 ANDY ANDERSON and THE FIRST)
 NATIONAL BANK OF ALTAMONT,)
 ILLINOIS,)
)
 Defendants.)

No. 81-C-548-E

FILED

JUN 22 1982

J. W. HOOVER, Clerk
U. S. DISTRICT COURT

ORDER

Presently pending in this matter is the motion for summary judgment of Plaintiff.¹ Plaintiff's supplemental brief on this motion was filed on May 12, 1982. There has been no response to this motion by the Defendant against whom it is directed, Discovery Oil & Gas, Inc., nor has any application been made for an extension of time.

Also pending before the Court at this time is the motion to withdraw of Mr. Douglas L. Boyd, attorney of record for the Defendant Discovery Oil & Gas, Inc., filed May 19, 1982. The grounds asserted for this motion are that Defendant has failed to respond to written and telephonic communications from counsel, and has failed to assist in the defense of this case.

This is an action brought to recover upon a promissory note. Plaintiff alleges that the Defendant, for the purpose of securing the note, assigned to Plaintiff the interests of Defendant Discovery Oil & Gas in certain leases located in Nowata County, Oklahoma. Plaintiff alleges that the Defendants breached the terms and conditions of the note and assignment, and, despite due demand, have failed to pay under the terms of the note.

Defendant Discovery Oil & Gas answered on January 11, 1982, by a general denial of the Complaint's allegations.

In support of his motion, Plaintiff has filed his own affidavit, a copy of the note, and a copy of the assignment.

¹ Defendant Discovery Oil & Gas, Inc. had filed a motion to dismiss, which was rendered moot when the Plaintiff's amended complaint was filed on December 29, 1981.

Under Rule 56, of course, a party may not stand upon allegations when a motion for summary judgment is supported by affidavits and exhibits, but must respond (by affidavit or otherwise) in a manner which sets forth specific facts showing a genuine issue for trial. Failure to so respond will support an entry of summary judgment against that party. Rule 56(e), Fed.R.Civ.Pro.

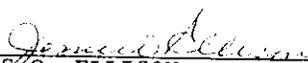
Upon a consideration of the Plaintiff's affidavit, and the copies of the Promissory Note and Assignment attached thereto as Exhibits "A" and "B", the Court concludes that there has been no showing that there is any dispute as to any of the facts material to Plaintiff's claim against Defendant Discovery Oil & Gas, and that summary judgment is, therefore, appropriate.

The Court further concludes that the motion to withdraw as counsel for Defendant Discovery Oil & Gas, of Mr. Douglas L. Boyd should be granted, but not to become effective until after the entry of a judgment in conformity with this Order, at which time he may withdraw.

IT IS THEREFORE ORDERED that Plaintiff's motion for summary judgment against Defendant Discovery Oil & Gas be, and the same hereby is, granted, and that judgment should be entered in favor of Plaintiff and against Defendant Discovery Oil & Gas, as prayed for by Plaintiff. Counsel for Plaintiff is hereby directed to prepare a form of judgment and submit the same to the Court for consideration within ten days, after having first submitted it to counsel for Defendant for approval as to form.

IT IS FURTHER ORDERED that Douglas L. Boyd be allowed to withdraw as counsel for Defendant Discovery Oil & Gas, Inc., upon the entry of judgment as set forth above.

It is so Ordered this 21st day of June, 1982.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

JUN 22 1982

JAMES E. BIRNEY, Clerk
U. S. DISTRICT COURT

BOBBY JOE CHURCH, #110324,)	
)	
Plaintiff,)	
)	
vs.	)	No. 82-C-619-E
)	
WHITE BAIL-BONDING CO., et al.,)	
)	
Defendants.)	

O R D E R

The Court has before it at this time Plaintiff's motion for leave to proceed in forma pauperis. This matter has been before the Court previously in Case No. 81-C-406. In that case, the Court, upon a review of the tendered Complaint, denied leave to proceed in forma pauperis on the grounds that the Complaint failed to state a cause of action cognizable under 42 U.S.C. § 1983, and leave to proceed would be a useless act, since immediate dismissal would be required.

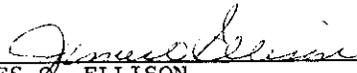
The Court has again reviewed Plaintiff's allegations, mindful of the requirements of Ragan v. Cox, 305 F.2d 58 (Tenth Cir. 1962), cert. denied 375 U.S. 981, 84 S.Ct. 495 (1964), and concludes that allowing leave to file in forma pauperis would, under the circumstances, be a useless act, since immediate dismissal would be fully warranted, see, e.g., Bennett v. Passic, 545 F.2d 1260 (Tenth Cir. 1976); Redford v. Smith, 543 F.2d 726 (Tenth Cir. 1976); Harbolt v. Alldredge, 464 F.2d 1243 (Tenth Cir. 1972), cert. denied, 409 U.S. 1025, 93 S.Ct. 473 (1972).

A review of the tendered Complaint reveals that Plaintiff is suing the White Bail-Bonding Co. and its employees for their actions in transporting Plaintiff from Colorado to Oklahoma, allegedly through the use of force and against Plaintiff's will. While Plaintiff may have a claim against Defendants, it properly lies in state court, since the essential element of "state action" is lacking, thereby depriving this Court of jurisdiction under 42 U.S.C. § 1983. It has been held that bondsmen who apprehend the principal are not acting under color of state law, see, e.g., Ouzts v. Maryland Nat'l Ins. Co., 505 F.2d 547 (Ninth Cir. 1974), cert. denied 421 U.S. 949, 95 S.Ct. 1681 (1975); Easley v. Blossom, 394 F.Supp. 343 (S.D. Fla. 1975); Curtis v. Peerless Ins. Co., 299 F.Supp. 429 (D. Minn. 1969);

Thomas v. Miller, 282 F.Supp. 571 (E.D. Tenn. 1968).

Accordingly, Plaintiff's application for leave to proceed in forma pauperis is hereby denied.

It is so Ordered this 21st day of June, 1982.



JAMES G. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

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

JUN 22 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-597-E
)	
JOHN C. DOWNING,)	
)	
Defendant.)	

AGREED JUDGMENT

This matter comes on for consideration this 21 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, John C. Downing, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, John C. Downing, was personally served with Summons and Complaint on June 7, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of 742.40, plus 12 percent interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, John C. Downing, in the amount of \$742.40, plus 12 percent interest from the date of this Judgment until paid.

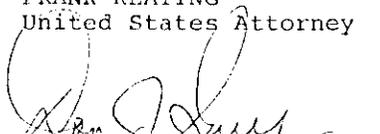
S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


JOHN C. DOWNING

JUN 22 1982

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JAMES O. ELLISON, CLERK
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DONNA L. RAINBOLT, a/k/a)
DONNA L. BLAKE,)
)
Defendant.)

CIVIL ACTION NO. 82-C-82-E

DEFAULT JUDGMENT

This matter comes on for consideration this 21 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Donna L. Rainbolt, a/k/a Donna L. Blake, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Donna L. Rainbolt, a/k/a Donna L. Blake, was personally served with Summons and Complaint on March 4, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Donna L. Rainbolt, a/k/a Donna L. Blake, for the principal sum of \$1,430.00 (less the sum of \$400.00 which has been paid), plus the accrued interest of \$571.62 as of Spetember 30, 1980, plus interest on the principal sum of \$1,430.00 (less the sum of \$400.00) at seven percent (7%) from September 30, 1980, until the date of Judgment, plus interest at the rate of fifteen percent (15%) from the date of Judgment until paid.

of JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

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

JUN 22 1982

W. B. DISTRICT COURT

RICHARD HAUSMAN,)
)
 Plaintiff,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
 RICHARD S. SCHWEIKER,)
 Secretary of Health and)
 Human Services, et al.,)
)
 Defendants.)

CIVIL ACTION NO. 82-C-30-E

ORDER

For good cause shown and pursuant to Rule 14(a) of the Rules of this Court, it is hereby Ordered that this action be dismissed. *WITHOUT PREJUDICE.*

Dated this 21st day of June, 1982.

James E. Allen

 UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA JUN 22 1982

Don J. Guy, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-40-E
)	
LONDON D. THOMPSON,)	
)	
Defendant.)	

AGREED JUDGMENT

This matter comes on for consideration this 16 day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Landon D. Thompson, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Landon D. Thompson, was personally served with Summons and Complaint on May 20, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$218.00, plus 12 percent interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Landon D. Thompson, in the amount of \$218.00, plus 12 percent interest from the date of this Judgment until paid.

James O. DeLoach
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant U.S. Attorney

Landon D. Thompson
LONDON D. THOMPSON

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
MARETTA J. MOSES a/k/a)
MARETTA J. HEATLEY a/k/a)
MARETTA JOYCE HEATLEY a/k/a)
MARETTA HEATLEY; TULSA BELL)
FEDERAL CREDIT UNION, a)
Corporation; ASSOCIATES)
FINANCIAL SERVICES CO. OF)
OKLAHOMA, INC.; PEOPLES SAVINGS)
& INVESTMENT, INC.; TULSA)
ADJUSTMENT BUREAU, INC.;)
COUNTY TREASURER, Tulsa County,)
Oklahoma, and BOARD OF COUNTY)
COMMISSIONERS, Tulsa County,)
Oklahoma,)
)
Defendants.)

CIVIL ACTION NO. 81-C-605-E

FILED

JUN 22 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 21st day
of June, 1982. The Plaintiff appearing by Frank
Keating, United States Attorney for the Northern District of
Oklahoma, through Nancy A. Nesbitt, Assistant United States
Attorney; the Defendant, Peoples Savings & Investment, Inc.,
appearing by its legal agent, Muriel A. Barranco; the Defendant,
Tulsa Adjustment Bureau, Inc., appearing by its attorney, D. Wm.
Jacobus, Jr.; the Defendants, County Treasurer, Tulsa County,
Oklahoma, and Board of County Commissioners, Tulsa County,
Oklahoma, appearing by their attorney, David A. Carpenter,
Assistant District Attorney; and, the Defendants, Maretta J.
Moses a/k/a Maretta J. Heatley a/k/a Maretta Joyce Heatley a/k/a
Maretta Heatley, Tulsa Bell Federal Credit Union, a Corporation,
and Associates Financial Services Co. of Oklahoma, Inc.,
appearing not.

The Court being fully advised and having examined the
file herein finds that Defendant, Maretta J. Moses a/k/a Maretta
J. Heatley a/k/a Maretta Joyce Heatley a/k/a Maretta Heatley, was

served with Summons, Complaint, and Amendment to Complaint on November 4, 1981, and December 8, 1981, respectively; that Defendant, Tulsa Bell Federal Credit Union, a Corporation, was served with Summons, Complaint, and Amendment to Complaint on November 6, 1981, and December 10, 1981, respectively; that Defendant, Associates Financial Services Co. of Oklahoma, Inc., was served with Summons, Complaint, and Amendment to Complaint on November 4, 1981, and December 9, 1981, respectively; that Defendant, Peoples Savings & Investment, Inc., was served with Summons, Complaint, and Amendment to Complaint on November 4, 1981, and December 8, 1981, respectively; that Defendant, Tulsa Adjustment Bureau, Inc., was served with Summons, Complaint, and Amendment to Complaint on November 4, 1981, and December 5, 1981, respectively; that Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, were served with Summons, Complaint, and Amendment to Complaint on December 7, 1981; all as shown on the United States Marshal's Services herein..

It appears that the Defendant, Peoples Savings & Investment, Inc., has duly filed its Answer herein on December 22, 1981, disclaiming any right, title, or interest in the property being foreclosed; that the Defendant, Tulsa Adjustment Bureau, Inc., has duly filed its Disclaimer herein on January 13, 1982; that the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, have duly filed their Answers herein on December 24, 1981; and, that the Defendants, Maretta J. Moses a/k/a Maretta J. Heatley a/k/a Maretta Joyce Heatley a/k/a Maretta Heatley; Tulsa Bell Federal Credit Union, a Corporation; and Associates Financial Services Co. of Oklahoma, Inc., have failed to answer 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 for a foreclosure of a real property mortgage

securing said mortgage note upon the following described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Three (3), Block Ten (10), VALLEY VIEW ACRES ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

THAT the Defendant, Maretta J. Moses, did, on the 6th day of July, 1973, execute and deliver to the Administrator of Veterans Affairs, her mortgage and mortgage note in the sum of \$10,500.00 with 4 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that Defendant, Maretta J. Moses, made default under the terms of the aforesaid mortgage note by reason of her failure to make monthly installments due thereon, which default has continued and that by reason thereof the above-named Defendant is now indebted to the Plaintiff in the sum of \$9,605.11 as unpaid principal with interest thereon at the rate of 4 1/2 percent per annum from October 1, 1979, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from Defendant, Maretta J. Moses a/k/a Maretta J. Heatley a/k/a Maretta Joyce Heatley a/k/a Maretta Heatley the sum of \$ 0 plus interest according to law for real estate taxes for the year(s) _____ and that Tulsa County should have judgment for said amount, and that such judgment is superior to the first mortgage lien of the Plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendant, Maretta J. Moses, for the sum of \$9,605.11 as unpaid principal with interest thereon at the rate of 4 1/2 percent per annum from October 1, 1979, 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 the County of Tulsa have and recover judgment against Defendant, Maretta J. Moscs a/k/a Marotta J. Heatley a/k/a Maretta Joyce Heatley a/k/a Maretta Heatley, for the sum of \$ 0.00 as of the date of this judgment plus interest thereafter according to law for real estate taxes, and that such judgment is superior to the first mortgage lien of the Plaintiff herein.~~ *g.o.c.*

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, Tulsa Bell Federal Credit Union, a Corporation, is in default because no answer was timely filed and the interest, if any, of this Defendant is subject to and inferior to the first mortgage lien of the Plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, Associates Financial Services Co. of Oklahoma, Inc., is in default because no answer was timely filed and the interest, if any, of this Defendant, is subject to and inferior to the first mortgage lien of the Plaintiff herein.

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 in satisfaction of Plaintiff's judgment, which sale shall be subject to the real estate tax judgment of Tulsa County, supra. The residue, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

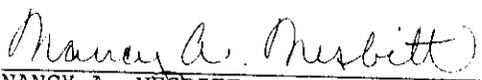
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint herein are

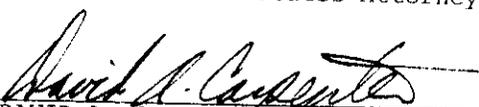
forever barred and foreclosed of any right, title, interest or claim to the real property or any part thereof.


UNITED STATES DISTRICT JUDGE

APPROVED:

FRANK KEATING
United States Attorney


NANCY A. NESBITT
Assistant United States Attorney


DAVID A. CARPENTER
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Tulsa County

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT

FILED

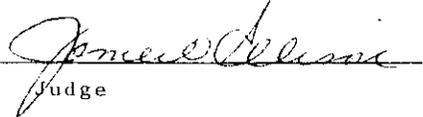
JUN 22 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JERRY and PATRICIA BRUCE,)
Plaintiffs,)
)
vs) No. 80-C-377-E
)
SUN OIL COMPANY,)
Defendant.)

ORDER

Pursuant to dismissal filed on June 16, 1982 by plaintiffs,
Jerry and Patricia Bruce, this case is hereby dismissed with
prejudice.



Judge

FILED

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

JUN 22 1982

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ADAM A. BALLANCE, CHRISTINE)
BALLANCE, COUNTY TREASURER,)
Craig County, Oklahoma, and)
BOARD OF COUNTY COMMISSIONERS,)
Craig County, Oklahoma)
)
Defendants.)

CIVIL ACTION NO. 81-C-860-E

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 21st day of June, 1982. The Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney; the Defendants, County Treasurer, Craig County, Oklahoma, and Board of County Commissioners, Craig County, Oklahoma, appearing by their attorney, Terry H. McBride, Assistant District Attorney; and, the Defendants, Adam A. Ballance and Christine Ballance, appearing not.

The Court being fully advised and having examined the file herein finds that Defendants, Adam A. Ballance and Christine Ballance, were served with Summons and Complaint on January 6, 1982; and that Defendants, County Treasurer, Craig County, Oklahoma, and Board of County Commissioners, Craig County, Oklahoma, were served with Summons and Complaint on December 8, 1981; all as appears on the United States Marshal's Service herein.

It appears that the Defendants, County Treasurer, Craig County, Oklahoma, and Board of County Commissioners, Craig County, Oklahoma, have duly filed their Answer herein on December 14, 1981; and, that Defendants, Adam A. Ballance and Christine Ballance, have failed to answer and that default has been entered by the Clerk of this Court.

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

The Northerly 52 feet of Lot 13, and the Southerly 4 feet of Lot 14, in Block 105, in the City of Vinita, Oklahoma, according to the United States Government Survey and approved plat thereof.

THAT Roy D. Baldrige and Anita C. Baldrige did, on the 15th day of September, 1976, execute and deliver to the United States of America acting through the Farmers Home Administration their mortgage and mortgage note in the sum of \$17,500.00 with 8 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

That the Defendants, Adam A. Ballance and Christine Ballance, did on the 27th day of February, 1980, execute and deliver to the United States of America an Assumption Agreement in which they did agree to assume the obligations of the mortgage note and mortgage described above and to pay the unpaid balance of the note in the principal amount of \$17,006.28, plus accrued interest in the amount of \$99.00.

That the Defendants, Adam A. Ballance and Christine Ballance, did on the 27th day of February, 1980, execute and deliver to the United States of America their mortgage and mortgage note in the sum of \$6,810.00 with 10 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that Defendants, Adam A. Ballance and Christine Ballance, made default under the terms of the aforesaid mortgage notes, mortgages, and Assumption Agreement by reason of their failure to make monthly installments due thereon, which default has continued and that by reason thereof the above-named Defendants are now indebted to the Plaintiff in

the principal sum of \$24,020.95, plus accrued interest of \$2,278.00 as of April 9, 1981, plus interest thereafter at the rate of \$5.8823 per day, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Craig, State of Oklahoma, from Defendants, Adam A. Ballance and Christine Ballance, the sum of \$134.77 plus interest according to law for real estate taxes for the year 1981 and that Craig County should have judgment for said amount, but that such judgment is superior to the first mortgage lien of the Plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendants, Adam A. Ballance and Christine Ballance, for the principal sum of \$24,020.95, plus accrued interest of \$2,278.00 as of April 9, 1981, plus interest thereafter at the rate of \$5.8823 per day, until paid, 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 the County of Craig have and recover judgment against Defendants, Adam A. Ballance and Christine Ballance, for the sum of \$134.77 as of the date of this judgment plus interest thereafter according to law for real estate taxes, and that such judgment is superior to the first mortgage lien of the Plaintiff herein.

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 in satisfaction of Plaintiff's judgment. The

residue, if any, shall 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 all persons claiming under them since the filing of the Complaint herein are forever barred and foreclosed of any right, title, interest or claim to the real property or any part thereof.

UNITED STATES DISTRICT JUDGE

APPROVED:

FRANK KEATING
United States Attorney

DON J. GUY
Assistant United States Attorney

TERRY H. McBRIDE
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Tulsa County

FILED

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

JUN 23 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

DREXEL BURNHAM LAMBERT INC.,)
)
 Plaintiff,)
)
 vs.)
)
 DONALD M. FLYNN, an individual,)
)
 Defendant.)

No. 81-C-78-B

J U D G M E N T

Pursuant to the Findings of Fact and Conclusions of Law entered herein this date, a Judgment is hereby entered in favor of the defendant, Donald M. Flynn, and against the plaintiff, Drexel Burnham Lambert Inc. The plaintiff is to pay the costs of this action and the parties are to pay their own respective attorneys' fees.

ENTERED this 22nd day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUN 21 1982

ROBERT E. HORN and INFORMATION)
RESOURCES, INC.,)
Plaintiffs,)
v)
REDACT CORPORATION,)
Defendant.)

Jack C. Silver, Clerk
U.S. DISTRICT COURT
Civil Action
No. 82-C-540-C

CONSENT DECREE

The Court, having considered the "Stipulation for Consent Decree" filed on June 9, 1982, and being fully advised in the premises, hereby Orders:

1. This Court has jurisdiction of the subject matter of this action and of the parties hereto.

2. The "Stipulation for Consent Decree" which was filed on June 9, 1982 and the provisions set forth therein relate to such materials contained in the book, The Redact Writing Method which are within Plaintiff's exclusive rights of copyright as provided by Title 17 of the United States Code and laws thereunder relating thereto.

3. The Defendant, Redact Corporation, will permanently cease and desist from producing, selling, advertising, promoting, distributing, or otherwise disposing of any copies of its book entitled The Redact Writing Method.

4. The Defendant, Redact Corporation, will permanently destroy the book, The Redact Writing Method, and all publications, records, masters, tapes, discs, film negatives or other devices of which copies may be reproduced, that are still in its possession, custody or control as of this date, and its President, Mary Ann Clark, will execute by June 11, 1982 an affidavit under oath stating that the destruction referred to in this paragraph has been completed.

5. The Defendant, Redact Corporation, will permanently cease and desist from publicly advertising, publicly holding, publicly conducting, or otherwise engaging

in public workshops or public seminars to present orally the material contained in the book entitled The Reduct Writing Method.

6. Mary Ann Clark, President of the Defendant, is bound by the terms of this Consent Decree both in her corporate capacity and in her individual capacity.

IT IS SO ORDERED, this day of June, 1982.

151 H. Dale Cook
United States District Judge

Approved:

[Signature]
William S. Dorinan
Attorney for Plaintiffs
320 South Boston, Suite 1401
Tulsa, Oklahoma 74103
Phone: (918) 582-8201

[Signature]
Tilman E. Pool, Jr.
Attorney for the Defendant
1513 South Boston
Tulsa, Oklahoma 74119
Phone: (918) 582-7205

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

BANKERS TRUST COMPANY,)
a banking corporation,)
)
Plaintiff,)
)
vs.)
)
AGRI-PETCO OF GHANA, INC.,)
a corporation,)
)
Defendant.)

No. 80-C-524-BT

JUN 18 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

This claim for alleged unjust enrichment came on for trial to the Court sitting without a jury on May 24 and 25, 1982, pursuant to notice and regular setting. After hearing the evidence, considering the statements of counsel, and examining the applicable legal authorities, the Court enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. That plaintiff, Bankers Trust Company, is a banking corporation duly organized and existing under and by virtue of the laws of the State of New York with its principal place of business in New York City, New York.

2. That defendant, Agri-Petco of Ghana, Inc., is a corporation duly organized and existing under and by virtue of the laws of the State of Oklahoma with its principal place of business in Tulsa, Oklahoma.

3. The amount in controversy exceeds the sum of \$10,000 exclusive of interest and costs.

4. That Agri-Petco operates the merchant vessel (MV) Cooperator and that from September 15, 1978 until March 23, 1979, the Cooperator was in the Carena Shipyards in Abidjan, Ivory Coast, for repairs.

5. That Agri-Petco, in connection with the repair work being performed on the MV Cooperator, made arrangements through its local bank, the Bank of Oklahoma of Tulsa, Oklahoma, for periodic payments in the Ivory Coast currency (colonial francs, CFA) to be wire transferred to Carena Shipyards.

6. That the wire transfers were processed by the Bank of Oklahoma in the following manner: the Bank of Oklahoma would notify Bankers Trust who would then transfer funds to Carena's account at the Banque Internationale Pour L'Afrique Occidentale (BIAO) in Abidjan, Ivory Coast. Thereafter Bankers Trust would be reimbursed by funds transferred from Agri-Petco's account at the Bank of Oklahoma.

7. That on January 11, 1979, defendant, Agri-Petco, directed the Bank of Oklahoma to transfer 27,578,947 CFA to Carena's local bank and that the transaction was completed by plaintiff, Bankers Trust, on January 12, 1979.

8. That officers and employees of Bankers Trust failed to note or record that the requested transfer of January 11, 1979 had been made and completed. In some unknown manner the wire became mixed with the uncompleted work and was "discovered"

on February 1, 1979. On that date a second transfer of funds was erroneously caused to be made by a Bankers Trust employee to Carena Shipyards without additional authority or instruction from Agri-Petco or the Bank of Oklahoma. Shortly after dispatching the second wire, Bankers Trust discovered its mistake and cancelled all of its accounting entries except the order directing the Ivory Coast bank to authorize payment to the Carena Shipyards. No notice of the erroneous second transfer was sent to Agri-Petco or the Bank of Oklahoma.

9. That Carena Shipyards received the second transfer from Bankers Trust and decided to apply it to the Agri-Petco account. (Castelnerac Depo., 26-30).

10. That there was confusion as to the amount of money flowing between Agri-Petco and Carena Shipyards due to communication failures in the international banking transfers. This in turn caused confusion concerning the account balance. (PX-17, 23, 24, 32-52) (Castelnerac Depo., 34-36) (DX-7, 10, 13)

11. That the cost of repairs to be made by Carena Shipyards on the MV Cooperator continued to escalate and Agri-Petco had difficulty in receiving accurate cost estimates from Carena. (DX-4, 5).

12. That the MV Cooperator, following repairs, sailed from Carena Shipyards on March 23, 1979. On April 25, 1979, John Waits, an officer of Agri-Petco, left Tulsa for the Ivory Coast to inform Carena that no further payments for

repairs would be made. At that time Agri-Petco had paid 84,322,287 CFA on its account with Carena as had been previously agreed by the parties as early as January 12, 1979. (DX-7, 21; PX-22). Due to the erroneous wire transfer from Bankers Trust of 27,578,947 CFA, Carena's ledger account reflected payments on account by Agri-Petco of 111,901,234 CFA (PX-21). Due to an error on Carena's part, however, its invoice summary sent to Agri-Petco on April 18, 1979 indicated that Agri-Petco had paid Carena 99,401,234 CFA on the account. (PX-15). Apparently, Carena neglected to include a 12,500,000 CFA payment (PX-21) previously made by Agri-Petco when it sent its invoice summary of 4/18/79 to Agri-Petco. (PX-15). Thus, if it were not for Carena's error, its invoice summary (which included the 27,578,947 CFA erroneous payment) would have reflected the Agri-Petco account to have been paid in full and actually have a credit balance of 56,284 CFA, as opposed to a 12,443,716 CFA balance due. Carena's ledger account reflected the 56,284 CFA credit balance but this was not made known to Agri-Petco during settlement negotiations of the account on April 26 and 27, 1979. (PX-21) (Castelnerac Depo., 36).

13. That at the settlement negotiations, Waits of Agri-Petco took the position Agri-Petco was entitled to a substantial commercial discount, that the repairs for which Agri-Petco was being billed were improperly done and that the escalating estimates were unsupported. (DX-22, PX-20). Waits said the 84,322,287 CFA paid by Agri-Petco was all Agri-Petco intended to pay on the account.

Carena offered a 12,443,716 CFA discount (12 1/2%) and stated it would settle for the inventory summary amount paid of 99,401,234. Carena's ledger account of April 27, 1979 establishes that Carena gave Agri-Petco a 12,443,716 CFA credit instead of a discount for this amount. (PX-21).

14. That Agri-Petco was unwilling to disburse more than the 84,322,287 CFA it had already paid to Carena. That Carena was unable and unwilling to discuss the specific cost overruns and repair deficiencies contended by Mr. Waits of Agri-Petco and the officers of the MV Cooperator. It is apparent to the Court that both parties were talking at cross purposes during their meeting in Abidjan on April 27, 1979 due to the confusion in their respective ledgers.

15. That approximately 5 months after the Carena/Agri-Petco account was settled the plaintiff learned of its 27,578,947 CFA erroneous payment and subsequently commenced this alleged unjust enrichment action seeking restitution.

CONCLUSIONS OF LAW

1. The Court has jurisdiction over the parties and subject matter pursuant to Title 28, U.S.C. §1332 as there is diversity of citizenship and the requisite jurisdictional amount.

2. Any Finding of Fact herein that could properly be characterized a Conclusion of Law is hereby incorporated.

3. The erroneous second payment in the amount of 27,578,947 CFA on February 1, 1979 was caused to be made by the negligence of

employees and representatives of the plaintiff, Bankers Trust Company.

4. Bankers Trust Company has failed to sustain its burden of proof that Agri-Petco was unjustly enriched; that is to say plaintiff has failed to show by a preponderance of the evidence that Agri-Petco would have authorized payment or made payment beyond the sum of 84,322,287 CFA previously paid by Agri-Petco on this controverted account.

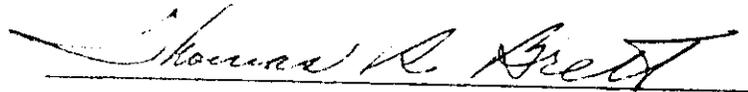
5. Since Bankers Trust Company created the circumstances through its own negligent payment, it should bear the loss as between the plaintiff and the defendant. In Jefferson County Bank v. Hansen Lumber Co., 55 S.W.2d 54, 57 (Ky.1932), the Court stated:

"...the rule of equitable estoppel, invented and grafted upon the common law to prevent wrongs, not to prosecute them, must now serve to estop appellee from recovering, as restitution, this amount, even though it is asked as being a recovery of money mistakenly paid appellant by it, when to grant it would result in visiting upon appellant the penalty of appellee's own folly and gross negligence, attendant upon its making this rash payment." (emphasis added.)

§. Restitution should not be required where the alleged unjust enrichment is not clearly established or the contended unjust enrichment has been thrust upon one without an opportunity to refuse. Wade, Restitution for Benefits Conferred Without Request, 19 Vand. L. Rev. 1183, 1198 (1966); see also §2, the Restatement of the Law, Restitution, Concerning an Officious Intermeddler.

7. A judgment in keeping with these Findings of Fact and Conclusions of Law in favor of the defendant, Agri-Petco of Ghana, Inc., and against the plaintiff, Bankers Trust Company, will be filed of record contemporaneously with these findings.

ENTERED this 18th day of June, 1982.

A handwritten signature in cursive script, reading "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

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

F I L E D

JUN 18 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

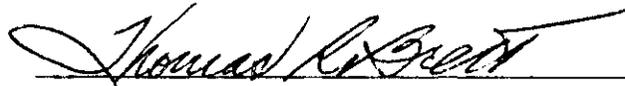
BANKERS TRUST COMPANY,)
a banking corporation,)
)
Plaintiff,)
)
vs.)
)
AGRI-PETCO OF GHANA, INC.,)
a corporation,)
)
Defendant.)

No. 80-C-524-BT

J U D G M E N T

In accordance with the Findings of Fact and Conclusions of Law entered this date, Judgment is hereby entered in favor of the defendant, Agri-Petco of Ghana, Inc., and against the plaintiff, Bankers Trust Company, with the costs of this action assessed against the plaintiff, and each party is to pay its own respective attorneys fees.

DATED this 18th day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

FILED

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

JUN 18 1982

C. C. Silver, Clerk

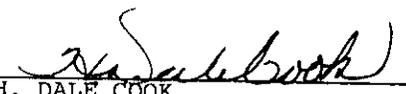
FLEETA A. HALEY, et al.,)
)
 Plaintiffs,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Defendant.)

No. 80-C-364-C

J U D G M E N T

Judgment is hereby entered, in conjunction with the Findings of Fact and Conclusions of Law filed simultaneously herein, in favor of the plaintiffs in the amount of \$150,000 for plaintiff Fleeta A. Haley, and \$40,000 for plaintiff Allen Haley, Sr., and against defendant.

It is so Ordered this 17th day of June, 1982.



H. DALE COOK
Chief Judge, U. S. District Court

After considering the pleadings, the testimony and exhibits admitted at trial, all of the briefs and arguments presented by counsel for the parties, and being fully advised on the premises, the Court enters the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. This action arises under the Federal Tort Claims Act, 28 U.S.C. §2671-2680. At the time this cause of action arose, plaintiffs have been and are now residents of Tulsa County, Oklahoma, and the acts complained of occurred in Rogers County, Oklahoma, both within the Northern District of Oklahoma. The claim against the U. S. Government was timely filed on October 22, 1979.
2. Plaintiff Fleeta Haley was a patient at the United States Public Health Service Hospital in Claremore, Oklahoma from known admissions and clinical visits of February 10, 1969, through May 14, 1979.
3. Mrs. Haley was admitted to the Oklahoma Osteopathic Hospital on July 22, 1968. An exploratory laparotomy was performed by Dr. Robert Henke, which confirmed the presence of regional enteritis, or Crohn's disease. The hospital Progress Record, dated August 15, 1968, stated that although "no definitive surgical procedure was performed," there was "an extremely good chance" that she would have "a definitive surgical procedure" at some future time "due to an obstruction or some other complications."
4. On February 6, 1973, Mrs. Haley underwent emergency surgery at St. John's Hospital in Tulsa, Oklahoma, involving a sub-total colectomy and ileostomy with closure of the rectal stump. This surgery was performed by Dr. J. D. Shipp, a private physician. The Surgical Pathology Report from February 7, 1973 concludes with a diagnosis of Crohn's disease of the colon. The operative report of Dr. Shipp, dated February 6, 1973 states that

"Both tubes had closed fimbriae with mild hydrosalpinx. There was a small inclusion cyst of the right ovary."

5. A biopsy of the colon was performed on Mrs. Haley on March 16, 1976. The pathologist's report of March 16, 1976 lists a diagnosis of chronic ulcerative proctitis, which, according to Dorland's Medical Dictionary, 25th Edition, W. B. Saunders 1974, is defined as ulceration and inflammation of the rectum. This is a non-specific term, not diagnostic of either Crohn's disease or ulcerative colitis.

6. On September 6, 1977, Mrs. Haley consulted Dr. Joseph Bretza, at the Hospital. The Ambulatory Care Record Sheet for that day, signed by Dr. Bretza, contains the following notation: "#1 - Regional enteritis." (Public Health Service Hospital, hereinafter Hospital).

7. On September 23, 1977, Mrs. Haley consulted again with Dr. Bretza. The Ambulatory Care Record for that day: "Procto: friable, polypoid lesions in distal rectum. Lab. not back. To me this is more likely ulcer colitis although regional enteritis could never be completely excluded. Could be CA [cancer] in rectal stump." Dr. Bretza then ordered a barium enema. The undated radiographic report describes the small bowel only and states ". . . no abnormality such as ulcerative colitis or granulomatous colitis is demonstrated."

8. On September 30, 1977, Mrs. Haley consulted Dr. Mark Rauter at the Hospital. The Ambulatory Care Record for that day indicates that Dr. Rauter was aware of the 1973 diagnosis of Crohn's disease in Mrs. Haley. He notes "continued disease in rectal stump with bleeding and pain," and states that surgery to remove the rectal stump is scheduled for October 25, 1977.

9. Mrs. Haley visited Dr. Rauter again on October 12, 1977. Multiple biopsies were taken and sent to the pathologist. The pathological report of October 17, 1977 states that "A definite diagnosis of chronic ulcerative colitis cannot be made, however, there are suggestions of this process." The report concludes with a diagnosis of chronic ulcerative proctitis. The

pathology report of October 26, 1977 states that "changes in the colon are compatible with chronic ulcerative colitis in quiescent phase." A definitive diagnosis of Crohn's disease as opposed to ulcerative colitis was not possible based on pathology reports alone. In addition a clinical history of the patient was required in order to make a definitive diagnosis.

Dr. Rauter also performed a proctoscopy and noted "friable mucosa with polypoid lesion at 11 centimeters which appears consistent with a pseudopolyp." Dr. Rauter scheduled Mrs. Haley for surgery on October 25, 1977.

10. Reliable medical opinion differs as to whether Mrs. Haley had Crohn's disease or ulcerative colitis, and as to whether a diagnosis as to Crohn's disease or ulcerative colitis would play a major role in a decision regarding surgical removal of the rectal stump. However, the risk of cancer is less with Crohn's disease than with ulcerative colitis.

11. No evidence was presented to the Court, either in the testimony of Drs. Bretza, Rauter, or Allen, or in the clinical records, to show that these physicians consulted medical records and reports from previous surgeries performed on Mrs. Haley. No consultations were undertaken with specialists who could have substantially clarified the ambiguity in diagnosis of Mrs. Haley's condition.

12. Mrs. Haley was not informed by the examining physicians (Bretza, Rauter, and Allen) as to the risks of the surgery and available alternatives to surgery. The physician who performed the surgery on Mrs. Haley, Dr. Larry Hrdlicka, testified that he would not have operated on plaintiff if he had been aware of a diagnosis of Crohn's disease in Mrs. Haley.

13. On October 21, 1977, Dr. Charles Allen, the staff surgeon at the Public Health Service Hospital, saw Mrs. Haley as a patient in the surgery clinic for a pre-admission physical and work-up. Removal of Mrs. Haley's uterus was not discussed during this consultation nor was there any intent to remove it at that

time. Although Dr. Allen informed Mrs. Haley that surgical removal of the rectal stump was elective, she expressed fear and hostility toward the proposed surgery and understood that surgery was necessary because of the threat of cancer in the rectal stump.

14. Following the pre-admission work-up with Dr. Allen, Mrs. Haley was admitted on October 24, 1977 to the Public Health Service Hospital.

15. The Request for Administration of Anesthesia and for Performance of Operation and Other Procedures was signed by Mrs. Haley in two places at two different times. Section C, Number 2 on this form states as follows: "I understand the nature of the proposed procedure(s), attendant risks involved, and expected results, as described above." Mrs. Haley signed the form at 12:30 on October 24, 1977. The operation or procedure listed on the top of the form is "Abdominal Perineal Resection - Receive blood and possible hysterectomy. F.H." The record is unclear as to when the notation on the hysterectomy was added to the form. Section B of the consent form contains the following statement.

The nature and purpose of the operation or procedure, possible alternative methods of treatment, the risks involved, and the possibility of complications have been fully explained to me. I acknowledge that no guaranties have been made to me concerning the results of the operation or procedure. I understand the nature of the operation to be
. . . .

The form then asks for a description of the operation or procedure in layman's language. Mrs. Haley wrote the following description in the proscribed space: "Remove my rectum and possible removal of uterus. Fleeta Haley 10/25/77 8:00 A.M."

16. At 9:00 A.M. on October 25, 1977, Mrs. Haley received her pre-operative medication, 100 m.g. of visteril, slightly more than the routine amount. The record is unclear as to whether Mrs. Haley had been given any medication prior to 8 A.M. on October 25, 1977. Credible evidence was presented that Mrs.

Haley was awakened at 8 A.M. on October 25 to sign the consent form.

17. The surgery (an abdominal perineal resection) was performed on October 25, 1977, beginning about 10:00 A.M. by Dr. Larry Hrdlicka with Dr. Mark Rauter assisting. Dr. Hrdlicka is a private physician who had a contract to perform surgery when Dr. Allen was away or unavailable. Dr. Hrdlicka was contacted 48 hours before Mrs. Haley's surgery to take over for Dr. Allen, the staff surgeon, who planned to be out of town on October 25, 1977.

18. Mrs. Haley's uterus was then removed during surgery for technical reasons (to expose the rectal area). Dr. Hrdlicka testified that he explained to Mrs. Haley on the evening before surgery that such a procedure might be necessary to facilitate surgery and that Mrs. Haley told him that she did not want to have any more children. Mrs. Haley testified that it was her understanding that the uterus would be removed only if Dr. Hrdlicka determined during surgery that it was diseased.

19. Subsequent to surgery, Mrs. Haley developed both an abdominal wound infection and a perineal wound infection which required incision and drainage. At 5:00 A.M. on October 26, 1977, leakage occurred from the ileostomy bag. Dr. Allen testified that there was no way to prevent leakage of Mrs. Haley's bag following surgery. He further testified that microbes were cultured from the infected areas, that they were of bowel origin, and that the infection probably occurred at the time of surgery, not from spillage of the ileostomy bag.

20. Mrs. Haley was released from the hospital on November 3, 1977.

21. Mrs. Haley continued to seek treatment at the Hospital for the infection of her perineal sinus tract wound until May 14, 1979.

22. Beginning in July 1979, Mrs. Haley began to receive both medical and surgical treatment of her continuing perineal

infection from Dr. Robert Capehart, a surgeon in private practice in Tulsa, Oklahoma.

23. The physical post-operative complications experienced by Mrs. Haley are found in a majority of patients undergoing this type of surgery. The slow perineal healing can be expected in a patient having Crohn's disease. However, Mrs. Haley was not adequately informed of these potential complications.

24. As a direct result of the surgery at the Hospital in 1977, Mrs. Haley experienced continuing severe mental anguish, depression, and social withdrawal.

25. Allen Haley, Sr., husband of Fleeta Haley, was deprived of the services, consort, society, companionship, and affection of his wife, due to her disability and mental depression resulting from the surgery at issue herein.

CONCLUSIONS OF LAW

1. This Court has jurisdiction over the subject matter of this claim pursuant to the Federal Tort Claims Act, 18 U.S.C. §1346(b), 2671 et seq. Liability under the Act may be based only upon the negligent or wrongful act of a federal employee acting within the scope of his employment. Liability is limited under the Act to compensatory damages. 28 U.S.C.A. §2674.

2. Drs. Bretza, Rauter, Allen, and Hrdlicka, physicians at the Hospital who treated Mrs. Haley in September and October of 1977, did not comply with the standard of care ordinarily exercised by physicians practicing under similar circumstances in the same or similar communities in failing to consult the previous records and reports relating to earlier surgeries, tests, and hospitalizations of Mrs. Haley, and in failing to seek or to advise Mrs. Haley of the availability of the specialized knowledge of a gastroenterologist. Runyon v. Reid, 510 P.2d 943 (Okla. 1973).

3. 42 C.F.R. §50.201 et seq., regarding informed consent for non-therapeutic sterilizations, does not apply to the facts

of this action.

4. Any physical problems experienced by Mrs. Haley in recovering from the abdominal surgery performed on October 25, 1977, were not proximately caused by any negligence on the part of Drs. Rauter, Hrdlicka, or Allen, or the hospital staff. However, Mrs. Haley was not adequately informed of these potential complications.

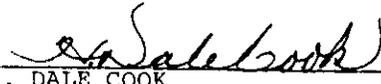
5. The Tenth Circuit Court of Appeals concluded in 1979 Lambert v. Park, 597 F.2d 236 (1979) that the doctrine of informed consent is a part of Oklahoma law, based on Martin v. Stratton, 515 P.2d 1366 (Okla. 1973), although the standard for measuring performance of the duty of disclosure was yet to be established. Subsequently, the Oklahoma Supreme Court adopted the "material risks" standard in Scott v. Bradford, 608 P.2d 554 (Okla. 1979), in which the physician must inform the patient adequately of the material risk before securing consent to the proposed treatment. The Court specifically stated that this standard would apply only prospectively. In Martin v. Stratton (1973) supra, the Court stated that the standard for informed consent would either be "what a reasonably prudent physician in the medical community in the exercise of reasonable care would have disclosed to his patient," or "that material risks were inherent in the proposed medical procedure in terms of seriousness, probability of occurrence and feasibility of alternatives, and defendant failed to disclose these risks to plaintiff."

6. Although the second of these standards was not adopted until 1979 in Oklahoma, the Court concludes that under either standard, Mrs. Haley did not give her informed consent, either to the rectal surgery or to the hysterectomy.

7. Therefore, Mrs. Haley is entitled to compensatory damages resulting from rectal surgery and removal of the uterus and the consequences thereof without her informed consent in the

amount of \$150,000. Co-plaintiff, Allen Haley, Sr. is entitled to \$40,000 for loss of consortium and services.

It is so Ordered this 17th day of June, 1982.



H. DALE COOK
Chief Judge, U. S. District Court

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

FILED

JUN 18 1982

Jack C. Silver, Clerk
DISTRICT COURT

JIMMY BRANSON WHEAT and)
DEBBIE WHEAT, husband and wife,)

Plaintiffs,)

vs.)

No. 81-C-571-B

BECHTEL CORPORATION (formerly)
Bechtel, Inc.), a Nevada)
corporation; VULCAN TANK)
CORPORATION, a suspended)
Oklahoma corporation; and FRAM)
CORPORATION, a foreign)
corporation,)

Defendants.)

ORDER OF DISMISSAL WITH PREJUDICE

WHEREAS, the plaintiffs, Jimmy Branson Wheat and Debbie Wheat, husband and wife, and the defendant, Fram Corporation, a foreign corporation, have stipulated that all questions and issues existing between the said parties have been fully and completely disposed of by settlement, and have requested the entrance of an order of dismissal with prejudice.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the cause should be and the same is hereby dismissed with prejudice as to the defendant, Fram Corporation, a foreign corporation, and the matter fully, finally and completely disposed of against the defendant, Fram Corporation, a foreign corporation, hereby.

DATED this 16 day of June, 1982.


JUDGE OF THE DISTRICT COURT

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

FILED

JUN 18 1982

JAMES A. MARINO and PATRICIA)
MARINO, husband and wife,)
)
)
Plaintiffs,)
)
)
vs.)
)
)
BECHTEL CORPORATION (formerly)
Bechtel, Inc.), a Nevada)
corporation; VULCAN TANK)
CORPORATION, a suspended)
Oklahoma corporation; and FRAM)
CORPORATION, a foreign)
corporation,)
)
Defendants.)

Jack C. Silver, Clerk
U.S. DISTRICT COURT
No. 81-C-572-B

ORDER OF DISMISSAL WITH PREJUDICE

WHEREAS, the plaintiffs, James A. Marino and Patricia Marino, husband and wife, and the defendant, Fram Corporation, a foreign corporation, have stipulated that all questions and issues existing between the said parties have been fully and completely disposed of by settlement, and have requested the entrance of an order of dismissal with prejudice.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the cause should be and the same is hereby dismissed with prejudice as to the defendant, Fram Corporation, a foreign corporation, and the matter fully, finally and completely disposed of against the defendant, Fram Corporation, a foreign corporation, hereby.

DATED this 18 day of June, 1982.

Thomas J. West

JUDGE OF THE DISTRICT COURT

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

JUN 18 1982

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
GEORGE R. TELAGE,)
)
Defendant.)

CIVIL ACTION NO. 82-C-270-B

AGREED JUDGMENT

This matter comes on for consideration this 17 day
of JUNE, 1982, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Nancy A. Nesbitt, Assistant United States Attorney, and
the Defendant, George R. Telage, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, George R. Telage, was
personally served with Summons and Complaint on March 15, 1982.
The Defendant has not filed his Answer but in lieu thereof has
agreed that he is indebted to the Plaintiff in the amount alleged
in the Complaint and that Judgment may accordingly be entered
against him in the amount of \$308.33 (less the sum of \$50.00
which has been paid), plus 12 percent interest from the date of
this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiff have and recover Judgment against the Defendant,
George R. Telage, in the amount of \$308.33 (less the sum of
\$50.00 which has been paid), plus 12 percent interest from the
date of this Judgment until paid.

S. J. Thomas R. Burt
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt
NANCY A. NESBITT
Assistant U.S. Attorney

George R. Telage
GEORGE R. TELAGE

FILED

JUN 18 1982

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

Jack C. Silver, Clerk
S.D. 71

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 RONALD C. McDANIEL,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-358-B

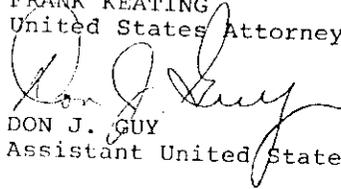
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 18th day of June, 1982.

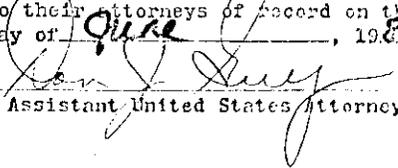
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 18th day of June, 1982.


Assistant United States Attorney

FILED

JUN 17 1982

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

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 VERNON LEATHERS,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-238-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating
United States Attorney for the Northern District of Oklahoma,
Plaintiff herein, through Nancy A. Nesbitt, Assistant United
States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 17th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
17th day of June, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

FILED

JUN 17 1982

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

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-390-E
)	
GLENN G. HAWTHORNE,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 17th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 17th day of June, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

FILED

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

JUN 17 1982

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 RICHARD D. CHURCHILL,)
)
 Defendant.)

Jack C. Silver, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-371-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating
United States Attorney for the Northern District of Oklahoma,
Plaintiff herein, through Philard L. Rounds, Jr., Assistant
United States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 17th day of June, 1982.

UNITED STATES OF AMERICA

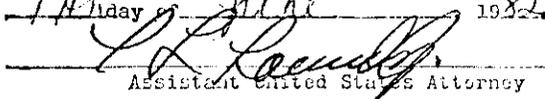
FRANK KEATING
United States Attorney



PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
17th day of June, 1982.


Assistant United States Attorney

FILED

JUN 17 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DOUGLAS L. MARSHALL,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-98-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating
United States Attorney for the Northern District of Oklahoma,
Plaintiff herein, through Nancy A. Nesbitt, Assistant United
States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 17th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
17th day of June, 1982

Nancy A. Nesbitt
Assistant United States Attorney

FILED

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

JUN 16 1982

Jack C. Silver, Clerk
DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 KAREN S. HANSHAW,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-538-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating
United States Attorney for the Northern District of Oklahoma,
Plaintiff herein, through Nancy A. Nesbitt, Assistant United
States Attorney, and hereby gives notice of its dismissal,
pursuant to Rule 41, Federal Rules of Civil Procedure, of this
action without prejudice.

Dated this 16th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record on the
16th day of June, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

FILED

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

JUN 16 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

THE HUGHES GROUP,)
 an Arizona corporation,)
)
 Plaintiff,)
)
 vs.)
)
 HERALD CAMPBELL)
 and PERRY A.MORGAN,)
)
 Defendant.)

No. 82-C-122-B

O R D E R

The Court is advised the defendants herein, Herald Campbell and Perry Morgan, along with their spouses, filed an action against the plaintiff herein, The Hughes Group, in the District Court of Creek County, Oklahoma (Case C-82-47), prior to the initiation of the instant matter in this Court. The Court is further advised the issues presented in that state court action are virtually identical to those presented here, and a resolution by the state court of such issues will resolve the questions before this Court. The Court is further advised the District Court of Creek County entered a final order in case number C-82-47 by virtue of the entry of a permanent restraining order on March 5, 1982.

Having reviewed the Petition filed in the District Court of Creek County and the Permanent Restraining Order entered by that court, the Court concludes the issues presented in the instant litigation are being adjudicated by the state

court where it was first filed. Accordingly, this Court will yield to the state court disposition of the matter.

IT IS THEREFORE ORDERED this action is hereby dismissed without prejudice.

ENTERED this 16th day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

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

JUN 16 1982

Jack G. Silver, Clerk
U. S. DISTRICT COURT

JACK ENSMINGER, JR.,)
)
 Petitioner,)
)
 vs.)
)
 CLIFFORD HOPPER, DISTRICT)
 JUDGE, TULSA COUNTY, OKLA-)
 HOMA, and FRANK THURMAN,)
 SHERIFF, TULSA COUNTY,)
 OKLAHOMA,)
)
 Respondents.)

No. 82-C-579-B

ORDER

Pursuant to the Findings of Fact and Conclusions of Law entered this date, the petition for writ of habeas corpus of the petitioner, Jack Ensminger, Jr., is hereby denied and said petition is hereby dismissed.

DATED this 16th day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUN 16 1982

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

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	No. 81-C-129-C
)	
SILVIA PRISCILLA MEDLOCK,)	
et al.,)	
)	
Defendants,)	
)	
vs.)	
)	
LEO FAUGHT, et al.,)	
)	
Third Party Defendants.)	

ORDER

On June 10, 1982, this matter came on for hearing on plaintiff's Motion for Partial Summary Judgment, the plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney; the defendant, Priscilla Medlock a/k/a Silvia Priscilla Medlock, appearing by her attorney, James W. Summerlin; and, the third-party defendants, Leo Faught, Josephine B. Faught, James C. Heginbotham, and Ruby M. Heginbotham, appearing by their attorney, Benjamin C. Faulkner.

Based upon the arguments and authorities presented by the parties, and the statements of counsel for defendant Medlock and the third-party defendants to the Court, conceding the superiority of the lien of the United States over the deed of defendant Medlock, the Court finds and it is hereby ordered that plaintiff's motion should be and is sustained insofar as it seeks

a declaration by this Court that the lien of the United States is superior to the deed of defendant Medlock¹. It is further ordered that the parties shall submit a status report to the Court by June 24, 1982, with regard to the resolution of the damages portion of this lawsuit.

It is so Ordered this 15th day of June, 1982.


H. DALE COOK
Chief Judge, U. S. District Court

¹ The Court would note that the legal description on the plaintiff's Assignment of Mortgage from the Arkansas Valley State Bank is not the same as the description on the defendant's deed submitted to the Court. The difference is that the Assignment of Mortgage describes a piece of property lying in the SW/4 of Section 5, Township 19 North, Range 17 East, and Ms. Medlock's deed from Inola Machine and Fabricating Company, Inc. describes a piece of property in the SW/4 of Section 5, Township 21 North, Range 17 East. (emphasis added) Other than the Township disparity, the descriptions appear identical in all material aspects.

The Court assumes the parties are aware of the above discrepancy and that such discrepancy is merely a typographical error which is subject to correction.

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

WILLIAM THOMAS WRIGHT,)
)
 Plaintiff,)
)
 vs.)
)
 JO STANLEY GLENN,)
)
 Defendant.)

No. 81-C-636-C

O R D E R

FILED
JUL 15 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

Now before the Court for its consideration is the defendant's motion to dismiss for failure of the complaint to state a claim upon which relief can be granted. On March 11, 1982 this Court converted the defendant's motion into a motion for summary judgment. The Court concludes that defendant's motion should be granted after a careful review of the record herein and in case no. 80-451-C, a case previously decided in the United States District Court for the Eastern District of Oklahoma.

Plaintiff is an inmate at the Stringtown Correctional Center in Stringtown, Oklahoma. He instituted this action pursuant to 42 U.S.C. §§1983 and 1985 seeking declaratory relief and monetary damages for alleged violations of his civil rights. In his complaint, plaintiff alleges that his constitutional right of access to the courts was violated in case no. 80-451-C in that the defendant, formerly a staff attorney for the Oklahoma Department of Corrections, conspired with other officials of the Department to intentionally falsify a Special Report submitted by the Department to the United States District Court for the Eastern District of Oklahoma in that case. The plaintiff herein was the sole plaintiff in case no. 80-451-C. That case was dismissed as frivolous pursuant to an order of the district court on September 29, 1981. A petition for rehearing was denied by the district court in case no. 80-451-C on October 14, 1981. The

plaintiff thereafter appealed said dismissal to the United States Court of Appeals for the Tenth Circuit. The Court of Appeals dismissed the plaintiff's appeal for lack of prosecution on February 4, 1982. The mandate of the Court of Appeals dismissing plaintiff's appeal was filed in the district court on February 8, 1982. The only issue before this Court is whether the alleged acts of the defendant deprived the plaintiff of his constitutional right of access to the courts in case no. 80-451-C.

The United States Supreme Court has held that the Fourteenth Amendment to the United States Constitution assures prison inmates of reasonable access to the Courts. Bounds v. Smith, 430 U.S. 817, 97 S.Ct. 1491, 52 L.Ed.2d 72 (1977). Generally, the cases involving access to the courts have dealt with prison regulations restricting access to the courts, varying degrees of punishment at the hands of prison officials for exercising this right and a state's duty to furnish prisoners with adequate assistance in airing their grievances before a court of competent jurisdiction. See Bounds, supra; Wolff v. McDonnell, 418 U.S. 539, 94 S.Ct. 2963, 41 L.Ed.2d 935 (1974); Johnson v. Avery, 393 U.S. 483, 89 S.Ct. 747, 21 L.Ed.2d 718 (1969); Procunier v. Martinez, 416 U.S. 396, 94 S.Ct. 1800, 40 L.Ed.2d 224 (1974). Such assistance may be in the form of adequate prison law libraries, counsel, inmate law clerks trained in the law, or other alternatives. See Battle v. Anderson, 376 F.Supp. 402 (E.D.Okla. 1974) and its progeny. None of the above problems are raised by the plaintiff in this action.

In the present action, the plaintiff alleges that certain inaccuracies were contained in the so-called "Martinez Report" submitted to the court in case no. 80-451-C. The plaintiff contends that these inaccuracies were knowingly submitted by defendant, in concert with other prison officials, to the district court. The use of a "Martinez Report" has been specifically authorized by the Court of Appeals for the Tenth Circuit as a tool a district court can utilize in the orderly,

expeditious and just handling of pro se prisoner complaints raising matters concerning the conditions of their confinement and treatment at the hands of prison officials. See Martinez v. Aaron, 570 F.2d 317 (10th Cir. 1978); Martinez v. Chavez, 574 F.2d 1043 (10th Cir. 1978). As mentioned above, such a report was compiled by officials of the Department of Corrections and submitted to the district court in case no. 80-451-C.

After carefully reviewing the record in case no. 80-451-C this Court is convinced that the plaintiff had open, adequate and complete access to the district court in that case. There is no material issue of fact concerning this point. The Court makes this conclusion based upon its review of the present record and the record in case no. 80-451-C. The plaintiff herein presented in that case a petition for rehearing where he specified the alleged inaccuracies in the "Martinez Report". This Court must presume that the district court considered the allegations contained in that petition when it denied the petition for rehearing. Plaintiff also raised the issue of inaccuracies in the "Martinez Report" on June 15, 1981 in his motion to strike impertinence and scanal (sic) filed with the district court in case no. 80-451-C. Again, the Court must presume that the district court in that case considered these allegations when it dismissed that action as frivolous on September 19, 1981. The plaintiff had a right to appeal that dismissal and he did, in fact, appeal. His appeal was dismissed by the Court of Appeals for lack of prosecution. In such a situation the Court can only conclude that the plaintiff was not denied access to the court in case no. 80-451-C.

Even if the inaccuracies as pointed out by the plaintiff were contained in the "Martinez Report", said inaccuracies were made known to the district court. Nowhere does the plaintiff claim that he was forced by defendant or other prison officials into not challenging the accuracy of that report. He did, in fact, challenge the accuracy of the report and this was made known to the district court in plaintiff's numerous pleadings.

The Court would also point out that the defendant herein, by affidavit, specifically denies that she personally investigated the matters which were contained in the "Martinez Report" submitted to the district court in case no. 80-451-C. She also specifically denies that she knowingly falsified the material contained in that report or that she engaged in any conspiracy with other prison officials to falsify the report. (Affidavit of defendant, filed January 26, 1982). The defendant has responded to the defendant's motion to dismiss, as converted by this Court into a motion for summary judgment, by setting out the allegations he contends he can prove in support of his complaint. Nowhere does the response of plaintiff adequately raise a material factual issue concerning his access to the court in case no. 80-451-C. Again, the Court would reiterate that said access to the court is the only constitutional violation raised by the plaintiff in this action.

As mentioned above, the Court has reviewed the pleadings and filings in this action and in case no. 80-451-C. Based upon this review the Court finds, construing the pleadings liberally in favor of the plaintiff and considering all factual inferences tending to show triable issues in a light most favorable to the existence of such issues, that no material issues of fact remain to be litigated and that the defendant is entitled to summary judgment as a matter of law.

Accordingly, it is the ruling of this Court that defendant's motion to dismiss, as converted into a motion for summary judgment, is hereby sustained.

It is so Ordered this 15th day of June, 1982.


H. DALE COOK
Chief Judge, U. S. District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) CIVIL ACTION NO. 82-C-351-C
)
 RONALD E. PULLEY,)
)
 Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 15th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Ronald E. Pulley, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Ronald E. Pulley, was personally served with an Alias Summons and Complaint on May 6, 1982 . The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Ronald E. Pulley, for the principal sum of \$1,012.43, plus interest at the legal rate (12%) from the date of this Judgment until paid.

15/ H. Dale Cook
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

APR 11 1982
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) CIVIL ACTION NO. 82-C-394-C
)
MITCHELL BAILEY,)
)
Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 15th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Mitchell Bailey, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Mitchell Bailey, was personally served with Summons and Complaint on April 6, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Mitchell Bailey, for the principal sum of \$897.00, plus interest at the legal rate (12%) from the date of this Judgment until paid.

H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

FILED

JUN 15 1982

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 CHARLES M. ADAMS,)
)
 Defendant.)

U.S. DISTRICT COURT

CIVIL ACTION NO. 82-C-532-B

AGREED JUDGMENT

This matter comes on for consideration this 15th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendant, Charles M. Adams, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Charles M. Adams, was personally served with Summons and Complaint on June 11, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$766.61, plus 12 percent interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Charles M. Adams, in the amount of \$766.61, plus 12 percent interest from the date of this Judgment until paid.

S. Thomas R. Pratt
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds, Jr.
PHILARD L. ROUNDS, JR.
Assistant U.S. Attorney

Charles M. Adams
CHARLES M. ADAMS

FILED

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

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10

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 81-C-680-E
)	
MICHAEL S. RUTHERFORD,)	
)	
Defendant.)	

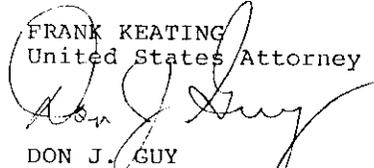
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 15th day of June, 1982.

UNITED STATES OF AMERICA

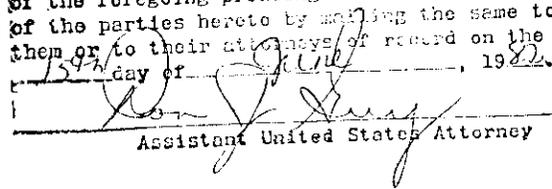
FRANK KEATING
United States Attorney



DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 15th day of June, 1982.


Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR
THE ^{Northern} ~~WESTERN~~ DISTRICT OF OKLAHOMA

FILED
JUN 15 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

COMPRESSOR SYSTEMS, INC.,)
)
Plaintiff,)
)
vs.) 82-C-416-E
)
ENICO PIPELINE, INC.,)
)
Defendant.)

NOTICE OF DISMISSAL

TO: Enico Pipeline, Inc. and Clayton Torbet, its attorney.

Notice is hereby given that whereas the above-entitled action was commenced on the 8th day of April, 1982, and whereas Defendant has filed neither an Answer nor a Motion for Summary Judgment herein, Plaintiff hereby dismisses the above-entitled action without prejudice.

The clerk of the above-entitled court is hereby requested to enter this dismissal in the records of the Court.

Dated this 11th day of June, 1982.

MILLER & NAIFEH

By: _____
CLIFTON D. NAIFEH
470 Sooner Federal Building
Norman, Oklahoma 73069
(405) 329-8031

ATTORNEYS FOR PLAINTIFF

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

RALSTON PURINA COMPANY,)
)
 Plaintiff,)
)
 -vs-)
)
 GRAND RIVER DAM AUTHORITY,)
)
 Defendant.)

No. 80-C-708-C

JUN 14 1962

JUDGMENT

Pursuant to stipulation of the parties, it is hereby ordered that judgment be entered for the plaintiff and against the defendant in the amount of Twenty-seven Thousand Forty and 49/100 Dollars (\$27,040.49).

IT IS FURTHER ORDERED that defendant pay the plaintiff One Thousand Seven Hundred Forty-two and 34/100 Dollars (\$1,742.34) to reimburse the plaintiff for the reasonable attorney fees incurred by it and for which it is entitled to reimbursement pursuant to the provisions of 12 O.S. 938 as also stipulated by the parties.

s/H. DALE COOK

H. DALE COOK, Chief Judge
U. S. District Court

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

1982

MARGARET B. PECK (now Austin))
)
Plaintiff,)
)
vs.) No. 82-C-440-C
)
GORDON HUGH PECK,)
)
Defendant.)

JACK W. COOPER
U. S. DISTRICT COURT

J U D G M E N T

THIS ACTION was considered by the Court on the 14 day of June, 1982, on Application of the plaintiff for the Entry of Default Judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure; it appearing to the Court that the Complaint in this action was filed on April 13, 1982; that summons and Complaint in this action were duly served on the defendant as required by law; it further appearing to the Court that defendant has wholly failed to enter its appearance in the action or otherwise plead, and has defaulted, and it further appearing that default was entered against the defendant by the Court Clerk and that no proceedings have been taken by defendant since entry of his default.

The Court, having reviewed the pleadings, exhibits and affidavits on file finds:

1. That the defendant is in default.
2. That plaintiff is entitled to default judgment in its favor for the relief prayed for.
3. That plaintiff is the prevailing party and thereby entitled to an attorney fee award pursuant to Title 12, Oklahoma Statutes, Section 936.
4. That the Court finds, based upon affidavits on file in the action, a reasonable attorney fee for plaintiff is \$2000⁰⁰.

IT IS ORDERED AND ADJUDGED BY THE COURT that plaintiff, Margaret B. Peck (now Austin), recover of the defendant,

Gordon Hugh Peck, judgment in the sum of \$18,600.00, with six percent (6%) per annum on said sum from June 18, 1974, until judgment, and with interest on the judgment at the rate of twelve percent (12%) per annum from judgment until said judgment is satisfied, in accordance with Title 12, Oklahoma Statutes, Section 727(1) and all costs expended in the action.

IT IS FURTHER ORDERED AND ADJUDGED BY THE COURT that plaintiff, Margaret B. Peck (now Austin), recover of defendant, Gordon Hugh Peck, judgment for a reasonable attorney fee in accordance with Title 12, Oklahoma Statutes, Section 936, determined by the Court to be the sum of \$2000⁰⁰.

151 H. Dale Cook
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. 82-C-474-E
)
 RUBEN JONES, JR.,)
)
 Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Ruben Jones, Jr., appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Ruben Jones, Jr., was personally served with Summons and Complaint on May 14, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Ruben Jones, Jr., for the principal sum of \$590.90, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELSON

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. 82-C-510-E
)
 RODNEY E. MAHAN,)
)
 Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Rodney E. Mahan, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Rodney E. Mahan, was personally served with Summons and Complaint on May 3, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Rodney E. Mahan, for the principal sum of \$270.33, plus interest at the rate of 12 percent from the date of this Judgment until paid.

UNITED STATES DISTRICT JUDGE

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

JUN 11 1982
U. S. DISTRICT COURT

MAPCO INC.,
Plaintiff,
-against-
PETER KIEWIT SONS', INC.,
PETER KIEWIT SONS' CO.,
BIG HORN COAL COMPANY,
GLOBAL SURETY & INSURANCE CO.,
WALTER SCOTT, JR., WILLIAM L.
GREWCOCK, W. LEE ROWE,
DONALD L. STURM,
Defendant,

CIVIL ACTION FILE NO.
82-C-165-E

ORDER

On this 11th day of June, 1982, this action comes before the Court. Upon being advised that a "Notice of Dismissal under Rule 41(a)(1)(i)" and a "Stipulation of Dismissal" have been filed, it is hereby ORDERED, ADJUDGED and DECREED that the action is hereby dismissed without prejudice to its refiling pursuant to the terms of the "Notice of Dismissal under F.R.C.P., Rule 41(a)(1)(i) and the "Stipulation of Dismissal" filed herein.

James A. Allison
District Judge

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) CIVIL ACTION NO. 82-C-471-E
)
EUGENE GOURD,)
)
Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Eugene Gourd, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Eugene Gourd, was personally served with Summons and Complaint on April 22, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Eugene Gourd, for the principal sum of \$470.80 (less the sum of \$50.00 which has been paid), plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ...

UNITED STATES DISTRICT JUDGE

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

1982
Jack E. Sikes, Jr.
U. S. DISTRICT CLERK

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
vs.)
)
BILLIE F. NICHOLS,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-426-E

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Billie F. Nichols, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Billie F. Nichols, was personally served with Summons and Complaint on April 13, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Billie F. Nichols, for the principal sum of \$1,026.54, plus interest at the rate of 12 percent from the date of this Judgment until paid.

/s/ JAMES O. ELISON
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. 82-C-332-E
)
 KENNETH L. HOLLAND,)
)
 Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Kenneth L. Holland, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Kenneth L. Holland, was personally served with Alias Summons and Complaint on May 10, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Kenneth L. Holland, for the principal sum of \$678.33, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

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. 81-C-611-E
)
 REGINALD B. EVANS,)
)
 Defendant.)

JUL 1 1982
U. S. DISTRICT COURT

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Reginald B. Evans, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Reginald B. Evans, was personally served with Alias Summons and Complaint on May 3, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Reginald B. Evans, for the principal sum of \$226.00, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

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

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,)
)
Plaintiff,)
vs.)
)
PRESTON G. GADDIS,)
Individually and d/b/a)
MORNING AMERICAN,)
)
Defendant,)
and)
)
HUGH STONE, III,)
)
Intervenor.)

No. 81-C-107-C

1978
JUL 11 1978
Clark C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT

It is the judgment of the Court that Defendant Preston G. Gaddis, Individually and d/b/a Morning American, committed an unlawful employment practice forbidden by Title VII, 42 U.S.C. § 2000e-2, when he discharged Plaintiff as a photographer's assistant on July 1, 1978, because of his race. For the acts of racial discrimination in employment under Title VII, Defendant Preston G. Gaddis, Individually and d/b/a Morning American, is liable to Plaintiff and Plaintiff-Intervenor for Four Thousand Twenty-Five and No/100 (\$4,025.00) Dollars in back pay and interest thereon at the legal rate.

It is further ordered that Defendant is permanently enjoined, along with his officers, agents, employees, successors, assigns, and all persons in active concert or participation with them, from engaging in any employment practice which discriminates because of race.

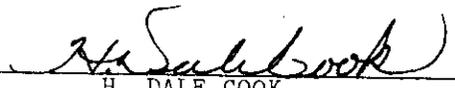
Plaintiff-Intervenor has also proven intentional racial discrimination in his discharge from employment by Defendant under Title 42 U.S.C. § 1981, and Defendant is liable to

Plaintiff-Intervenor for Nine Thousand Two Hundred and No/100 (\$9,200.00) Dollars in compensatory damages, and Five Thousand and No/100 (\$5,000.00) Dollars in punitive damages.

Plaintiff-Intervenor is entitled to a reasonable attorney's fee in the amount of Six Thousand and No/100 (\$6,000.00) Dollars, due from Defendant Preston G. Gaddis.

THEREFORE, judgment is hereby entered in favor of the Plaintiff and Plaintiff-Intervenor and against Defendant in the total amount of Twenty-Four Thousand Two Hundred Twenty-Five and No/100 (\$24,225.00) Dollars.

IT IS SO ORDERED this 10th day of June, 1982.


H. DALE COOK
CHIEF JUDGE, U. S. DISTRICT COURT

FILED

JUN 14 1982

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

Jack C. Silver, Clerk
U. S. DISTRICT COURT

MAPCO INC.,)
)
 Plaintiff,)
)
 -against-)
)
 PETER KIEWIT SONS', INC.,)
 PETER KIEWIT SONS' CO.,)
 BIG HORN COAL COMPANY,)
 GLOBAL SURETY & INSURANCE CO.,)
 WALTER SCOTT, JR., WILLIAM L.)
 GREWCOCK, W. LEE ROWE,)
 DONALD L. STURM,)
)
 Defendant,)

CIVIL ACTION FILE NO.
82-C-165-E

ORDER

On this 11th day of June, 1982, this action comes before the Court. Upon being advised that a "Notice of Dismissal under Rule 41(a)(1)(i)" and a "Stipulation of Dismissal" have been filed, it is hereby ORDERED, ADJUDGED and DECREED that the action is hereby dismissed without prejudice to its refiling pursuant to the terms of the "Notice of Dismissal under F.R.C.P., Rule 41(a)(1)(i) and the "Stipulation of Dismissal" filed herein.

S/ JAMES O. ELLISON

District Judge

[Handwritten initials]

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

1982A

Jack G. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 TWENTY THOUSAND, FIVE HUNDRED)
 NINETY DOLLARS (\$20,590.00) IN)
 UNITED STATES CURRENCY,)
)
 Defendant.)

No. 81-C-691-BT ✓

J U D G M E N T

Pursuant to the Findings of Fact and Conclusions of Law filed this date, Judgment is hereby entered in favor of the plaintiff, United States of America, and against the defendant, \$20,590.00 in United States currency, and against the claimant, David Gene Bradshaw; said sum of \$20,590.00 is hereby forfeited to the plaintiff, United States of America. The plaintiff is to recover its proper costs herein, but the parties are to bear their own respective attorneys' fees.

ENTERED this 11th day of June, 1982.

[Signature]
THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-55-E
)	
WHITT MAGGARD,)	
)	
Defendant.)	

AGREED JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Whitt Maggard, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Whitt Maggard, was personally served with Summons and Complaint on January 25, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$996.40, plus 12% interest from the date of this Judgment until paid.

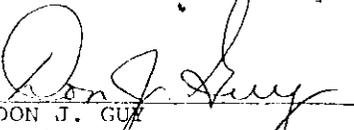
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Whitt Maggard, in the amount of \$996.40, plus 12% interest from the date of this Judgment until paid.

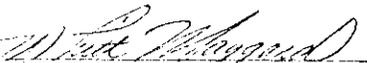
S/ JAMES C. LINSON
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


WHITT MAGGARD

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

JUN 11 1982
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
)
vs.) CIVIL ACTION NO. 82-C-288-E
)
RICHARD GIBBS,)
)
Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Richard Gibbs, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Richard Gibbs, was personally served with Summons and Complaint on April 14, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Richard Gibbs, for the principal sum of \$823.97, plus interest at the rate of 12 percent from the date of this Judgment until paid.

s/ JAMES O. ELLISON
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. 82-C-218-E
)
WILLIAM J. HILL,)
))
) Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, William J. Hill, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, William J. Hill, was personally served with Alias Summons and Complaint on May 21, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, William J. Hill, for the principal sum of \$280.00, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

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

JUN 11 1982

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
OPIE D. PITTS, II.,)
)
Defendant.)

CIVIL ACTION NO. 82-C-183-E ✓

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 11th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys at law on the
11th day of June, 1982.

Nancy A. Nesbitt
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. 82-C-174-E
)
GERALD A. FIELDING,)
)
Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Gerald A. Fielding, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Gerald A. Fielding, was personally served with Summons and Complaint on February 19, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Gerald A. Fielding, for the principal sum of \$413.74, plus interest at the rate of 12 percent from the date of this Judgment until paid.

J. JAMES

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. 82-C-89-E
)
 GREGORY D. MCKINLEY,)
)
 Defendant.)

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Gregory D. McKinley, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Gregory D. McKinley, was personally served with Summons and Complaint on February 1, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Gregory D. McKinley, for the principal sum of \$1,049.00, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES L. ...

UNITED STATES DISTRICT JUDGE

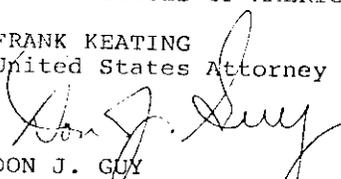
IN THE UNITED STATES DISTRICT COURT FOR THE ^{JUN 10 1982}
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) CIVIL ACTION NO. 82-C-592-B
)
 RONALD L. BAKER, JR.,)
)
 Defendant.)

NOTICE OF DISMISSAL

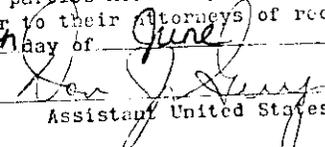
COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 10th day of June, 1982.

UNITED STATES OF AMERICA
FRANK KEATING
United States Attorney

DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 10th day of June, 1982.


Assistant United States Attorney

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

June

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 81-C-404-E
)	
CARL E. LANE,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 10th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds Jr.
PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 10th day of June, 1982.

Philard L. Rounds Jr.
Assistant United States Attorney

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

USM CORPORATION, BOSTIK DIVISION,)
a New Jersey corporation,)
)
Plaintiff,)
)
v.)
)
JAMES LEE HATCH,)
)
Defendant.)
)
SOUTHWEST UNITED INDUSTRIES, INC.,)
422 S. St. Louis, Tulsa OK 74120)
Attn: Phyllis Scott,)
)
Garnishee.)

No. M-971

FILED

JUN 1 1982

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER OF DISMISSAL WITH PREJUDICE

On this 10 day of June, 1982, the above captioned matter comes on before the undersigned Judge pursuant to Plaintiff's Application for an Order of Dismissal with Prejudice. For good cause shown and since there is no objection, the Court finds that said Application should be granted and the action dismissed.

IT IS THEREFORE ORDERED that Plaintiff's action herein be dismissed with prejudice.

H. DALE COOK
JUDGE OF THE DISTRICT COURT

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

JUN 10 1982

U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-226-C
)	
RONALD D. COOK,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 9th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds, Jr.
PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 10th day of June, 1982.

Philard L. Rounds, Jr.
Assistant United States Attorney

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

FILED

JUN - 9 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ALBERT LEONHARD,)
)
 Plaintiff,)
)
 vs.)
)
 SPARTAN SCHOOL OF AERONAUTICS,)
 et. al.,)
)
 Defendants.)
)
 _____)

Case No. 81-C-479-C

JUDGMENT

Defendants, Mrs. Sarah AlTurki and Dharan Ahliyyah Schools, have been regularly served with process. They have failed to appear and answer the plaintiff's complaint filed herein. The default of defendants has been entered. It appears that defendants are not an infant or incompetent persons. An affidavit of nonmilitary service has been filed herein. It appears from the affidavit that the plaintiff is entitled to judgment.

IT IS ORDERED AND ADJUDGED that plaintiff recover from Dhahran Ahliyyah Schools and Mrs. Sarah Al Turki defendants the sum of \$22,750.00 with interest thereon at the rate of 15 percent per annum from June 9, 1982 until paid, together with costs, in the sum of \$ RT.

Dated this 9th day of June, 1982.

W. Dale Cook

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 80-C-498-C

Amir K. Adib Yazdi, Plaintiff,

vs.

American Airlines, Inc., Defendant

vs.

Swissair, Third Party Defendant.

JUDGMENT

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

It is Ordered and Adjudged that the Third Party Complaint is dismissed
on the ground that the Court lacks personal jurisdiction over the
Third Party Defendant, Swissair.

F I L E D

JUN - 9 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Dated at Tulsa, Oklahoma, this 9th day
of June, 1982.

Heleen R. Miller
Chief Deputy Clerk of Court

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

FILED
JUN - 9 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
CLYDE F. McCAULEY,)
)
Defendant.)

CIVIL ACTION NO. 82-C-395-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 9th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds Jr.
PHILARD L. ROUNDS, Jr.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 9th day of June, 1982.

Philard L. Rounds Jr.
Assistant United States Attorney

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

AMIR K. ADIB YAZDI,)
)
 Plaintiff,)
)
 vs.)
)
 AMERICAN AIRLINES, INC.,)
 a Delaware corporation,)
)
 Defendant,)
)
 vs.)
)
 SWISSAIR,)
)
)
 Third Party)
 Defendant.)

No. 80-C-498-C✓

FILED

JUN 58 1982

Jack C. Silver, Clerk
DISTRICT COURT

ORDER

This cause having come on for hearing before the Court on May 7, 1982, on the motion of Third Party Defendant, Swissair, to dismiss the Third Party Complaint against it for lack of personal jurisdiction, and the Court having read the Affidavit of Erich Ammann sworn to October 23, 1981, submitted in support of the motion and having read the briefs filed by the Third Party Defendant, Swissair, in support of the motion and Defendant, American Airlines, Inc., in opposition to the motion, and the Court having heard oral argument on the motion, it is hereby

ORDERED that the motion of Third Party Defendant, Swissair, is granted in all respects and the Third Party Complaint is dismissed on the ground that the Court lacks personal jurisdiction over Third Party Defendant, Swissair, and it is further

ORDERED that there is no just reason for delay and the Clerk is expressly directed to enter judgment dismissing the Third Party Complaint.

Dated: June 8, 1982

H. Dale Cook
H. DALE COOK
UNITED STATES DISTRICT JUDGE

Approved as to form:
Stephen C. Wilkerson
Stephen C. Wilkerson
Attorney for American Airlines, Inc.
William B. Selman
William B. Selman
Attorney for Swissair

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

ROBERT EARL JACKSON,)
)
) Petitioner,)
)
) vs.)
)
) LARRY FIELDS, Warden, et al.,)
)
) Respondents.)

No. 82-C-594-C

FILED

JUN 7 1982

ORDER

Jack C. Silver, Clerk
U. S. DISTRICT COURT

Now before the Court for its consideration is the petition of Robert Earl Jackson for a Writ of Habeas Corpus pursuant to 28 U.S.C. §2254 by a person in state custody.

Petitioner was sentenced by the District Court of Garfield County, Enid, Oklahoma, on October 16, 1972 after pleading guilty to a charge of robbery with firearms. Petitioner alleges that he has sought and been refused post-conviction relief in the state courts on January 7, 1981 (CRF 72-1028) and on June 9, 1981 (PC-81-214).

The procedure governing issuance of the writ is provided by statute. The federal courts may grant the writ "within their respective jurisdictions." 28 U.S.C. §2241(a). In Schlanger v. Seaman, 401 U.S. 487, 491, 91 S.Ct. 995, 28 L.Ed.2d 251 (1971), the Supreme Court held that the absence of the custodian of the petitioner is fatal to jurisdiction.

In the case at bar, neither the custodian nor the petitioner are located in this judicial district. The parties have no present connection with this district. The Court finds that the most convenient forum with the most contacts with the action is the Western District of Oklahoma, and is therefore the proper and most convenient place for the petition to be heard. U.S. v. Tubman, 366 F.Supp. 12568 (E.D.N.Y. 1973).

It is hereby ordered that the application for a Writ of

Habeas Corpus be transferred to the Western District of Oklahoma.

It is so Ordered this 7th day of June, 1982.



H. DALE COOK
Chief Judge, U. S. District Court

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
JUN 17 1982
Jack C. Silver, Clerk
U. S. DISTRICT COURT

United States of America,)
)
Plaintiff,)
)
vs.) CIVIL ACTION NO. 75-C-38-C ✓
)
49.01 Acres of Land, More or) Tracts Nos. 2601-3 thru
Less, Situate in Osage County,) 2601-8, 2601E-17 thru
State of Oklahoma, and the) 2601E-26 and 2608E-6
Estate of John B. Anderson,) (Anderson Unit only)
deceased, et al., and Unknown)
Owners,)
)
Defendants.) (Included in D.T. filed in
Master File #268-1407)

J U D G M E N T

1.
NOW, on this 7th day of June, 1982, this
matter comes on for disposition on application of Plaintiff,
United States of America, for entry of judgment on a stipulation
agreeing upon just compensation, and the Court, after having
examined the files in this action and being advised by counsel
for the parties, finds:

2.

This judgment applies to the entire estates condemned
in the tracts listed in the caption hereof, as such estates and
tracts are described in the Complaint filed in this action.

3.

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

4.

Service of Process has been perfected personally, 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 estates
described in said Complaint. Pursuant thereto, on January 28,

1975, the United States of America filed its Declaration of Taking of such described property, and title to the described estates in such property should be vested in the United States of America as of the date of filing said Declaration of Taking.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of the Court as estimated compensation for the taking of certain estates in subject property a certain sum of money, and none of this deposit has been disbursed, as set out below in paragraph 12.

7.

On the date of taking in this action, the owner of the estates taken in subject property was the defendant whose name is shown below in paragraph 12. Such named defendant is the only person asserting any interest in the estates taken in such tracts. All other persons having either disclaimed or defaulted, such named defendant is entitled to receive the just compensation awarded by this judgment.

8.

The owner of the subject property and the United States of America have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that just compensation for the estates condemned in subject property is in the amount shown as compensation in paragraph 12 below, and such Stipulation should be approved.

9.

This judgment will create a surplus in the amount deposited as estimated compensation for subject property, and the amount of such surplus should be refunded to the Plaintiff. Calculation of such surplus is set out below in paragraph 12.

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 tracts listed in the caption hereof as such tracts are particularly described in the Complaint filed herein; and such tracts, to the extent of the estates described

in such Complaint, are condemned, and title to such described estates is vested in the United States of America as of January 28, 1975, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim to such property.

11.

It Is Further ORDERED, ADJUDGED and DECREED that on the date of taking the owner of the estates condemned herein in subject property was the defendant whose name appears below in paragraph 12 and the right to receive the just compensation for the estates taken herein in this property is vested in the party so named.

12.

It Is Further ORDERED, ADJUDGED and DECREED that the Stipulation As To Just Compensation, described in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estates condemned in subject property as follows:

TRACTS NOS. 2601-1 thru 2601-8 inclusive,
2601E-17 thru 2601E-26 inclusive,
and 2608E-6

OWNER: Robert Duffield

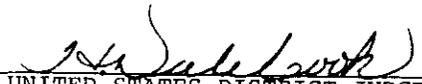
<u>Deposited</u> as estimated compensation ---	\$10,400.00	
<u>Award</u> of just compensation pursuant to stipulation -----	5,000.00	\$5,000.00
<u>Disbursed</u> to owner -----		None
<u>Balance</u> due to owner -----		\$5,000.00
<u>Deposit surplus</u> -----	\$ 5,400.00	

13.

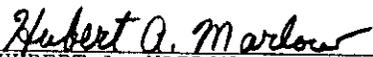
It Is Further ORDERED, ADJUDGED and DECREED that the Clerk of this Court shall disburse from the deposit for the subject tracts in this action, certain sums as follows:

To Robert Duffield ----- \$5,000.00

To Treasurer, United States of America -- \$5,400.00.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney

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

FILED

JUN -7 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

PRODUCERS OIL COMPANY, an Oklahoma)
corporation,)
Plaintiff,)
v.)
THEODORE GORE,)
Defendant.)

NO. ~~77-35-C~~ 81-373-B ✓

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

The plaintiff, Producers Oil Company, and the defendant, Theodore Gore, advise the court of a settlement agreement between the parties and pursuant to Rule 41(a)(1)(ii), F.R.C.P., jointly stipulate that the plaintiff's action be dismissed with prejudice.

Dated this 5th day of JUNE, 1982.

ROSENSTEIN, FIST & RINGOLD
525 South Main Street, Suite 300
Tulsa, Oklahoma 74103

-and-

HOLLIMAN, LANGHOLZ, RUNNELS &
DORWART
Suite 700, Holarud Building
10 East Third Street
Tulsa, Oklahoma 74103

By J Douglas Mann

Attorneys for Plaintiff,
Producers Oil Company

CONNER, WINTER, BALLAINE, BARRY &
McGOWEN
2400 First National Tower
Tulsa, Oklahoma 74103

By John S. Atkins

Attorneys for Defendant,
Theodore Gore

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

EDGAR P. JAMES, d/b/a)
JAMES DRILLING COMPANY)
and JAMES OIL COMPANY,)
Sole Proprietorships, and)
PETE JAMES ENTERPRISES,)
INC., a California)
Corporation,)
Plaintiffs,)
v.)
BILLIE WARREN EUSTICE,)
Individually and d/b/a)
SHERI-DI PRODUCTION)
COMPANY, a Sole Pro-)
prietorship,)
Defendants.)

FILED

JUN 7 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

No. 78-C-598-C

AMENDED JUDGMENT

In accordance with the Order of the Court filed on April 19, 1982 and the Findings of Fact and Conclusions of Law of the Magistrate, and amendments thereto, filed on October 2, 1981 and November 3, 1981 respectively, and the Order sustaining Plaintiffs' Motion to Amend Judgment, this Amended Judgment is hereby entered for the Plaintiffs, Edgar P. James, d/b/a James Drilling Company and James Oil Company, Sole Proprietorships, and Pete James Enterprises, Inc., a California corporation (Plaintiffs) and against the Defendants, Billie Warren Eustice, Individually and d/b/a Sheri-Di Production Company, a Sole Proprietorship (Defendants) in the sum of \$53,977.74, with interest thereon at the rate of 6% per annum to April 22, 1982 and commencing with the date such sum became due and payable for operating expenses incurred during the period July 5, 1978 through May 9, 1980, and at the rate of 12% per annum from April 22, 1982, together with Plaintiffs' costs and a reasonable attorney's fee to be fixed by the Court upon application therefor if the parties cannot agree on a reasonable attorney's fee.

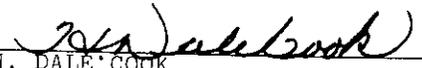
It is further Ordered, Adjudged and Decreed that Judgment be entered for the Defendants and against the Plaintiffs in

the sum of \$47,017.50, with interest on the sum of \$6,121.03 only at the rate of 6% per annum to April 22, 1982 and commencing with the date such sum of \$6,121.03 became due and payable, and at the rate of 12% per annum on the total sum due Defendants from Plaintiffs from April 22, 1982, together with Defendants' costs and a reasonable attorney's fee on that portion of the judgment representing operating expenses in the sum of \$6,121.03 only, to be fixed by the Court upon application therefor if the parties cannot agree on a reasonable attorney's fee.

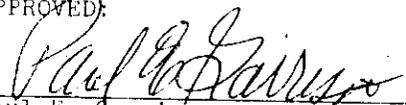
It is further Ordered, Adjudged and Decreed that Plaintiffs be and hereby are granted a lien against the \$27,500.00 plus accrued interest on deposit with the First National Bank and Trust Company of Tulsa, Oklahoma, to be applied in satisfaction of any unpaid portion of plaintiff's judgment herein.

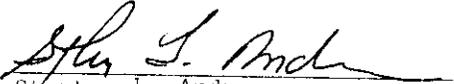
It is further Ordered, Adjudged and Decreed that Defendants be and are hereby granted a lien against the \$41,227.67 on deposit with the County Clerk of Osage County, Oklahoma, to the extent of any unpaid portion of Defendant's judgment herein.

Dated this 7th day of June, 1982.


H. DALE COOK
CHIEF JUDGE

APPROVED:


Paul E. Garrison
Attorney for Plaintiffs


Stephen L. Andrew
Attorney for Defendants

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

FILED

JUN 7 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

JOHN L. KING, as next of kin)
and Executor of the Estate of)
Claude Leslie King, deceased,)
Plaintiff,)
vs.)
OKLAHOMA NURSING HOMES, INC.,)
d/b/a Skiatook Nursing Home,)
an Oklahoma corporation,)
Defendant.)

No. LR-C-526-C

JUDGMENT

This action came on for trial before the Court and a jury,
the Honorable H. Dale Cook, Chief District Judge, presiding.

The issues having been duly tried and the jury having
duly rendered its verdict;

IT IS ORDERED AND ADJUDGED that the Plaintiff, JOHN L.
KING, as next of kin and Executor and Trustee of the Estate
of Claude Leslie King, deceased, recover of the Defendant,
OKLAHOMA NURSING HOMES, INC., an Oklahoma corporation, d/b/a
Skiatook Nursing Home, the sum of Twenty-four Thousand Dollars
and no/100 (\$24,000.00) with interest thereon at the rate of
fifteen per cent (15%) per annum from the date of filing of the
action until paid in full as provided by law, and all costs
of the action.

DATE this 7th day of June, 1982.

(Signed) H. Dale Cook

THE HONORABLE H. DALE COOK
Chief District Judge

APPROVED AS TO FORM AND CONTENT:

RAY H. WILBURN
Attorney for Defendant

RANDY A. RANKIN
Attorney for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUN 7 1982

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 PAUL R. CARTER,)
)
 Defendant.)

JACK W. SILVER, Clerk
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-457-E

AGREED JUDGMENT

This matter comes on for consideration this 4th day of June, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Paul R. Carter, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Paul R. Carter, was personally served with Summons and Complaint on June 1, 1982. The Defendant has not filed an Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$622.00, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Paul R. Carter, in the amount of \$622.00, plus 12% interest from the date of this Judgment until paid.

S/ JAMES O. ELLISON

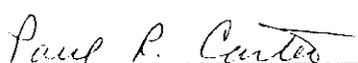
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant U.S. Attorney


PAUL R. CARTER

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

FILED

NOEL S. McBRIDE and
MARY BAUR McBRIDE,

Plaintiffs,)

-vs-

EMPIRE FIRE & MARINE INSURANCE)
COMPANY, a foreign insurance)
corporation, et al,)

Defendants.)

No. 81-C-575-E

JUN 7 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

On this 4th day of June, 1982, upon application and stipulation of the parties and by reason of compromise settlement entered into between them, the Court hereby finds and orders that the within styled and numbered cause of action be dismissed with prejudice.

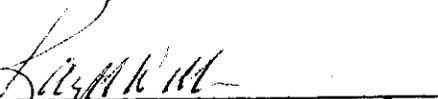
S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

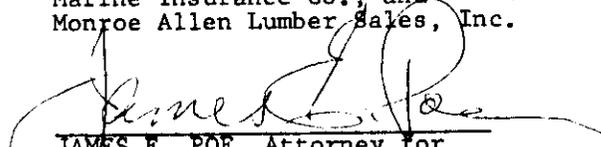
APPROVED AS TO FORM:



MICHAEL P. ATKINSON
Attorney for Plaintiffs



RAY H. WILBURN, Attorney for
Defendants, Empire Fire &
Marine Insurance Co., and
Monroe Allen Lumber Sales, Inc.



JAMES E. POE, Attorney for
Defendant, Carpenter Insulation
& Coatings Co.

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

FILED
JUN 17 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JAMES H. DAVIS,)
)
Defendant.)

CIVIL ACTION NO. 81-C-654-C

O R D E R

For cause shown, pursuant to Rule 55(c) and 60(b)(2) of
the Federal Rules of Civil Procedure, it is hereby ordered that:

Judgment entered on the 29th day of March, 1982, is
hereby set aside, and relief from Judgment is granted to the
Defendant.

Dated this 7th day of June, 1982.

(Signed) H. Dale Cook
UNITED STATES DISTRICT JUDGE

of Sherman §2, JUDGMENT is entered in favor of the defendant, Doron Precision Systems, Inc. and against the plaintiff, Instructional Systems Development Corporation.

IT IS FURTHER ORDERED costs are to be taxed against the plaintiff, Instructional Systems Development Corporation, and each party is to pay their own respective attorneys' fees.

ENTERED this 4th day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED

JUN - 3 1982

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

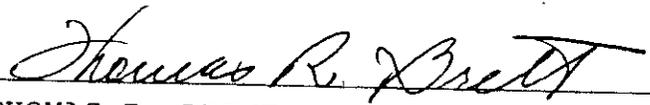
KERMIT REESE,)
)
 Plaintiff,)
)
 vs.)
)
 T.R.W. - REDA PUMP COMPANY,)
)
 Defendant.)

No. 80-C-347-BT

J U D G M E N T

Pursuant to the Findings of Fact and Conclusions of Law entered this date, IT IS HEREBY ORDERED AND ADJUDGED Judgment is granted in favor of the defendant and against the plaintiff with costs assessed against the plaintiff and each party to pay their own respective attorneys fees.

DATED this 3rd day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

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

FILED

AMERICAN COLLOID COMPANY,
a Delaware corporation,
and AMERICAN COLLOID CARRIER
CORPORATION, a Nebraska
corporation,

Plaintiffs,

vs.

SOONER MUD COMPANY, INC.,
an Oklahoma corporation,

Defendant.

JUN 3 1982

Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 82-C-350-E

JOURNAL ENTRY OF JUDGMENT

This cause is submitted to the Court on this 3rd day of June, 1982, by stipulation of each of the parties through their respective attorneys; and there having been filed by the Defendant its Affidavit admitting the amounts claimed in the Complaint of the Plaintiffs as justly due and owing by said Defendant to Plaintiffs, and Thomas Giulioli, attorney for the said Defendant, Sooner Mud Company, Inc., having filed his Warrant of Authority, which has been filed with the Clerk of the Court. By stipulation of the parties, the said Defendant, Sooner Mud Company, Inc., by its attorney, Thomas Giulioli, has confessed judgment of the amount prayed in Plaintiffs' Complaint upon the Causes of Action therein stated, to-wit:

1. That pursuant to the request of the Defendant, Sooner Mud Company, Inc., its agents and employees, the Plaintiff, American Colloid Company, delivered certain goods and merchandise to the Defendant on an open account with the Plaintiff, American Colloid Company, during the period July, 1981, through February, 1982. All said orders for said merchandise were made and/or received within the State of Oklahoma, all at the special insistence and request of Defendant, Sooner Mud Company, Inc., and its agents and employees.

2. That the Defendant, Sooner Mud Company, Inc., is justly indebted to the Plaintiff, American Colloid Company, in the amount of Thirty-nine Thousand One Hundred Sixty-one Dollars

and Ninety-five Cents (\$39,161.95), as of March 12, 1982, for the goods and merchandise purchased by Defendant from Plaintiff, American Colloid Company. Further, that Plaintiff is entitled to interest on said sum at the rate of twelve percent (12%) per annum from March 12, 1982.

3. Plaintiff, American Colloid Company, has demanded payment of said account in full, but the Defendant has wholly failed and refused to pay the balance due on said account. Despite Defendant's promise to pay said account, no payments have been paid, leaving a balance owing on said account of Thirty-nine Thousand One Hundred Sixty-one Dollars and Ninety-five Cents (\$39,161.95), as of March 12, 1982, together with interest thereon at the rate of twelve percent (12%) per annum.

4. That pursuant to the request of the Defendant, Sooner Mud Company, Inc., its agents and employees, the Plaintiff, American Colloid Carrier Corporation, delivered certain goods and merchandise to the Defendant, the freight charges for which were kept on open account with the Plaintiff, American Colloid Carrier Corporation, which charges were incurred during the period June, 1981, through December, 1981. All said freight charges were incurred for the delivery of goods and merchandise which were shipped to the Defendant in Hominy, Oklahoma, all at the special insistence and request of the Defendant, Sooner Mud Company, Inc., its agents and employees.

5. That the Defendant, Sooner Mud Company, Inc., is justly indebted to the Plaintiff, American Colloid Carrier Corporation, in the approximate amount of Fifty-one Thousand Eight Hundred Eighty-five Dollars and Thirty-eight Cents (\$51,885.38), as of February 28, 1982, for the freight charges incurred by Defendant from Plaintiff, American Colloid Carrier Corporation. Further, that Plaintiff, American Colloid Carrier Corporation, is entitled to interest on said sum at the rate of twelve percent (12%) per annum from February 28, 1982.

6. Plaintiff, American Colloid Carrier Corporation, has demanded payment of said account in full, but the Defendant has

wholly failed and refused to pay the balance due on said account. Despite Defendant's promise to pay said account, no payments have been paid, leaving a balance owing on said account of Fifty-one Thousand Eight Hundred Eighty-five Dollars and Thirty-eight Cents (\$51,885.38), as of February 28, 1982, together with interest thereon at a rate of twelve percent (12%) per annum.

THE COURT FINDS that the Court has jurisdiction over the parties and the subject matter hereof by virtue of Title 28 U.S.C. § 1332, based upon the diversity of citizenship of the parties. The amount in controversy exceeds Ten Thousand Dollars (\$10,000), exclusive of interest, costs and attorneys' fees.

THE COURT FURTHER FINDS that under the laws of the State of Oklahoma the Plaintiffs are entitled to interest on their judgment at the rate of twelve percent (12%) per annum and are entitled to a reasonable attorneys' fee, which the parties have mutually agreed to be Two Thousand Dollars (\$2,000).

THE COURT FURTHER FINDS that the costs of this action are Seventy-eight Dollars and Sixty Cents (\$78.60).

The Court being fully advised FURTHER FINDS that said attorney is duly authorized, that the Warrant of Attorney and Affidavit of Defendant filed herein are in all respects regular and sufficient, and that judgment should be entered for the Plaintiffs upon such confession.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, American Colloid Company, have and recover from the Defendant the sum of Thirty-nine Thousand One Hundred Sixty-one Dollars and Ninety-five Cents (\$39,161.95), plus interest thereon at the rate of twelve percent (12%) per annum from March 12, 1982, to date of judgment, and at the rate of twelve percent (12%) per annum from the date of judgment until such sum is fully paid; that the Plaintiff, American Colloid Carrier Corporation, have and recover from the Defendant the sum of Fifty-one Thousand Eight Hundred Eighty-five Dollars and Thirty-eight Cents (\$51,885.38), plus interest thereon at the

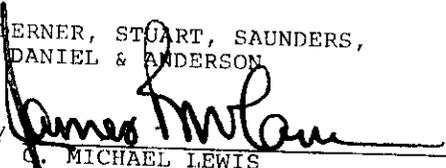
rate of twelve percent (12%) per annum from February 28, 1982, to date of judgment and at the rate of twelve percent (12%) per annum from the date of judgment until such sum is fully paid; that the Plaintiffs recover their costs in the amount of Seventy-eight Dollars and Sixty Cents (\$78.60), and attorneys' fees in the amount of Two Thousand Dollars (\$2,000); for all of which let execution issue.

S/ JAMES O. ELLISON

JAMES O. ELLISON
United States District Judge for
the Northern District of Oklahoma

The parties, by and through their respective counsel, hereby stipulate to the entry of the above Journal Entry of Judgment, and approve such Journal Entry as to form:

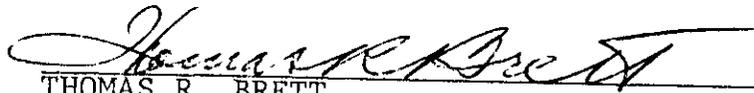
DEERNER, STUART, SAUNDERS,
DANIEL & ANDERSON

By 
C. MICHAEL LEWIS
JAMES P. McCANN
1000 Atlas Life Building
Tulsa, Oklahoma 74103
(918) 582-1211
Attorneys for Plaintiffs


THOMAS GIULIOLI
315 West Eighth Street
Post Office Box 8
Okmulgee, Oklahoma 74443
Attorney for Defendant

simulator films in violation of Section 2 of the
Sherman Antitrust Act, 15 U.S.C. §2.

ENTERED this 2nd day of June, 1982.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

FILED

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

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-62-B
)	
THOMAS M. MISEL,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 2nd day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 2nd day of June, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

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

INSTRUCTIONAL SYSTEMS)
DEVELOPMENT CORPORATION, An)
Oklahoma Corporation,)
Plaintiff,)
v.)
THE AETNA CASUALTY AND SURETY)
COMPANY, a corporation; DORON)
PRECISION SYSTEMS, INC., A)
Corporation,)
Defendants.)

No. ⁷⁹ 75-C-557-TB

FILED

Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER

Pursuant to Defendant's, THE AETNA CASUALTY AND SURETY
COMPANY, Motion to Dismiss Counterclaim, IT IS ORDERED that said
Counterclaim is dismissed without prejudice and without costs.

101 Thomas R. Brett
THOMAS R. BRETT
United States District Judge

FILED
JUN 1 1982
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-330-C
)	
ROBERT E. SNEED,)	
)	
Defendant.)	

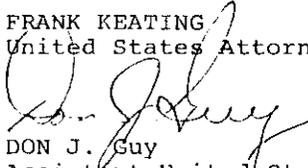
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 1st day of June, 1982.

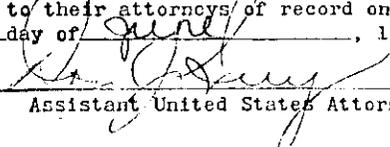
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. Guy
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 1st day of June, 1982.


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JIMMY D. DAVIS,)
)
 Defendant.)

FILED
CLERK
U.S. DISTRICT COURT

CIVIL ACTION NO. 82-C-401-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 15th day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Don J. Guy
DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 15th day of June, 1982.

Don J. Guy
Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUN 1 1982

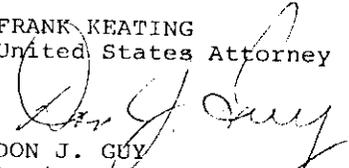
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-386-E
)	
MICHAEL W. HERRON,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

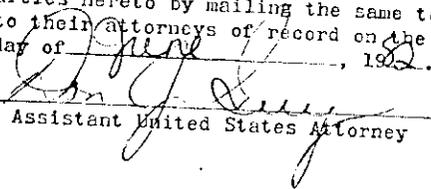
COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 1st day of June, 1982.

UNITED STATES OF AMERICA
FRANK KEATING
United States Attorney

DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 1st day of June, 1982.


Assistant United States Attorney

FILED

JUN 1 1982

JACK C. SIMON, CLERK
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-459-E
)	
RONALD C. BANKS,)	
)	
Defendant.)	

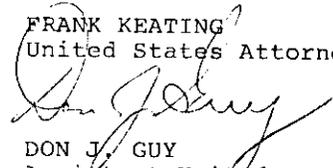
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 1st day of June, 1982.

UNITED STATES OF AMERICA

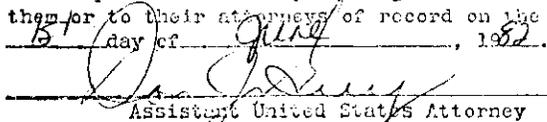
FRANK KEATING
United States Attorney



DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 1st day of June, 1982.


Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUNE 1 1982

Jack C. Sauer, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ROBERT S. REED,)
)
 Defendant.)

CIVIL ACTION NO. 82-C-466-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by
Frank Keating, United States Attorney for the Northern District
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,
Assistant United States Attorney, and hereby gives notice of its
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,
of this action without prejudice.

Dated this 1st day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Nancy A. Nesbitt

NANCY A. NESBITT
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy
of the foregoing pleading was served on each
of the parties hereto by mailing the same to
them or to their attorneys of record
1st day of June, 1982.

Nancy A. Nesbitt
Assistant United States Attorney

FILE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-477-B
)	
FRANCIS D. SMITH,)	
)	
Defendant.)	

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 1st day of June, 1982.

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

Philard L. Rounds, Jr.
PHILARD L. ROUNDS, JR.
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 1st day of June, 1982.

Philard L. Rounds, Jr.
Assistant United States Attorney

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

GEORGIA-PACIFIC CORPORATION,)
a corporation,)
)
Plaintiff,)
)
vs.)
)
GRAND RIVER DAM AUTHORITY,)
a public corporation, et al.,)
)
Defendants.)

No. 80-C-444-C

FILED

JUN 1 1982

JACK G. STONE, Clerk
U. S. DISTRICT COURT

JUDGMENT

Pursuant to stipulation of the parties, it is hereby ordered that judgment in the amount of Ten Thousand Dollars (\$10,000.00) be entered for the plaintiff and against the defendant pursuant to the provisions of 12 O.S. §938.

IT IS SO ORDERED this 1st day of June, 1982.

s/H. DALE COOK

H. DALE COOK
Chief Judge
U. S. District Court

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUL 1 1982
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.	)	CIVIL ACTION NO. 82-C-364-E
)	
CHARLES E. HILL,)	
)	
Defendant.)	

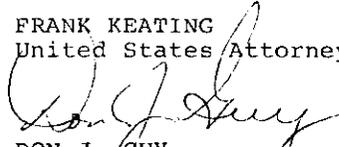
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 1st day of June, 1982.

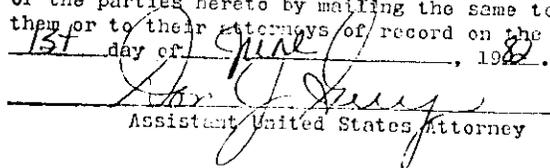
UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney


DON J. GUY
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 1st day of June, 1982.


Assistant United States Attorney