

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

CHARLES FULTON,  
Plaintiff,  
  
vs.  
  
BURLINGTON NORTHERN, INC.,  
a Corporation,  
  
Defendant.

No. 77-C-264-C

FILED  
NOV 30 1982  
ROCK C. SILVER, CLERK  
U. S. DISTRICT COURT

STIPULATION FOR DISMISSAL WITH PREJUDICE

The parties hereto advise the Court that they have agreed to fully settle this case and thereby stipulate that plaintiff's cause of action be dismissed with prejudice, each party to bear its own costs.

E. L. "Lee" Kinch  
E. L. "Lee" Kinch, of  
RATNER, MATTOX, RATNER,  
BARNES & KINCH  
Attorneys for Plaintiff

Ben Franklin  
Ben Franklin, of  
KORNFELD, SATTERFIELD, McMILLIN,  
HARMON, PHILLIPS & UPP  
Attorneys for Defendant

ORDER

Upon stipulation of the parties and for good cause shown, plaintiff's cause of action against the defendant are hereby dismissed with prejudice to the refileing of such action, each party to bear its own costs.

IT IS SO ORDERED this 30th day of November, 1982.

/s/ H. Dale Cook  
U. S. District Judge

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

SHREVEBEL CORPORATION, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 82-C-602-E  
 )  
 RESOURCES DIVERSIFIED, INC., an )  
 Oklahoma corporation; LOU PORTER, )  
 CARL MARTIN, individuals, )  
 )  
 Defendants. )

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

JOURNAL ENTRY OF DEFAULT JUDGMENT

Now on this 22 day of <sup>November</sup> ~~October~~, 1982, there comes on for hearing before Judge Ellison of the United States District Court for the Northern District of Oklahoma, Plaintiff Shrevebel Corporation's Application for Default Judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure against Defendant, Carl Martin. Plaintiff, Shrevebel Corporation, appears by and through its attorneys of record, Kornfeld, Satterfield, McMillin, Harmon, Phillips & Upp; Defendant, Carl Martin, appears not, and is thereby in default. Thereupon, the Court proceeded to examine the Affidavits of Robert O. O'Bannon, an attorney with Kornfeld, Satterfield, McMillin, Harmon, Phillips & Upp, the pleadings therein, the Certificate of Default from the United States District Court Clerk for the Northern District of Oklahoma, the Application for Default Judgment, and having heard the arguments of counsel, being fully advised in the premises, finds:

1. That Plaintiff, Shrevebel Corporation, is a corporation duly organized and existing under the laws of the State of California, and is duly licensed to do business in the State of Oklahoma; that Defendant, Carl Martin, is a citizen of the State

of Idaho; that the amount in controversy herein exceeds the sum of \$10,000.00, exclusive of costs, penalties or interest; that the Court has diversity jurisdiction as to the parties hereto and the subject matter of this action.

2. That Carl Martin was duly served with Summons and Complaint herein on June 24, 1982, by United States Marshall L. Davidson through certified mail, as shown by Receipt No. P-315-230-169. That under Rule 12(a) of the Federal Rules of Civil Procedure, Defendant, Carl Martin, was required to answer herein on or before July 14, 1982; that no answer, pleading, or appearance of any nature has been made by said Defendant, and Carl Martin is thereby adjudged to be in default, and the allegations of Plaintiff's Complaint are ordered to be taken as true and confessed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff, Shrevebel Corporation, have and recover judgment against Defendant Carl Martin for

a. \$1,000,000.00, together with interest thereon from the 20th day of August, 1981, until the date hereof at the rate of 6% per annum, and for further interest thereon from the date hereof until paid in full at the rate of 15% per annum.

b. \$2,000,000.00, together with interest accruing under the loan at the rate equal to 2% more than the prime rate from time to time of the Toronto-Dominion Bank for Canadian loans, in the United States of America dollars, and for further interest thereon from the date hereof until paid in full at the rate of 15% per annum.

~~IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff have and recover attorney's fees in the amount of~~

\$ \_\_\_\_\_, together with all costs accrued and accruing herein.

S/ JAMES O. ELLISON

James O. Ellison  
United States District Court  
Judge for the Northern  
District of Oklahoma

Entered in the Judgment Docket on \_\_\_\_\_, 1982.

APPROVED:

KORNFELD SATTERFIELD McMILLIN  
HARMON PHILLIPS & UPP

By: Robert O. O'Bannon

Robert O. O'Bannon  
3037 N.W. 63rd, Suite 200-W  
Oklahoma City, Oklahoma 73116  
(405) 840-9302

Attorneys for Plaintiff Shrevebel Corporation

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

**FILED**

**NOV 29 1982**

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

DOWELL, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 OSAGE EXPLORATION COMPANY, )  
 )  
 Defendant. )

No. 82-C-704-E

ORDER

On this 29<sup>th</sup> day of November, 1982, the Application of Plaintiff, Dowell, Inc., to dismiss its claims against Defendant, Osage Exploration Company, was presented to the Court. The Court, having reviewed the record of this case, finds that the Application of the Plaintiff should be and is hereby granted. The action against Osage Exploration Company, No. 82-C-704-E is dismissed without prejudice to Plaintiff asserting its claims herein as Counter-Claims in Case No. 82-C-698-E, each party to pay its own costs herein.

  
UNITED STATES DISTRICT JUDGE

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

ROBERT WILKERSON #92006 and )  
HERBERT SMITH #95745, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
MICHAEL FAIRLESS, Deputy Warden, )  
BRENT FATKINS, Captain, NORMA )  
BEAVERS, Sergeant, NANCY DUPON, )  
Case Manager #1, et al., )  
 )  
Defendants. )

No. 81-C-901-E ✓

**FILED**

NOV 29 1982

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

O R D E R

On September 20, 1982, this Court ordered that its previous Order of July 27, 1982, requiring a special report, was vacated. Further, on September 20, 1982, this Court granted the Plaintiffs sixty (60) days in which to obtain service on the Defendants, and stated that failure to so obtain service within the sixty (60) days would result in the dismissal of this action.

More than sixty (60) days have passed since the Court's Order of September 20, 1982, and there is no evidence of service having been obtained on the Defendants. Further, there has been no request or application by the Plaintiffs for an extension of the time granted by this Court for perfection of service.

IT IS THEREFORE ORDERED, that pursuant to this Court's Order of September 20, 1982, and upon the failure of Plaintiffs to comply with the provisions of that Order regarding service, this action is hereby dismissed.

Dated this 24<sup>th</sup> day of November, 1982.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

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

**FILED**  
**NOV 24 1982**  
**Jack C. Silver, Clerk**  
**U. S. DISTRICT COURT**

MERRILL LYNCH, PIERCE, )  
FENNER & SMITH, INC., a )  
corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
OKLAHOMA ENERGY OPERATORS, )  
INC., ROBERT R. SNYDER, an )  
individual, and JACK A. )  
ERICSSON, an individual, )  
 )  
Defendants. )

No. 82-C-2-E

ORDER OF DISMISSAL

UPON the Parties' Joint Stipulation for Dismissal,  
filed herein on November 24, 1982,

IT IS HEREBY ORDERED (i) that the captioned case,  
the Plaintiff's Amended Complaint, and all claims for  
relief that have been or could ever be based thereon against  
the Defendant OKLAHOMA ENERGY OPERATORS, INC., are dis-  
missed without prejudice; (ii) that the captioned case,  
the Plaintiff's Amended Complaint, and all claims for  
relief that have been or could ever be based against the  
Defendants JACK A. ERICSSON and ROBERT R. SNYDER, or  
either of them, be dismissed with prejudice; and (iii)  
that each side shall bear its own costs, expenses, and  
attorneys' fees.

DATED this 24 day of November, 1982.

*(Signature)*

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 24 1982

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

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. ) CIVIL ACTION NO. 82-C-455-B  
 )  
DENZIL N. KIRK, )  
 )  
Defendant. )

DEFAULT JUDGMENT

This matter comes on for consideration this 23 day of November, 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, Denzil N. Kirk, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Denzil N. Kirk, was personally served with an Alias Summons and Complaint on June 25, 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, Denzil N. Kirk, for the principal sum of \$603.83, plus interest at the legal rate from the date of this Judgment until paid.

W. HENRY B. KEITH

UNITED STATES DISTRICT JUDGE

UNITED STATE DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
PAUL J. DEVINE, )  
JOHNNY F. TAYLOR, )  
 )  
Defendants. )

NOV 27 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NOS. 81-C-839-B ✓  
82-C-313-B

O R D E R

Now on the 24th day of November, 1982, the above-captioned cases came on for disposition. The Plaintiff, United States of America, appeared by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr. and Nancy A. Nesbitt, Assistant United States Attorneys. The Defendants in the above-captioned cases have not been located and therefore attempts to serve them have been unsuccessful.

IT IS THEREFORE ORDERED, that the Complaints against Defendants are dismissed without prejudice.

  
UNITED STATES DISTRICT JUDGE

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

MARY ALICE SINCLAIR, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 AUTOMOBILE CLUB OF OKLAHOMA, INC., )  
 )  
 Defendant. )

No. 80-C-572-E

**FILED**

NOV 24 1982 *hm*

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

JUDGMENT

This action came on for trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the issues having been duly tried and a decision having been duly entered,

IT IS ORDERED AND ADJUDGED,

That the Plaintiff recover of the Defendant the sum of \$15,222.00, with interest thereon at the current statutory rate, and her costs of action.

Dated at Tulsa, Oklahoma, this 23<sup>rd</sup> day of November, 1982.

*James O. Ellison*  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

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

**FILED**

**NOV 24 1982**

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

OKLAHOMA-KANSAS GRAIN CORP.,            )  
  )  
  Plaintiff,                    )  
  )  
vs.    )  
  )  
CLAYTON BROKERAGE CO. OF ST. LOUIS,    )  
  )  
  Defendant.                    )

No. 79-C-422-E

JUDGMENT

This action came on for trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the issues having been duly tried and a decision having been duly entered,

IT IS ORDERED AND ADJUDGED,

that Judgment be entered in favor of the Defendant and against the Plaintiff, on Plaintiff's Complaint.

IT IS FURTHER ORDERED, that on any claim of damage by the Defendant made at trial, Judgment be entered in favor of the Plaintiff.

IT IS FURTHER ORDERED, that each party shall bear its own costs of the action.

Dated this 24<sup>th</sup> day of November, 1982.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

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

MELVIN MAHORNEY, #101991,

Petitioner,

vs.

MACK ALFORD, Warden,

Respondent,

and

THE ATTORNEY GENERAL OF THE  
STATE OF OKLAHOMA,

Additional Respondent.

**FILED**

**NOV 24 1982**

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

82-C-1087-BT

O R D E R

Petitioner, presently in state custody, brings this action for a Writ of Habeas Corpus, pursuant to 28 U.S.C. §2254. Petitioner alleges he was convicted by a jury of Rape in the First Degree After Former Conviction of a Felony and sentenced to fifty-one years' imprisonment in case number CRF-80-1042, District Court of Tulsa County, Oklahoma. He alleges he appealed his conviction to the Oklahoma Court of Criminal Appeals [case number F-81-157] and further "that Court has refused to rule, for well over 1 year, No. F-81-157, filed 10/8/81." His petition, on its face, reflects a failure to exhaust available state remedies.

It is fundamental a prisoner seeking federal Habeas Corpus relief from a state conviction must first exhaust his state remedies. 28 U.S.C. §2254; Hoggatt v. Page, 432 F.2d 41 (10th Cir. 1970). A federal court will not entertain an application for a Writ of Habeas Corpus if an appeal is pending in the state courts. Kessenger v. Page, 369 F.2d

799 (10th Cir. 1966).

Accordingly, the Petition for Writ of Habeas Corpus will be dismissed because the Petitioner has failed to exhaust his available state remedies.

IT IS SO ORDERED this 24 day of November, 1982.



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THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

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

KTUL-TV, INC.,  
an Oklahoma corporation,  
and LEAKE INDUSTRIES, INC.,  
an Oklahoma corporation,

Plaintiffs,

v.

ACCU-WEATHER, INC.,  
a Pennsylvania corporation,

Defendant.

**FILED**

NOV 24 1982

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

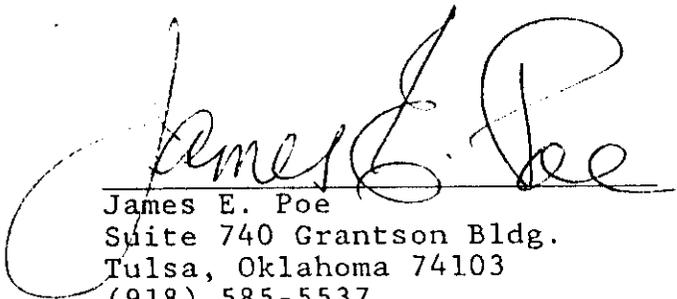
No. 82-C-641-B ✓

STIPULATION AND DISMISSAL

Plaintiffs, KTUL-TV, Inc., an Oklahoma corporation, and Leake Industries, Inc., an Oklahoma corporation, and Defendant, Accu-Weather, Inc., a Pennsylvania corporation, do hereby dismiss with prejudice each and every cause of action and claim asserted herein by each of the parties to this Stipulation. Further, the parties stipulate that each party hereto shall bear its own costs and attorneys' fees herein and jointly apply to the Court for an order dismissing with prejudice all claims asserted herein and ordering the return of all files, records and documents produced by each of the parties to the other.

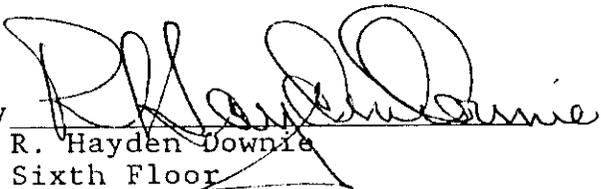
DONE this 23<sup>rd</sup> day of Nov, 1982.

SNEED, LANG, ADAMS,  
HAMILTON, DOWNIE & BARNETT

  
James E. Poe  
Suite 740 Grantson Bldg.  
Tulsa, Oklahoma 74103  
(918) 585-5537

Attorney for Defendant

By

  
R. Hayden Downie  
Sixth Floor  
114 East Eighth Street  
Tulsa, Oklahoma 74119  
(918) 583-3145

Attorneys for Plaintiffs

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

**FILED**  
NOV 24 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CLINTON D. TUCKER, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 82-C-738-E  
 )  
UNITED STATES OF AMERICA, )  
 )  
Defendant. )

O R D E R

The Court has before it for consideration the United States' Motion to Dismiss or in the Alternative, Motion to Transfer. This is an action instituted pursuant to and jurisdiction arises under the provisions of 28 U.S.C. § 1346(a)(1) and Internal Revenue Code Section 6532(a)(1) for the recovery of excessive Internal Revenue taxes, penalties and interest, erroneously or illegally assessed and collected from the Plaintiff.

Plaintiff's original complaint states that he is an individual with his lifetime residence in Tulsa, Oklahoma, however, that he is now "temporarily present" in Angiulla, British West Indies, and intends ultimately to return to Tulsa, Oklahoma, the place of his residence.

The Motion to Dismiss is based upon allegations of improper venue. Plaintiff responded to the Motion by objecting to dismissal but stating he has no objections to transferring the case, pursuant to 28 U.S.C. § 1406 (a) to the U.S. Court of Claims in the interest of justice.

Title 28 U.S.C. § 1346(a) vests original jurisdiction in the district court concurrent with the Court of Claims where a civil action is brought against the United States for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected.

By Plaintiff's own assertions we find venue to be improper in this Court at this time. See Shaw v. United States, 422 F.Supp. 339 (S.D. N.Y. 1976). Jurisdiction cannot be based upon assertions of future intentions as to residency. However, we find dismissal to be too severe a penalty to be imposed in light of the fact that jurisdiction clearly is proper in the Court of Claims.

Defendant's Motion to Dismiss is therefore denied. Defendant's motion to transfer is hereby granted. This case is therefore ordered transferred to the Court of Claims.

The Clerk of the Court is hereby directed to forthwith take the

necessary actions to effect said transfer.

It is so Ordered this 24th day of November, 1982.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

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

**FILED**

NOV 24 1982

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

ALMA DAVIS, )  
 )  
 Plaintiff, )  
 )  
 -vs- )  
 )  
 EXECUTIVE MANAGEMENT )  
 GROUP, )  
 )  
 Defendant. )

Case No. 82-C-576-E

O R D E R

COMES NOW the undersigned Judge of the United States District Court for the Northern District of Oklahoma on this the 5th day of November, 1982 for a hearing upon the Defendant's Motion to Dismiss; and the Plaintiff, appearing not, after having been given sufficient notice of said hearing by the Defendant and this Court and the Defendant appearing through its attorney of record, Lynn A. Mundell; and the Court being advised in the premises and upon hearing argument of counsel, finds as follows:

I

That good and sufficient notice was given to the Plaintiff, Alma Davis, of this Court's motion docket on the Defendant's Motion to Dismiss.

II

That the Plaintiff failed to respond or otherwise answer to the Defendant's Motion to Dismiss within the required time allowed by this Court.

III

That the Plaintiff failed to appear or be represented at the time of the hearing on November 5, 1982.

IV

That the Defendant's attorney presented sufficient argument to this Court which warrants that this case be dismissed.

The Court further finds that due to the past history in this case and due to the argument of Defendant's counsel, this case should be dismissed with prejudice for all purposes except in the case where the Plaintiff can provide to this Court a compelling reason as to her absence, such as hospital confinement at the time of this hearing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Defendant, Executive Management Group's, Motion to Dismiss be sustained in its entirety.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the above styled cause be dismissed with prejudice for all purposes except for the case where the Plaintiff can provide to this Court a compelling reason as to her absence, such as hospital confinement at the time of this hearing.

s/ JAMES O. ELLISON  
 UNITED STATES DISTRICT JUDGE  
 FOR THE NORTHERN DISTRICT OF  
 OKLAHOMA

CERTIFICATE OF MAILING

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 1982, I mailed, postage prepaid, a true and correct copy of the foregoing Order to Alma Davis, 21520 E. 32nd Street, Broken Arrow, Oklahoma, 74012, Plaintiff herein.

Lynn A. Mundell

**FILED**

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**NOV 24 1982**

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-571-E
	)	
TIMOTHY K. CARPENTER,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter comes on for consideration this \_\_\_\_\_ day of November, 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, Timothy K. Carpenter, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Timothy K. Carpenter, was personally served with Alias Summons and Complaint on September 23, 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 K. Carpenter, for the principal sum of \$239.40, plus interest at the legal rate from the date of this Judgment until paid.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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

A. G. EDWARDS & SONS, INC., )  
a corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
RONALD D. KELSEY, )  
 )  
Defendant. )

No. 82-C-850-XB

**FILED**  
**NOV 24 1982**  
**Jack C. Silver, Clerk**  
**U. S. DISTRICT COURT**

STIPULATION ~~FOR~~ DISMISSAL

IT IS HEREBY STIPULATED that the above-entitled action may be and is hereby dismissed without prejudice, each party to bear his own costs.

DATED this 23rd day of November, 1982.

DOERNER, STUART, SAUNDERS,  
DANIEL & ANDERSON  
William H. Hinkle  
Lewis N. Carter  
1000 Atlas Life Building  
Tulsa, Oklahoma 74103

By *Lewis N. Carter*

Attorneys for Plaintiff,  
A. G. Edwards & Sons, Inc.

FRASIER, FRASIER & GULLEKSON  
Steven R. Hickman  
717 S. Houston, Suite 400  
Tulsa, Oklahoma 74127

By *H. H. Hickman*

Attorneys for Defendant,  
Ronald D. Kelsey

Dated at Tulsa, Oklahoma, this 24th day  
of November, 19 82.

*Thomas R. [Signature]*  
Clerk of Court  
United States District Judge  
Northern District of Oklahoma



UNITED STATE DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

NOV 27 1982 *hm*

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 PAUL J. DEVINE, )  
 JOHNNY F. TAYLOR, )  
 )  
 Defendants. )

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

CIVIL ACTION NOS. 81-C-839-B  
82-C-313-B

O R D E R

Now on the 24th day of November, 1982, the above-captioned cases came on for disposition. The Plaintiff, United States of America, appeared by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr. and Nancy A. Nesbitt, Assistant United States Attorneys. The Defendants in the above-captioned cases have not been located and therefore attempts to serve them have been unsuccessful.

IT IS THEREFORE ORDERED, that the Complaints against Defendants are dismissed without prejudice.

*Thomas R. Keating*  
UNITED STATES DISTRICT JUDGE

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

FILED  
NOV 27 1982

REPUBLIC FINANCIAL CORPORA- )  
TION, an Oklahoma corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
RONALD A. SPELMAN, an )  
individual, PETER K. MOSER, )  
an individual, W. SCOTT )  
KAUFMANN, an individual, )  
PETER SEDLER a/k/a JOHN KRYWY, )  
an individual, ELIZABETH )  
McCORMACK, an individual, and )  
JOHN J. HEARN, an individual, )  
 )  
Defendants. )

No. 81-C-46-B ✓

JUDGMENT

Pursuant to the October 27, 1982 Order of the Court sustaining in part the defendants' motion for partial summary judgment and the November 10, 1982 Order of the Court dismissing without prejudice certain claims remaining for adjudication following the October 27, 1982 Order, IT IS ORDERED judgment is entered as follows:

1. Pursuant to the October 27, 1982 Order of the Court, the defendants' motion for partial summary judgment under Rule 56, F.R.Civ.P., is sustained as follows:

(a) The statements referred to in Paragraphs B and D on the second page of the October 27, 1982 Order are not actionable for the reasons stated in that Order.

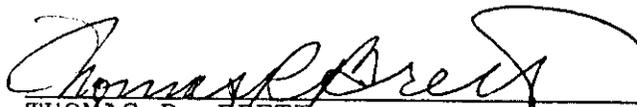
(b) Summary judgment as to Count II of plaintiff's Complaint is sustained.

(c) Summary judgment is sustained as to any libel claim under Count III in which the publication occurred before February 9, 1980. The statements referred to in Paragraphs A and C on the second page of the October 27, 1982 Order and published to third parties after February 9, 1980 are libel per quod requiring the proof of special damages and are considered to be qualifiedly privileged for the reasons set forth in the October 27, 1982 Order.

2. The Court having dismissed without prejudice all claims for relief remaining for adjudication subsequent to the October 27, 1982 Order, by virtue of the Court's Order of November 10, 1982 and subject to the reservations set forth in that November 10, 1982 Order and that certain November 10, 1982 stipulation for partial dismissal filed by the parties, IT IS FURTHER ORDERED that this is a final judgment.

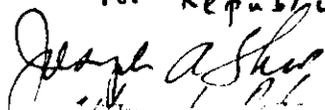
3. IT IS ALSO FURTHER ORDERED that, as a matter of law, no party to this action is entitled to an award of costs and expenses, including but not limited to attorneys' fees, against any other party to this action.

ENTERED this 23<sup>rd</sup> day of November, 1982.

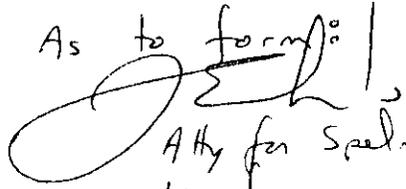
  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

Approved as to form:

  
Attorney for Plaintiff and  
for Republic Ban Corporation, Inc. -2-

  
P.L. Moore

As to form:

  
Atty for Spelman,  
Kaufman, Seidler  
& Heenan

FILE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

NOV 23 1982

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

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
MICHAEL R. VINSON )  
 )  
Defendant. )

CIVIL ACTION NO. 82-C-464-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 23rd day of November, 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 herein by mailing the same to them or to their attorneys of record on the 23rd day of November, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

FILED

NOV 25 1982  
W. Silver, 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-266-E
BRUCE L. STECK,	)	
	)	
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 November, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

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

As witness my hand and the seal of the Court at the Northern District of Oklahoma this 23rd day of November 1982.

*Philard L. Rounds, Jr.*  
Assistant United States Attorney

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

ARTHUR L. COURVILLE, )  
as Guardian of the Person )  
and Estate of LINDA SUE )  
COURVILLE, an incompetent )  
person, )

Plaintiff, )

vs. )

ROBERT LEE KUNGLE, and )  
THE FARMERS INSURANCE )  
EXCHANGE, a foreign )  
corporation, )

Defendants. )

**FILED**

NOV 28 1976

No. 82-C-76-C

JOURNAL ENTRY OF JUDGMENT

This cause came on for hearing before the above Court on the Cross-Petition of defendant, Farmers Insurance Exchange, appearing by and through their undersigned attorney, and the defendant, Robert Lee Kungle, appeared by and through his undersigned attorney. The Court finds that the parties have agreed that Farmers Insurance Exchange is subrogated to the rights of the plaintiff, Arthur Courville, as guardian of the person and estate of Linda Sue Courville, an incompetent person, for the reason that plaintiff is entitled to a judgment against the defendant Robert Lee Kungle and that Farmers Insurance Exchange is liable therefore based upon the issuance of the uninsured motorist policy. The defendant, Farmers Insurance Exchange, is therefore entitled on their Cross-Petition to a judgment over and against the defendant, Robert Lee Kungle, for the amount of \$20,000.00.

The Court finds that Farmers Insurance Exchange, having paid the judgment of the plaintiff, is entitled to reimbursement of the defendant Robert Lee Kungle in the amount of \$20,000.00.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, Farmers Insurance Exchange, be awarded judgment on their Cross-Petition in the amount of \$20,000.00 over and against the defendant, Robert Lee Kungle, including Post Judgment interest in the amount of 15% per annum.

151 H. Dale Cook  
JUDGE OF THE UNITED STATES  
DISTRICT COURT

APPROVED AS TO FORM:

Ray H. Wilburn  
RAY H. WILBURN  
Attorney for Farmers  
Insurance Exchange

Jack Winn  
JACK WINN  
Attorney for Robert Lee Kungle

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA NOV 23 1982

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 TERRACE L. HOKE, )  
 )  
 Defendant. )

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

CIVIL ACTION NO. 82-C-115-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 23rd day of November, 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

I, the undersigned, certify 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 23<sup>rd</sup> day of November, 1982.

*Philard L. Rounds, Jr.*  
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
NOV 22 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) CIVIL ACTION NO. 82-C-746-C  
 )  
 JAMES D. McCLELLAN, )  
 )  
 Defendant. )

DEFAULT JUDGMENT

This matter comes on for consideration this 23rd day of November, 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 D. McClellan, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, James D. McClellan, was served with Summons and Complaint on August 5, 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 D. McClellan, for the principal sum of \$726.61, plus interest at the legal rate from the date of this Judgment until paid.

S/H. DAVE [unclear]  
UNITED STATES DISTRICT JUDGE

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

WARREN R. HARBISON, Individually, )  
and as Next Friend for his Minor )  
Children, BRYAN KEITH HARBISON )  
and DAVID EVERETT HARBISON, DORIS )  
V. HARBISON, BRYAN KEITH HARBISON )  
and DAVID EVERETT HARBISON, )

Plaintiffs, )

vs. )

NORTHEAST OKLAHOMA ELECTRIC )  
COOPERATIVE, INC., an Oklahoma )  
corporation, and DRESKO CONSTRUC- )  
TION COMPANY, an Oklahoma corpora- )  
tion, )

Defendants, )

vs. )

THE COOK ELECTRIC SUPPLY COMPANY, )  
an Oklahoma corporation; and )  
THE EMERSON ELECTRIC CO., a )  
Missouri corporation, and A. B. )  
CHANCE COMPANY, a Delaware cor- )  
poration, )

Third Party Defendants. )

STIPULATION <sup>OF</sup> FOR DISMISSAL WITH PREJUDICE OF CROSS-COMPLAINTS  
OF COOK ELECTRIC SUPPLY COMPANY

It is hereby stipulated that the Cross-Complaints  
of Cook Electric Supply Company against the Emerson Electric  
Company and A. B. Chance Company in the above-entitled action  
may be dismissed with prejudice, each party to bear his own  
costs.

FILED

NOV 22 1982

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

NO. 80-C-247-E

  
DAN A. ROGERS and RICHARD C. HONN  
ROGERS, ROGERS, HONN, HILL,  
SECRET & McCORMICK  
Attorneys for Cook Electric Supply  
Company

*Steven Taylor*

STEVEN W. TAYLOR,  
GOTCHER, GOTCHER & TAYLOR  
Attorney for Warren R. Harbison

*Joseph M Best*

WALTER D. HASKINS  
BEST, SHARP, THOMAS, GLASS  
& ATKINSON  
Attorney for Northeast Oklahoma  
Electric Cooperative, Inc.

*Ronald N. Ricketts*

RONALD N. RICKETTS  
GABLE & GOTWALS  
Attorney for Emerson Electric Co.  
and A. B. Chance Company

*John Gladd and Richard D. Gibbon*

JOHN GLADD and RICHARD D. GIBBON  
GIBBON, GLADD, TAYLOR, SMITH  
& HICKMAN  
Attorneys for Dresco Construction Co.

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

WARREN R. HARBISON, )  
Individually, and as Next )  
Friend for his Minor Children, )  
BRYAN KEITH HARBISON and )  
DAVID EVERETT HARBISON; and )  
DORIS V. HARBISON, BRYAN KEITH )  
HARBISON and DAVID EVERETT )  
HARBISON, )

Plaintiffs, )

-vs- )

NORTHEAST OKLAHOMA ELECTRIC )  
COOPERATIVE, INC., an Oklahoma )  
corporation, and DRESKO )  
CONSTRUCTION COMPANY, an )  
Oklahoma corporation, )

Defendants, )

-vs- )

THE COOK ELECTRIC SUPPLY )  
COMPANY, an Oklahoma )  
corporation; THE EMERSON )  
ELECTRIC CO., a Missouri )  
corporation; and A. B. CHANCE )  
COMPANY, a Delaware )  
corporation, )

Third-Party Defendants. )

**FILED**

NOV 22 1982

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

No. 80-C-247-E

*OF*  
STIPULATION ~~FOR~~ DISMISSAL WITH  
PREJUDICE OF THE THIRD-PARTY COMPLAINT  
OF DRESKO CONSTRUCTION COMPANY

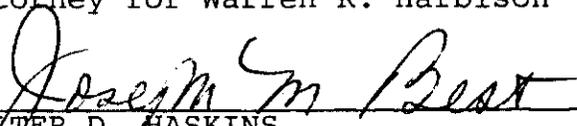
It is hereby stipulated that the Third-Party Complaint of  
Dresko Construction Company against The Cook Electric Supply  
Company and Emerson Electric Co. and A. B. Chance Company in  
the above-entitled action may be dismissed with prejudice,

each party to bear his own costs.

DATED November 22, 1982.

  
\_\_\_\_\_  
JOHN A. GLADD and RICHARD D. GIBBON  
GIBBON, GLADD, TAYLOR, SMITH  
& HICKMAN  
Attorneys for Dresco Construction Co.

  
\_\_\_\_\_  
STEVEN W. TAYLOR  
GOTCHER, GOTCHER & TAYLOR  
Attorney for Warren R. Harbison

  
\_\_\_\_\_  
WALTER D. HASKINS  
BEST, SHARP, THOMAS, GLASS  
& ATKINSON  
Attorney for Northeast Oklahoma  
Electric Cooperative, Inc.

  
\_\_\_\_\_  
RONALD N. RICKETTS  
GABLE & GOTWALS  
Attorney for The Emerson Electric Co.  
and A. B. Chance Company

  
\_\_\_\_\_  
DAN A. ROGERS and RICHARD C. HONN  
ROGERS, ROGERS, HONN, HILL,  
SECRET & McCORMICK  
Attorneys for Cook Electric Supply  
Company

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

WARREN R. HARBISON, )  
Individually, and as Next )  
Friend for his Minor Children, )  
BRYAN KEITH HARBISON and )  
DAVID EVERETT HARBISON; and )  
DORIS V. HARBISON, BRYAN KEITH )  
HARBISON and DAVID EVERETT )  
HARBISON, )

Plaintiffs, )

-vs- )

NORTHEAST OKLAHOMA ELECTRIC )  
COOPERATIVE, INC., an Oklahoma )  
corporation, and DRESKO )  
CONSTRUCTION COMPANY, an )  
Oklahoma corporation, )

Defendants, )

-vs- )

THE COOK ELECTRIC SUPPLY )  
COMPANY, an Oklahoma )  
corporation; THE EMERSON )  
ELECTRIC CO., a Missouri )  
corporation; and A. B. CHANCE )  
COMPANY, a Delaware )  
corporation, )

Third-Party Defendants. )

**FILED**

NOV 22 1982

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

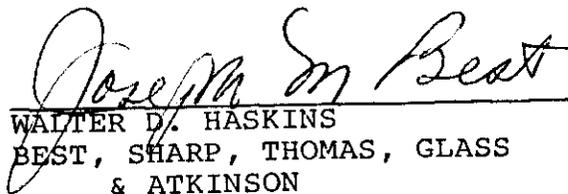
No. 80-C-247-E

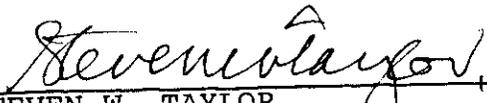
*OF*  
STIPULATION ~~FOR~~ DISMISSAL WITH  
PREJUDICE OF NORTHEAST OKLAHOMA ELECTRIC  
COOPERATIVE, INC.'S CROSS-CLAIM AND THIRD-PARTY COMPLAINT

It is hereby stipulated that the Cross-Claim and Third-Party Complaint of Northeast Oklahoma Electric Cooperative, Inc., in the above-entitled action may be dismissed with

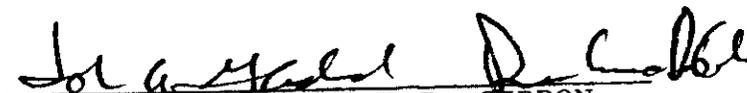
prejudice, each party to bear his own costs.

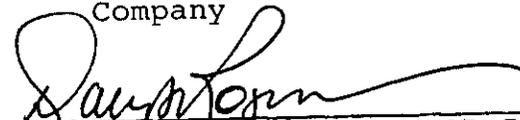
DATED November 22, 1982.

  
WALTER D. HASKINS  
BEST, SHARP, THOMAS, GLASS  
& ATKINSON  
Attorney for Third-Party Plaintiff,  
Northeast Oklahoma Electric  
Cooperative, Inc.

  
STEVEN W. TAYLOR  
GOTCHER, GOTCHER & TAYLOR  
Attorney for Warren R. Harbison

  
RONALD N. RICKETTS  
GABLE & GOTWALS  
Attorney for Emerson Electric Co.  
and A. B. Chance Company

  
JOHN GLADD and RICHARD D. GIBBON  
GIBBON, GLADD, TAYLOR, SMITH  
& HICKMAN  
Attorneys for Dresco Construction  
Company

  
DAN A. ROGERS and RICHARD C. HONN  
ROGERS, ROGERS, HONN, HILL,  
SECRET & McCORMICK  
Attorneys for Cook Electric Supply  
Company

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

WARREN R. HARBISON, )  
Individually, and as Next )  
Friend for his Minor Children, )  
BRYAN KEITH HARBISON and )  
DAVID EVERETT HARBISON; and )  
DORIS V. HARBISON, BRYAN KEITH )  
HARBISON and DAVID EVERETT )  
HARBISON, )

Plaintiffs, )

-vs- )

NORTHEAST OKLAHOMA ELECTRIC )  
COOPERATIVE, INC., an Oklahoma )  
corporation, and DRESCO )  
CONSTRUCTION COMPANY, an )  
Oklahoma corporation, )

Defendants, )

-vs- )

THE COOK ELECTRIC SUPPLY )  
COMPANY, an Oklahoma )  
corporation; THE EMERSON )  
ELECTRIC CO., a Missouri )  
corporation; and A. B. CHANCE )  
COMPANY, a Delaware )  
corporation, )

Third-Party Defendants. )

**FILED**

NOV 22 1982

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

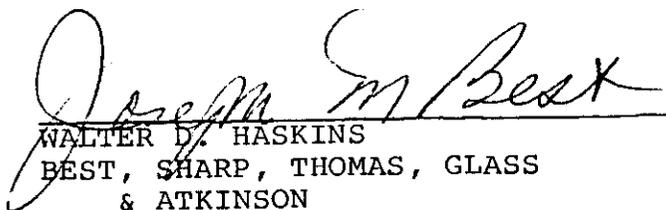
No. 80-C-247-E

STIPULATION <sup>OF</sup> ~~FOR~~ DISMISSAL WITH  
PREJUDICE OF PLAINTIFFS' SECOND AMENDED COMPLAINT

It is hereby stipulated that the Plaintiffs' Second Amended  
Complaint in the above-entitled action may be dismissed with  
prejudice, each party to bear his own costs.

DATED November 22, 1982.

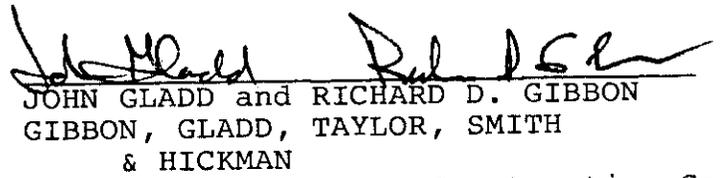
  
STEVEN W. TAYLOR  
GOTCHER, GOTCHER & TAYLOR  
Attorney for Plaintiff, Warren R.  
Harbison

  
WALTER D. HASKINS  
BEST, SHARP, THOMAS, GLASS  
& ATKINSON

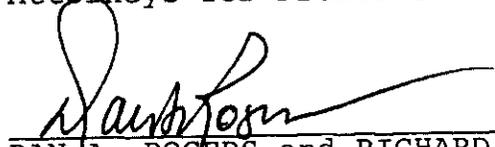
Attorney for Northeast Oklahoma  
Electric Cooperative, Inc.



RONALD N. RICKETTS  
GABLE & GOTWALS  
Attorney for Emerson Electric Co.  
and A.B. Chance Company

  
JOHN GLADD and RICHARD D. GIBBON  
GIBBON, GLADD, TAYLOR, SMITH  
& HICKMAN

Attorneys for Dresco Construction Co.



DAN A. ROGERS and RICHARD C. HONN  
ROGERS, ROGERS, HONN, HILL,  
SECRET & McCORMICK  
Attorneys for Cook Electric Supply  
Company

FILED

NOV 22 1982

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SUSAN E. MIKKELSEN,

Defendant.

CIVIL ACTION NO. 82-C-405-B

O R D E R

For a good cause having been shown, it is hereby ordered, adjudged and decreed that the above-referenced action is hereby dismissed without prejudice against the United States of America.

Dated this 22nd day of November, 1982.

Jack C. Silver, Clerk

UNITED STATES DISTRICT JUDGE

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

**FILED**  
**NOV 22 1982**  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CENTRAL STATES, SOUTHEAST AND )  
SOUTHWEST AREAS PENSION FUND, )  
Plaintiff, )  
vs. )  
HODGES MOVING & STORAGE CO., )  
an Oklahoma corporation, )  
Defendant. )

No. 82-C-1000-B

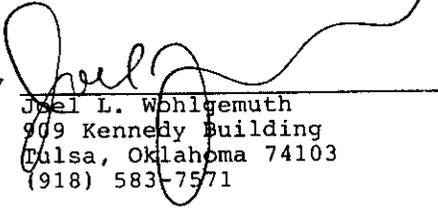
NOTICE OF DISMISSAL WITH PREJUDICE

TO: Hodges Moving & Storage Co., Defendant

NOTICE IS HEREBY GIVEN that the plaintiff hereby dismisses the above-entitled action with prejudice, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, the defendant having heretofore served neither an answer nor a motion for summary judgment. The Clerk of the District Court is hereby requested to enter such dismissal in the records of the Court.

Dated November 22, 1982.

PRICHARD, NORMAN & WOHLGEMUTH

By 

Joel L. Wohlgemuth  
909 Kennedy Building  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorneys for the plaintiff,  
Central States, Southeast and  
Southwest Areas Pension Fund

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

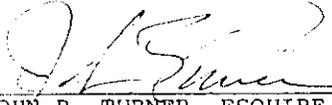
FILE  
APR 22 1980  
John H. Silver, Clerk  
U. S. DISTRICT COURT

ATLAS LIFE INSURANCE COMPANY )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
UNITED STATES OF AMERICA )  
 )  
Defendant. )  
\_\_\_\_\_ )

Civil No. 80-C-724-B

STIPULATION ~~AND~~ DISMISSAL

It is hereby stipulated and agreed that the complaint in the above entitled case be dismissed with prejudice, the parties to bear their respective costs, including any possible attorneys' fees or other expenses of litigation.

  
\_\_\_\_\_  
JOHN B. TURNER, ESQUIRE  
Doerner, Stuart, Saunders,  
Daniel & Anderson  
1000 Atlas Life Building  
Tulsa, Oklahoma 74103  
Attorney for Plaintiff

  
\_\_\_\_\_  
GLENN L. ARCHER, JR.  
Assistant Attorney General  
Tax Division  
Department of Justice  
Washington, D.C. 20530  
Attorney for Defendant

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

**FILED**

NOV 19 1982 *hm*

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

NEW HAMPSHIRE INSURANCE )  
 COMPANY, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 JEFFREY CHRISTIAN, a minor, )  
 JOHN FRANCIS CHRISTIAN, as )  
 guardian ad litem for )  
 Jeffrey Christian, PREMIER )  
 PONTIAC, INC., and MARTIN )  
 DALE MCCOLLUM, )  
 )  
 Defendants. )

No. 82-C-497-E ✓

JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW on this 19<sup>th</sup> day of November,

1982, the above styled and numbered cause coming on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, on the plaintiff's Application for Default Judgment against the defendants John Francis Christian and Jeffrey Christian. The Court after reviewing the file finds that the plaintiff has filed its Affidavit in support of default judgment and Affidavit of non-military service. The Court finds that the defendants John Francis Christian and Jeffrey Christian have been duly and properly served with Summons and Complaint requiring them to answer within thirty (30) days after service. The Court further finds that John Francis Christian and Jeffrey Christian have failed to further plead or answer within the allotted time and that default should be entered against each of said defendants on the day above named.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a judgment should be rendered in favor of plaintiff, New Hampshire Insurance Company, and against the defendants John Francis Christian and Jeffrey Christian determining that the plaintiff is not obligated under said

policy of insurance in connection with said 1975 Chevrolet pickup and in connection with the accident in which it was involved on the 17th day of July, 1980.

  
Judge of the District Court

CERTIFICATE OF MAILING

I hereby state and certify that a true and correct copy of the above and foregoing was mailed on this \_\_\_\_\_ day of \_\_\_\_\_, 1982, with postage thereon fully prepaid to Jeffrey Christian and John Francis Christian, Route 6, Box 162, Broken Arrow, Oklahoma 74012; Bruce A. McKenna, Attorney at Law, 3140 South Winston, #2, Tulsa, Oklahoma 74135; Jeffrey S. Wolfe, Attorney at Law, 525 South Main, Suite 210, Tulsa, Oklahoma 74103; and Barry A. Heaver, Attorney at Law, 2745 East Skelly Drive, #109, Tulsa, Oklahoma 74105.

\_\_\_\_\_  
Michael D. Gilliard

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

**FILED**  
NOV 19 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

DAVID J. & GLENDA L. SMITH, )  
husband and wife, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
RUBY J. ROBERTS, )  
 )  
Defendant. )

No. 81-C-358-E ✓

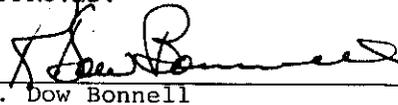
STIPULATION AND ORDER OF DISMISSAL

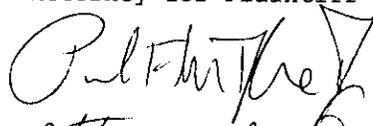
THIS CAUSE, having been fully compromised and settled between the parties, it is hereby stipulated, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, that the complaint and cause be, and they are hereby dismissed with prejudice, each party to pay its own costs.

DATED this 17th day of November, 1982.

  
UNITED STATES DISTRICT JUDGE

APPROVED:

  
R. Dow Bonnell  
Attorney for Plaintiff

  
attorney for Defendant

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 LARRY G. TODD, )  
 )  
 Defendant. )

No. 81-C-667-E ✓

**FILED**  
NOV 19 1982 *hm*  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

O R D E R

The Court has now before it a Motion sua sponte to Dismiss the above styled cause of action.

On September 20, 1982, this Court entered a Minute Order granting the Plaintiff until October 20, 1982 to perfect service upon the above named Defendant. The Order specified that failure to so perfect service would result in dismissal of the action.

The record indicates service has not yet been perfected.

IT IS THEREFORE ORDERED, that the above styled action is hereby dismissed.

Dated this 19<sup>th</sup> day of November, 1982.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

FILED  
NOV 1 1982  
U.S. DISTRICT COURT

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) CIVIL ACTION NO. 82-C-825-B  
 )  
 ROBERT J. GRAYSON, )  
 )  
 Defendant. )

AGREED JUDGMENT

This matter comes on for consideration this 18th day of November, 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, Robert J. Grayson, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that Defendant, Robert J. Grayson, was personally served with Summons and Complaint on September 10, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount of \$709.56 (less the sum of \$30.00 which has been paid), plus accrued interest at the rate of 7 percent per annum from June 26, 1981, until the date of this Judgment, plus interest at the legal rate on the principal sum of \$709.56 (less the sum of \$30.00 which has been paid) 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, Robert J. Grayson, for the principal sum of \$709.56 (less the sum of \$30.00 which has been paid), plus accrued interest at the rate of 7 percent per annum from June 26, 1981, until the date of this Judgment, plus interest at the legal rate on the principal sum of

\$709.56 (less the sum of \$30.00 which has been paid) from the date of this Judgment until paid.

S/ THOMAS R. BRETT

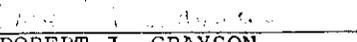
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

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

  
ROBERT J. GRAYSON

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

FILED

NOV 19 1982 *fw*

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

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )

vs. )

MICHAEL J. HOUSTON, )

Defendant. )

No. 81-C-804-E

ORDER

The Court has now before it a Motion sua sponte to Dismiss the above styled cause of action.

On July 13, 1982, this Court entered a Minute Order granting the Plaintiff until August 27, 1982 to perfect service upon the above named Defendant. The Order specified that failure to so perfect service would result in dismissal of the action.

The record indicates service has not yet been perfected.

IT IS THEREFORE ORDERED, that the above styled action is hereby dismissed.

Dated this 19<sup>th</sup> day of November, 1982.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

FILED

NOV 19 1982

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-1036-B
JAMES R. COTTRELL,	)	
	)	
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 19th day of November, 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 notice of dismissal was served on each of the parties named herein by depositing the same to the clerk of the court for record on the 19th day of November, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

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

NOV 11 1982  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA  
MUSKOGEE COUNTY COURTHOUSE  
MUSKOGEE, OKLAHOMA

WILLIAM G. COX, JOSEPH F. )  
MUNDT, DONALD G. DAVIS, and )  
THOMAS H. HARGROVE, Similarly )  
Situatid Individuals, )

Plaintiffs, )

v. )

No. 81-C-372-E

THE GOODYEAR TIRE & RUBBER )  
COMPANY, a Delaware )  
Corporation, )

Defendant. )

ORDER DISMISSING CAUSE

The parties hereto, having previously filed Stipulated Dismissals pursuant to Fed. R. Civ. P. 41(a)(1) as to each and every Plaintiff herein, it is

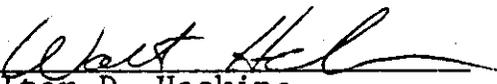
ORDERED, ADJUDGED AND DECREED that the causes of action herein, and each and every one of them, are hereby dismissed with prejudice against further proceeding therein, each party to bear his own costs and attorneys' fees.

DATED this \_\_\_\_\_ day of November , 1982.

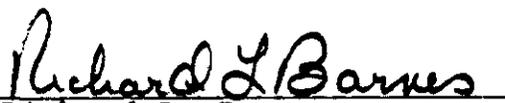
S/ JAMES O. ELISON  
UNITED STATES DISTRICT JUDGE

Approved as to form:

BEST, SHARP, THOMAS, GLASS  
& ATKINSON

  
Walter D. Haskins  
ATTORNEYS FOR PLAINTIFFS

NICHOLS & WOLFE, INC.

  
Richard L. Barnes  
ATTORNEYS FOR DEFENDANT

FILED

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

NOV 18 1982

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

DR. MARJORIE DAVIS, )  
 )  
 ) Plaintiff, )  
 )  
vs. )  
 )  
THE OKLAHOMA COLLEGE OF OSTEO- )  
PATHIC MEDICINE AND SURGERY, THE )  
BOARD OF REGENTS OF THE OKLAHOMA )  
COLLEGE OF OSTEOPATHIC MEDICINE )  
AND SURGERY, DR. WALTER WILSON, )  
LEONA HAGERMAN, SIMON PARKER, )  
DR. THOMAS J. CARLILE, JEANNE )  
SMITH, FANNIE HILL, and BARBARA )  
WALTER, )  
 )  
 ) Defendants. )

No. 81-C-103-BT  
82-C-797-B ✓

J U D G M E N T

In keeping with the Findings of Fact and Conclusions of Law entered this date, Judgment is hereby entered for the defendants, and each of them, and against the plaintiff, Dr. Marjorie Davis. The plaintiff is to pay the costs of this action and each party is to pay their own respective attorneys fees.

DATED this 17<sup>th</sup> day of November, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE



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

JOHN LOONEY, as Administrator for )  
the Estate of Viola Looney, )  
 )  
Plaintiff, )  
 )  
-v- )  
 )  
JOHN B. BARBOUR TRUCKING COMPANY, )  
and EARLY AMERICAN INSURANCE CO., )  
 )  
Defendants. )

No. 81-C-321-E

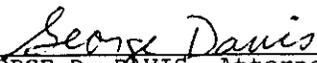
ORDER OF DISMISSAL

Based upon the Stipulation of Dismissal signed by all parties and filed herein and, premises considered, IT IS SO ORDERED that this cause against defendants is dismissed with prejudice.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

  
\_\_\_\_\_  
GEORGE D. DAVIS, Attorney  
for Plaintiffs  
Ninth Floor, City Center Building  
Main & Broadway  
Oklahoma City, Oklahoma 73102  
405/239-6444

  
\_\_\_\_\_  
W. R. CAHCART, Attorney for  
Defendants  
4609 North Classen Boulevard  
Oklahoma City, Oklahoma 73118  
405/848-1858

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

FRANKEY EVELYN CROSS, )

Plaintiff, )

vs. )

WISCONSIN LIFE INSURANCE )  
COMPANY, )

Defendant. )

No. 81-C-98-E

ORDER

The trial of this case commenced on October 25, 1982 before the undersigned Judge of this Court and a jury. Plaintiff's claim was for breach of contract, essentially alleging that the Defendant had refused to pay her claim pursuant to a policy of group insurance issued to Evelyn's Nursing Service, Inc. whereby eligible employees of said employer unit were entitled to apply for coverage.

Plaintiff presented her case, and at the close of Plaintiff's case on October 26, 1982, Plaintiff having rested, Defendant moved that the Court pursuant to Rule 50(a), Federal Rules of Civil Procedure, direct a verdict in favor of the Defendant and against the Plaintiff. Defendant having argued that Plaintiff had presented no proof that the deceased, James William Shores, was an eligible employee in accordance with the clear and unambiguous terms and provisions of the policy at issue, and having determined that said motion should be granted, it

is hereby

ORDERED, ADJUDGED and DECREED that Defendant's motion for directed verdict be and the same hereby is granted; it is further

ORDERED, ADJUDGED and DECREED that judgment be entered in favor of the Defendant Wisconsin Life Insurance Company and against the Plaintiff Frankey Evelyn Cross, that Plaintiff take nothing and that the Defendant recover its costs of Plaintiff;

ORDERED this \_\_\_\_\_ day of November, 1982.

*S/* JAMES O. ELLISON

\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

\_\_\_\_\_  
ART J. FLEAK  
111 West Fifth Street, Suite 800  
Tulsa, Oklahoma 74103  
ATTORNEY FOR PLAINTIFF

*Elsie Draper*  
\_\_\_\_\_  
ELSIE DRAPER OF  
GABLE & GOTWALS  
20th Floor, Fourth National Building  
Tulsa, Oklahoma 74119  
ATTORNEY FOR DEFENDANT

FILED

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

NOV 16 1982

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 STEVE B. NETHERTON, )  
 )  
 Defendant. )

No. 82-C-24-C ✓

ORDER OF DISMISSAL

On August 30, 1982 this Court vacated the Default Judgment filed in the present action on March 11, 1982 for the reason that the record failed to evidence that the defendant was properly served with process. In the August 30, 1982 Order the Court granted the plaintiff until October 1, 1982 to properly effectuate service of process upon the defendant. The Court further indicated in the August 30th Order that failure to effectuate proper service within the specified time period would result in dismissal of the instant action.

The Court has carefully reviewed the record herein and has determined that there is no evidence that proper service has been made upon defendant.

It is therefore the Order of this Court that the present action is dismissed without prejudice.

It is so Ordered this 18<sup>th</sup> day of November, 1982.

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

~~United States District Court ) ss  
(Northern District of Oklahoma)  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.  
Jack G. Silver, Clerk  
By \_\_\_\_\_  
Deputy~~

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

GUY C. LUCAS, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 81-C-453-C  
 )  
RALPH POWELL CINEMA PRODUC- )  
TIONS, INC., an Oklahoma )  
corporation, RALPH POWELL and )  
RONALD C. LEMON, )  
 )  
Defendants. )

FILED

NOV 1 1982

U.S. DISTRICT COURT

ORDER OF DISMISSAL

Upon the application of the Plaintiff and the Intervenors, it appearing that this cause has been fully settled and compromised, the above styled action is hereby dismissed with prejudice to the refiling thereof.

DATED the 18<sup>th</sup> day of November, 1982.

151 H. Dale Cook  
DISTRICT JUDGE

~~NOTE: THIS ORDER IS TO BE MAILED  
BY MOVANT TO ALL COUNSEL AND  
PRO SE LITIGANTS IMMEDIATELY  
UPON RECEIPT.~~

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

JACK D. COLLINS, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 TIME INSURANCE CO., INC., )  
 )  
 Defendant.)

No. 82-C-569-B

DISTRICT COURT

STIPULATION OF DISMISSAL

IT IS hereby stipulated that the above-entitled action  
is dismissed with prejudice, each party to bear his own costs.

Dated this 12<sup>th</sup> day of November, 1982.

RHODES, HIERONYMUS, JONES, TUCKER & GABLE

By: William B. Selman  
WILLIAM B. SELMAN  
2900 Fourth National Bank Building  
Tulsa, Oklahoma 74119  
(918) 582-1173

Attorneys for the Defendant

CHAPEL, WILKINSON, RIGGS, ABNEY & HENSON

By: L. Richard Howard  
L. RICHARD HOWARD  
502 West Sixth Street  
Tulsa, Oklahoma 74119  
(918) 587-3161

Attorneys for the Plaintiff

United States District Court

FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

NOV 16 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

HELEN CULLISON,  
Plaintiff,  
  
JACK WEIDEMIER, a/k/a  
J.B. Weidemier,  
Defendant.

CIVIL ACTION FILE NO. 81-C-877-E

JUDGMENT

This action came on for trial (hearing) before the Court, Honorable James O. Ellison  
, 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 having found in favor of the Plaintiff,  
and against the Defendant, assesses actual damages in the amount of  
-0-. Each party to bear its' own costs.

Dated at Tulsa, Oklahoma , this 16th day  
of November , 19 82.

  
Clerk of Court  
JACK C. SILVER

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

**FILED**

NOV 25 1982

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

RANGER INSURANCE COMPANY, )  
a New York corporation, )  
 )  
Plaintiff, )  
 )  
-vs- )  
 )  
W. D. CARTER, d/b/a CARTER )  
L.P. GAS and WILLIAM E. )  
WHITEAKER, )  
 )  
Defendants.)

No. 80-C-672-B

O R D E R

On the 16th day of November, 1982, upon stipulation of the parties and an agreement orally entered into for settlement of the personal injury liability case to which this action relates, namely Case No. 79-C-716-B, it is ordered by the Court that this action be dismissed by reason of settlement and dismissal of Case No. 79-C-716-B of this Court.

S/ THOMAS R. BRETT

\_\_\_\_\_  
THOMAS R. BRETT  
United States District Judge

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

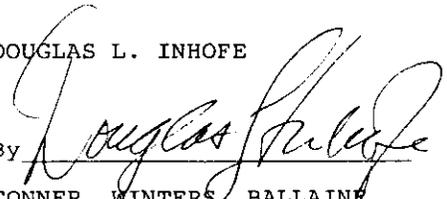
L. B. SMITH, INC., a Pennsylvania corporation,  
Plaintiff,  
vs.  
IMPERIAL COAL COMPANY, an Oklahoma corporation,  
Defendant.

No. 79-C-636-E

PARTIES' JOINT STIPULATION  
FOR DISMISSAL

It is hereby stipulated by each of the parties herein, pursuant to Rule 41(a)(1)(ii), F. R. Civ. P., that the above-entitled case and the Complaint filed therein be dismissed without prejudice.

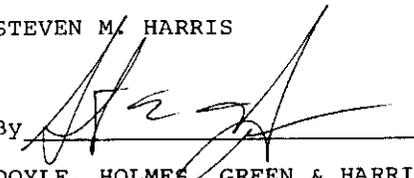
DOUGLAS L. INHOFE

By 

CONNER, WINTERS, BALLAINE,  
BARRY & MCGOWEN  
2400 First National Tower  
Tulsa, Oklahoma 74103  
(918) 586-5711

Attorneys for Plaintiff  
L. B. SMITH, INC.

STEVEN M. HARRIS

By 

DOYLE, HOLMES, GREEN & HARRIS  
Post Office Box 1679  
Tulsa, Oklahoma 74101  
(918) 582-0090

Attorneys for Defendant  
IMPERIAL COAL COMPANY

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

VICKIE WALENTA, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 81-C-883-B  
 )  
 THE MUTUAL LIFE INSURANCE )  
 COMPANY OF NEW YORK, a )  
 foreign insurer, )  
 )  
 Defendant. )

**FILED**

NOV 12 1982

STIPULATION FOR DISMISSAL

Plaintiff and Defendant, through their respective  
counsel, hereby stipulate that the above action should be dis-  
missed with prejudice.

BLACKSTOCK JOYCE POLLARD  
BLACKSTOCK & MONTGOMERY

By: *Edward F. Montgomery*  
Edward F. Montgomery  
515 S. Main Mall, Suite 300  
Tulsa, Oklahoma 74103  
918/585-2751

ATTORNEYS FOR PLAINTIFF

CROWE & DUNLEVY  
A Professional Corporation

By: *David L. Thomas*  
David L. Thomas  
1800 Mid-America Tower  
20 North Broadway  
Oklahoma City, Oklahoma 73102  
405/235-7700

ATTORNEYS FOR DEFENDANT

**FILED**  
NOV 12 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER

For good cause shown and based on the stipulation of  
all parties, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this  
case is dismissed with prejudice.

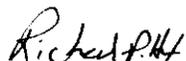
S/ THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

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

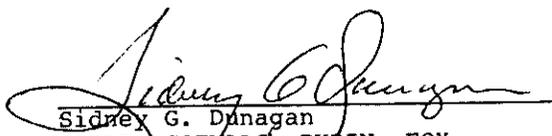
CARBONEX COAL COMPANY, )  
 )  
 ) Plaintiff, )  
 )  
 vs. ) No. 78-C-516-~~AB~~  
 )  
 ) UNITED MINE WORKERS OF AMERICA, )  
 ) and Steve Galati, its Western )  
 ) Region Director, Tom Pysell, its )  
 ) Western Region Deputy Director, )  
 ) Donald E. Lawley, its District )  
 ) 21 Executive Board Member, and )  
 ) Richard W. Noble, its agent, )  
 )  
 ) Defendants. )

STIPULATION OF DISMISSAL

COME NOW Carbonex Coal Company, Plaintiff herein, and United Mine Workers of America, Steve Galati, its Western Region Director, Tom Pysell, its Western Region Deputy Director, Donald E. Lawley, its District 21 Executive Board Member, and Richard W. Noble, its agent, Defendants herein, and pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby stipulate that the present action is dismissed. The above named parties are all parties who have appeared in this action.

  
Richard P. Hix  
DOERNER, STUART, SAUNDERS,  
DANIEL & ANDERSON  
1000 Atlas Life Building  
Tulsa, Oklahoma 74103  
(918) 582-1211

Attorneys for Plaintiff

  
Sidney G. Dunagan  
GABLE, GOTWALS, RUBIN, FOX,  
JOHNSON & BAKER  
20th Floor  
Fourth National Bank Building  
Tulsa, Oklahoma 74119  
(918) 583-9201

Attorneys for Defendants.

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

**FILED**

NOV 10 1982 *hm*

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

EAGLE RESOURCES, INC., a )  
foreign corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
WESTERN NATIONAL BANK, a )  
corporation, )  
 )  
Defendant. )

No. 82-C-515-E ✓

ORDER OF DISMISSAL WITH PREJUDICE

On this 10<sup>th</sup> day of November, 1982 the undersigned Judge of the United States District Court for the Northern District of Oklahoma, having been presented with the parties Stipulation For Dismissal with prejudice, and after full review and being fully advised in the premises finds that said Stipulation should be approved and,

IT IS THEREFORE ORDERED that this case be dismissed with prejudice to the filing of another action, each of the parties bearing their own respective costs incurred herein.

*James Ellison*  
\_\_\_\_\_  
JAMES ELLISON  
United States District Judge

APPROVER:

*James H. Bellingham*  
\_\_\_\_\_  
JAMES H. BELLINGHAM of the firm  
McCLELLAND, COLLINS, BAILEY,  
BAILEY & MANCHESTER  
600 Hightower Building  
Oklahoma City, Oklahoma 73102  
(405) 235-9371  
ATTORNEYS FOR PLAINTIFF  
EAGLE RESOURCES, INC.

*Claire E. Barrett*  
\_\_\_\_\_  
CLAIRE E. BARRETT  
4100 Bank of Oklahoma Tower  
One Williams Center  
Tulsa, Oklahoma 74172  
(918) 588-2700  
ATTORNEY FOR DEFENDANT  
WESTERN NATIONAL BANK

FILED

NOV 10 1982

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

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

JESSE C. BELLMYER, d/b/a )  
 J.C. FANK TRUCK SERVICE, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 MISSOURI PACIFIC RAILROAD )  
 COMPANY, a Delaware corporation, )  
 )  
 Defendant. )

NO. 82 C 219 E

ORDER OF DISMISSAL

ON THIS 10<sup>th</sup> day of November, 1982, upon the written application of the parties the Court finds the settlement as set forth in said Application is fair, reasonable and equitable under the circumstances and the defendant shall submit a General Release and a Dismissal Without Prejudice and plaintiff shall submit a Dismissal Without Prejudice and all causes of action between this plaintiff and this defendant shall be ordered dismissed accordingly.

*s/* JAMES O. ELISOF

JUDGE OF THE UNITED STATES DISTRICT COURT

*Ch. Wm R. Porsen*

FILED

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

NOV 10 1982

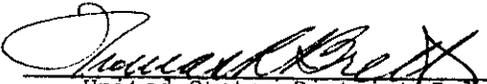
JACK C. FURSE, Clerk  
U. S. DISTRICT COURT

BRADFORD SECURITIES OPERATIONS, )  
 INC., )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 PLAZA BANK AND TRUST COMPANY, )  
 INC., et al., )  
 )  
 Defendants. )

No. 76-C-107-BT ✓

SEPARATE FINAL JUDGMENT FOR  
PLAZA BANK AND TRUST COMPANY

For the reasons set forth in the Court's Order of  
November 24, 1981 and because there is no just reason to delay,  
final judgment is hereby entered for defendant Plaza Bank and  
Trust Company against plaintiff pursuant to Rule 54(b), F.R.C.P.,  
without costs to either party.

  
United States District Judge

Dated: 11/10/82

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

FILED

NOV 10 1982

JACK D. STEVENS, CLERK  
U. S. DISTRICT COURT

JAMES A. HALSEY, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TOMMY OVERSTREET, )  
 )  
Defendant. )

No. 81-C-536-E

JOURNAL ENTRY OF JUDGMENT

On the 13th day of August, 1982, this cause came on in its regular order for Pretrial Conference pursuant to the Order of this Court. Plaintiff JAMES A. HALSEY, appears by and through his attorneys of record, Ronald S. Grant, Pray, Walker, Jackman, Williamson & Marljar. Defendant, although having been given notice of this hearing, appears not. Having reviewed the Court file and having heard statements of counsel, the Court finds as follows:

1. On May 17, 1982, the Court entered its Order allowing the withdrawal of the firm of Huffman, Arrington, Kihle, Gaberino & Dunn, as attorneys of record for Defendant herein effective upon the entry of appearance of substitute counsel or upon Defendant's filing of a statement to the effect that he wishes to represent himself in this matter.
2. Defendant has had actual knowledge of the aforementioned Order, as well as the Order setting this matter for Pretrial Conference.
3. Defendant has failed to either procure representation of substitute counsel or file a statement that he wishes to represent himself in this matter.
4. Plaintiff has filed with the Court a Proposed Pretrial Order in compliance with the rules of this Court. Defendant has failed to file such a Proposed Order.

5. It appears to the Court that the Defendant does not desire representation in this matter. Defendant has failed to assert any defense to Plaintiff's cause of action and, with the exception of a general denial, has filed no pleadings herein.

6. Defendant is in default, and judgment should be entered for Plaintiff pursuant to Plaintiff's Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. The firm of Huffman, Arrington, Kihle, Gaberino & Dunn is released from representation of Defendant by reason of Defendant's failure to comply with the Order of this Court dated May 17, 1982. The withdrawal of counsel for Defendant is specifically ordered prior to the entry of judgment herein.

2. Judgment is hereby entered in favor of Plaintiff in the sum of \$15,000.00, with interest thereon at the <sup>current statutory</sup> rate of ~~15%~~ ~~per annum~~ from the date of judgment until paid, plus costs.

S/ JAMES O. ELLISON  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

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

FIAT MOTORS OF NORTH AMERICA, INC., )  
a New York corporation, )

Plaintiff, )

vs. )

CENTURY BANK, an Oklahoma corpora- )  
tion; AUTO WORLD, LTD., an Oklahoma )  
corporation; DONALD THORNTON, an )  
individual; CHARLES L. PARKER, an )  
individual; THOMAS G. MARSH, an )  
individual; and ROBERT BINGHAM, AN )  
individual, )

Defendants. )

No. 82-C-883-B

**FILED**

NOV 10 1982

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

NOTICE OF DISMISSAL

Please take notice that the above-entitled action is hereby  
dismissed without prejudice.

RHODES, HIERONYMUS, JONES, TUCKER & GABLE

By: William B. Selman  
WILLIAM B. SELMAN

2900 Fourth National Bank Building  
Tulsa, Oklahoma 74119  
(918) 582-1173

Attorneys for the Plaintiff

CERTIFICATE OF MAILING

I hereby certify that I have mailed true and correct copies  
of the foregoing Notice of Dismissal on this 10th day of November,  
1982, with sufficient postage fully prepaid to: Terry Doverspike,  
Esq., 2200 Fourth National Bank Building, Tulsa, OK 74119, attorney  
for Century Bank, and Thomas G. Marsh, Suite 210 Pepsico Bldg.,  
Tulsa, OK 74119.

William B. Selman  
WILLIAM B. SELMAN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 10 1982

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

RAYMOND J. DONOVAN, Secretary  
of Labor, United States Department  
of Labor,

Plaintiff,

v.

FOX DRILLING COMPANY,  
a Corporation, and ARTHUR H. FOX,  
an Individual,

Defendants.

Civil Action File

No. 82-C-595-B

ORDER

Plaintiff's motion to dismiss as to defendant Arthur H. Fox, having come on for consideration and it appearing that good cause to grant same has been shown, it is hereby

ORDERED, ADJUDGED and DECREED that the above-styled and numbered cause be and it hereby is dismissed without prejudice as to defendant Authur H. Fox with each party to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Signed and entered this 10<sup>th</sup> day of November, 1982.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

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

JERRY R. RUSHING, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 JOHN STREET, et al., )  
 )  
 Defendants. )

**FILED**

NOV 10 1982 *hm*

No. 81-C-462-B✓

JACK C. SLIVER, Clerk  
U S DISTRICT COURT

J U D G M E N T

Pursuant to the Order sustaining the motion for summary judgment filed this date, IT IS HEREBY ORDERED AND ADJUDGED the defendants are to have judgment against the plaintiff.

DATED this 10th day of November, 1982.



THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

**FILED**

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

NOV 10 1982 *hm*

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

ROBERT E. COTNER #93780 )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
WARDEN MACK ALFORD, et al )  
 )  
Defendants. )

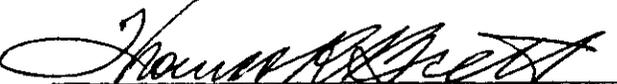
Case No. 82-C-1011-BT ✓  
Eastern District of Oklahoma  
Case No. 82-427-C

O R D E R

The Petitioner has filed an Application for Writ of Habeas Corpus challenging the validity of the Oklahoma Department of Corrections policy of determining credit for time served on this Petitioners sentence. The Petitioner alleges violation of his constitutional rights. The Petitioner is imprisoned in the Stringtown Correctional Center, in the Eastern District of Oklahoma. If the allegations are true it may be that the Petitioner is entitled to relief. In the event of an evidentiary hearing, the witnesses and documentary evidence are more accessible in the Eastern District of Oklahoma. The Court finds in the exercise of its discretion and in furtherance of justice that this action should be transferred to the Eastern District of Oklahoma in accordance with 28 U.S.C. 2241(d).

IT IS THEREFORE ORDERED that this action be transferred forthwith to the United States District Court for the Eastern District of Oklahoma at Muskogee, Oklahoma.

Dated November 10, 1982

  
Thomas R. Brett  
U.S. District Judge

FILED

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

NOV 10 1982

John W. Brett, Clerk  
U. S. District Court

HENRY DALE FOSTER, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE EMPIRE DISTRICT )  
 ELECTRIC COMPANY, )  
 )  
 Defendant. )

No. 82-C-427-B

ORDER OF DISMISSAL WITHOUT PREJUDICE

NOW ON THIS 10 day of November, 1982, there comes on for hearing the Application for Order of Dismissal Without Prejudice of plaintiff's cause. The Court finds that a settlement has been reached by the parties and that this case should be dismissed without prejudice.

IT IS SO ORDERED.

S/ THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

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

NOV 10 1982 *hm*

JACK R. ROBERTS, JR.  
U. S. DISTRICT COURT

TOMMY LEE BROWN and )  
JACKIE LOUELLA BROWN, )  
husband and wife, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
SAFEWAY STORES, INCORPORATED, )  
a foreign corporation, )  
 )  
Defendant. )

No. C-82-550-BT ✓

ORDER

NOW on this 10<sup>th</sup> day of November, 1982, the above entitled cause comes on for hearing before me, the undersigned United States District Judge for the Northern District of Oklahoma upon the Application and Stipulation of Dismissal filed herein jointly by the Plaintiffs and Defendant. That for good cause shown:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiffs' and Defendant's Application and Stipulation of Dismissal should be and is hereby granted with the above entitled cause hereby dismissed without prejudice pursuant to the terms and conditions of the Stipulation of Dismissal filed herein.

DATED this 10 day of November, 1982.

*Robert J. Roberts, Jr.*  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

NOV 10 1982 *hm*

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

RAYMOND J. DONOVAN, Secretary )  
of Labor, United States Department )  
of Labor, )

Plaintiff, )

v. )

FOX DRILLING COMPANY, )  
a Corporation, and ARTHUR H. FOX, )  
an Individual, )

Defendants. )

Civil Action File

No. 82-C-595-B ✓

JUDGMENT

Plaintiff has filed his complaint and defendant, Fox Drilling Company without admitting it has violated any provision of the Fair Labor Standards Act of 1938 has agreed to the entry of judgment without contest. It is, therefore, upon motion of the plaintiff and for cause shown,

ORDERED, ADJUDGED and DECREED that defendant, its officers, agents, servants, employees and all persons in active concert or participation with it be and they hereby are permanently enjoined and restrained from violating the provisions of Sections 7, 11(c), 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. Section 201, et seq., hereinafter referred to as the Act, in any of the following manners:

A. Defendant shall not, contrary to sections 7 and 15(a)(2) of the Act, 29 U.S.C. §§207 and 215(a)(2) employ any employee in commerce or in the production of goods for commerce, or in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than forty (40) hours, unless the employee receives compensation for his employment in excess of forty (40) hours at a rate not less than one and one-half times the regular rate at which he is employed.

B. Defendant shall not, contrary to sections 11(c) and 15(a)(5) of the Act, 29 U.S.C. §§211(c) and 215(a)(5), fail to make, keep and preserve adequate and accurate records of the persons employed by it, and the wages, hours and other conditions and practices of employment maintained by it as prescribed by regulations issued by the Administrator of the Employment Standards Administration, United States Department of Labor (29 C.F.R. Part 516).

It is further ORDERED, ADJUDGED and DECREED that defendant be, and it hereby is, enjoined and restrained from withholding payment of overtime compensation in the total amount of \$33,668.75, which the Court finds is due under the Act to defendant's employees named in Exhibit "A" attached hereto in the amounts indicated for the period indicated. In accordance with this Court's Order of September 15, 1982, the parties stipulate and agree that no

attempt will be made to collect the overtime compensation found due under this Judgment outside of the Bankruptcy Court by contempt action against the officers, directors and/or shareholders of the corporation. Plaintiff shall distribute the aforesaid unpaid wages to the employees named in Exhibit "A" in the amounts stated, less appropriate income tax and social security deductions, or to their estate if necessary. In the event that any of said money cannot be distributed within a reasonable period of time from plaintiff's receipt thereof because of inability to locate a proper person, or because of their refusal to accept such sum, the plaintiff shall deposit such funds with the Clerk of the Court who shall forthwith deposit such money with the Treasurer of the United States pursuant to 28 U.S.C. §2041.

It is further ORDERED that the right of the employees named in Exhibit "B" attached hereto to bring an action pursuant to Section 16(b) of the Act for unpaid minimum wages or overtime compensation should not be deemed terminated by the filing of this action by the Secretary of Labor, that the filing of this action or any judgment, order of dismissal or other final disposition of this action shall not be interposed as a defense in any such action and that the statute of limitations pertaining to any such action shall be deemed tolled during the pendency of this action.

It is further ORDERED, that each of the parties shall bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Dated this 10<sup>th</sup> day of November,  
1982.

  
UNITED STATES DISTRICT JUDGE

Defendant consents to the  
entry of this judgment:

BOONE, SMITH, DAVIS & HURST

  
REUBEN DAVIS  
Attorney for George Thompson,  
Trustee for Fox Drilling Co.

Plaintiff moves for entry  
of this judgment:

T. TIMOTHY RYAN, JR.  
Solicitor of Labor

JAMES E. WHITE  
Regional Solicitor

HERIBERTO DE LEON  
Counsel for Employment Standards

BY:

  
BOBBIE J. GANNAWAY  
Trial Attorney

Attorneys for RAYMOND J.  
DONOVAN, Secretary of Labor,  
United States Department of  
Labor,

Plaintiff.

SOL Case No. 17501

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg.  
717 S. Houston, Tulsa, OK 74129094

PAYMENT TO BE COMPLETED AND ORIGINAL COPY  
OF RECEIPT (S) MAILED TO OFFICE DESIGNATED  
BY \_\_\_\_\_

COMPLIANCE OFFICER  
R. G. O'Neal

DATE  
2/9/82

Page One

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS- DUE
Adams, Garland		11/1/80	7/31/81	1	403.10
Adkins, Ted L.		11/1/80	12/31/80	1	152.24
Alexander, Samuel		11/1/80	12/31/80	1	12.74
Allen, James Phillip		11/1/81	7/31/81	1	23.22
Allison, Jr. Randy		11/1/81	7/31/81	1	10.55
Anderson, Kip		11/1/81	7/31/81	1	75.10
Aubrey, Bill W.		11/1/81	7/31/81	1	385.36
Barachman,		11/1/81	8/28/81	1	77.22
Bates, Pat A.		11/1/80	8/28/81	1	497.31
Bearden, Lonny D.		11/1/80	12/31/80	1	91.33
Bennett, Chuck Dale		11/1/80	12/31/80	1	12.19
Bickings, David		11/1/80	12/31/80	1	68.36
Biggs, Floyd W.		11/1/80	12/31/80	1	34.56
Blue, Carl F.		11/1/80	12/31/80	1	115.64
Blue, Glen		11/1/80	12/31/80	1	86.59
Blythe, Joseph Warren		11/1/80	12/31/80	1	37.26
Bohlmeyer, Tom		11/1/81	7/31/81	1	51.30
Braden, Murphy Wayne		7/1/81	7/31/81	1	186.96
Bradsher, Royce Jr.		11/1/81	7/31/81	1	19.88
<del>_____</del> , Kevin		11/1/81	7/31/81	1	100.28

Sub-TOTAL

Brewer

Name and address of establishment:

Fox Drilling Co.  
Tulsa, OK

Exhibit A  
Page 1 of 13 Pages

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
ADEA 6  
CCPA 7

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg.  
717 S. Houston, Tulsa, OK 74127-9094

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COMPLIANCE OFFICER  
R.G. O'Neal

DATE  
2/9/82

Page Two

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Bright, Kevin		1/1/81	7/31/81	1	61.82
Brown, Donald D.		1/1/80	12/31/80	1	56.45
Brown, Earnest G.		1/1/80	12/31/80	1	64.74
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
Brunt, Theodore III		1/1/81	7/31/81	1	18.20
Burk, Aaron G., Jr.		1/1/80	12/31/80	1	17.94
Butcher, Eddie		1/1/80	12/31/80	1	24.00
Byfield, Donald G.		1/1/80	12/31/80	1	80.16
Cain, James Ernest		1/1/81	7/31/81	1	28.93
Callahan, Michael A.		1/1/80	7/31/81	1	150.58
Campbell, Larry		1/1/81	7/31/81	1	101.42
Cannon, Eddie		1/1/80	7/31/81	1	478.48
Canter, Michael		1/1/81	7/31/81	1	92.54
Carns, John P., Jr.		1/1/80	7/31/81	1	145.00
Carson, A.J.		1/1/80	7/31/81	1	961.37
Case, Jack A.		1/1/81	7/31/81	1	15.86
Christensen, B.		1/1/80	12/31/80	1	21.85
Clements, Jimmy D.		1/1/81	7/31/81	1	47.00
Clements, Steven John		1/1/81	7/31/81	1	46.87
Cloud, Chris		1/1/80	12/31/80	1	329.05

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK

Exhibit A

Page

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Pages

\*Column 4-Code  
 1 FLSA  
 2 PCA  
 3 SCA  
 4 DBRA  
 5 CWHSSA  
 6 ADEA  
 7 CCPA

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg.  
717 S. Houston, Tulsa, OK 74179094  
COMPLIANCE OFFICER  
R.G. O'Neal

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DATE

2/10/82

Page Three

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Cloud, Dennis Ray (Danny)		1/1/80	7/31/81	1	29.30
Cloud, Fred C.		1/1/80	12/31/80	1	70.17
Coddington, Nicole		1/1/80	12/31/80	1	24.00
Coffman, Donald D.		1/1/80	7/31/81	1	593.08
Coffman, John		1/1/81	7/31/81	1	67.50
Cole, Bob		1/1/81	7/31/81	1	128.06
Cole, Jimmy Lee		1/1/80	7/31/81	1	234.31
Coleman, Tony		1/1/81	7/31/81	1	36.30
Collins, Douglas		1/1/81	7/31/81	1	70.98
Collins, Richard Jr.		1/1/81	7/31/81	1	148.80
Compton, Mark		1/1/81	7/31/81	1	213.83
Cramer, Donald Lee		1/1/80	12/31/80	1	20.30
Crawford, Harold D.		1/1/80	12/31/80	1	10.38
Creekmore, Richard A.		1/1/81	7/31/81	1	52.80
Cunningham, Milton		1/1/80	12/31/80	1	34.80
Curry, Jim		1/1/80	7/31/81	1	324.64
Cypert, Tink		1/1/81	7/31/81	1	29.40
Dauber, Bryan		1/1/80	12/31/80	1	24.00
Davidson, Michael E.		1/1/80	7/31/81	1	487.06
Dawson, Mike John		1/1/80	12/31/80	1	139.07

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK 7

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of

13

Page

\*Column 4-Code  
FLSA 1  
PCA 2  
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U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

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COMPLIANCE OFFICER  
R.G. O'Neal

DATE  
2/10/82

Page Four

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Dean, Jay Harrison		11/1/81	7/31/81	1	247.98
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
DeShazer, Steve		11/1/81	7/31/81	1	78.84
Downing, Dan		11/1/80	7/31/81	1	91.54
Mr Easley, Montey R.		11/1/80	7/31/81	1	162.52
Eaton, Edwin Lee		11/1/80	12/31/80	1	18.15
Eaton, Lawrence Wayne		11/1/81	7/31/81	1	63.20
Edwards, Glen Robert		11/1/80	12/31/80	1	10.11
Elliott, John R.		11/1/80	7/31/81	1	202.94
Ellis, Andrew		11/1/81	7/31/81	1	45.48
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
Enloe, John		11/1/81	7/31/81	1	10.83
Evans, Christina M.		11/1/80	12/31/80	1	56.35
Farmer, Lee Duane		11/1/81	7/31/81	1	138.24
Felder, Lawrence		11/1/81	8/28/81	1	461.26
Fish, Paul L, III		11/1/80	12/31/80	1	157.10
Fox, Joseph E.		11/1/80	12/31/80	1	51.28
Gallatin, Jay		12/26/80	7/31/81	1	145.13

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK

\*Column 4-Code

- FLSA 1
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Pages

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg.  
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COMPLIANCE OFFICER: R.G. O'Neal DATE: 2/10/82

Page Five

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Giblet, Don		1/1/81	7/31/81	1	88.20
Gibson, Robert Allen		1/1/80	12/31/80	1	34.83
Green, Harold Calvin		1/1/81	7/31/81	1	11.16
Green, Larry James		1/1/81	7/31/81	1	10.00
Guest, Michael		1/1/80	7/31/81	1	147.85
Hambry, Dan		1/1/80	12/31/80	1	38.58
Hansen, Harold Lee		1/1/81	7/31/81	1	14.82
Harriger, Wade V.		1/1/80	12/31/80	1	42.24
Harry, George		1/1/81	7/31/81	1	68.78
Hatcher, David		1/1/80	12/31/80	1	87.76
Hedgcock, Jerry W.		1/1/80	7/31/81	1	873.03
Henderson, Jerry		1/1/81	7/31/81	1	19.95
Hendricks, Mark B.		1/1/80	12/31/80	1	189.40
Henley, Corbin		1/1/81	7/31/81	1	487.46
Herren, O.D.		1/1/80	12/31/80	1	48.52
Higgins, Martin W.		12/26/80	7/31/81	1	49.14
Hightfield, Sam		1/1/81	7/31/81	1	66.34
Holding, Sherri		1/1/80	12/31/80	1	299.63
Holloway, John III		1/1/81	7/31/81	1	68.68
Hollowell, Terry D.		1/1/80	7/31/81	1	220.71

Sub-TOTAL

Name and address of establishment:  
Fox Drilling Co.  
Tulsa, OK

Exhibit A

Page 5 of 13 Pages

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
ADEA 6  
CCPA 7

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg.  
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COMPLIANCE OFFICER: R.G. O'Neal  
DATE: 2/10/82

Page Six

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Horine, Tom		1/1/81	7/31/81	1	224.60
Horn, Edward		1/1/80	7/31/81	1	935.06
Horton, Kenneth L.		1/1/80	7/31/81	1	83.26
Hough, Brian		1/1/80	12/31/80	1	24.00
Hough, Len		1/1/81	7/31/81	1	81.05
Howe, Bill		1/1/80	12/31/80	1	60.00
Hull, Daniel		1/1/80	12/31/80	1	46.17
Hunt, Bill		1/1/80	7/31/81	1	290.28
Hurd, Gary		1/1/81	7/31/81	1	65.25
Hurd, Russell Eugene		1/1/80	7/31/81	1	90.56
Hutchison, Bryan, Jr.		1/1/81	7/31/81	1	322.94
Hutchison, James David		1/1/81	7/31/81	1	165.17
Hutchison, John		1/1/81	7/31/81	1	89.28
Ingram, David		1/1/81	7/31/81	1	154.44
Jenkins, Michael Allen		1/1/81	7/31/81	1	10.56
Jessup, James		1/1/81	7/31/81	1	22.43
Johnson, A. Jr.		1/1/80	12/31/80	1	18.08
Johnson, Ira L.		1/1/80	12/31/80	1	36.00
Jones, Howard T.		1/1/80	7/31/81	1	1432.39
Jones, John		1/1/81	7/31/81	1	15.20

Sub-TOTAL

Name and address of establishment:

Fox Drilling Co.  
Tulsa, OK

Exhibit A  
Page 6 of 13 Pages

- \*Column 4-Code
- FLSA 1
- RCA 2
- SCA 3
- DBRA 4
- CWHSSA 5
- ADEA 6
- CCPA 7

Room 306, Houston Ce - Bldg.  
717 S. Houston, Tulsa, OK 741279094

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COMPLIANCE OFFICER DATE  
R.G. O'Neal 2/10/82

Page Seven

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Jump, Bill		1/1/81	7/31/81	1	27.00
Kekahbah, Charles		1/1/81	7/31/81	1	19.18
Kendrick, Lloyd		1/1/81	7/31/81	1	12.80
Kennedy, Terry		1/1/80	12/31/80	1	107.00
Kenworthy, Pete		1/1/80	7/31/81	1	48.57
Kinman, Mike		1/1/81	7/31/81	1	379.71
Kozak, David W.		1/1/81	7/31/81	1	117.11
Kreuzburg, Steve		1/1/80	7/31/81	1	162.08
Labelle, Lance		1/1/80	12/31/80	1	25.20
Lady, Alvin Ray		1/1/81	7/31/81	1	24.00
Lady, Judson Melvin		1/1/81	7/31/81	1	17.92
Lane, Michael G.		1/1/81	7/31/81	1	10.90
Lee, Richard		1/1/80	12/31/80	1	28.94
Lemmons, Ronald J.		1/1/80	7/31/81	1	415.95
Lewis, Rick		1/1/80	12/31/80	1	12.00
Lindsey, Bruce W.		1/1/80	7/31/81	1	589.80
Lindsey, Kirk		1/1/81	7/31/81	1	12.74
Lively, Alan L.		1/1/80	12/31/80	1	53.40
Loop, Donald R.		1/1/80	7/31/81	1	516.09
Lovely, William L.		1/1/81	7/31/81	1	15.28

Name and address of establishment

Sub-TOTAL

Fox Drilling Co.  
Tulsa, OK

Page 7 of 13

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
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ADEA 6  
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WAGE AND HOUR DIVISION

Room 306, Houston Center Bldg,  
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DATE  
2/10/82

Page Eight

1. NAME	2. ADDRESS.	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Lowden, Gary Lee		1/1/80	12/31/80	1	22.79
Lumley, Earl Dean		1/1/80	12/31/80	1	18.15
Malone, Robert Jr.		1/1/80	7/31/81	1	280.61
Markham, Bud		1/1/81	7/31/81	1	73.80
Marler, Virgil Earnest		1/1/80	12/31/80	1	13.80
Marsh, Bill		1/1/80	12/31/80	1	24.00
Martin, Gary		1/1/80	7/31/81	1	422.18
Martin, Samuel A.		1/1/81	7/31/81	1	14.96
McBride, Mike		1/1/80	7/31/81	1	587.63
McConnell, Robert Dean		1/1/80	7/31/81	1	86.26
McElroy, Jack Jr.		1/1/80	7/31/81	1	236.92
McGuire, John		1/1/80	7/31/81	1	202.14
McKinney, Dennis Lee		1/1/80	7/31/81	1	230.69
McKinney, Otis Leroy		1/1/80	12/31/80	1	111.87
Meyer, David		1/1/81	7/31/81	1	75.08
Mills, David		1/1/80	7/31/81	1	71.67
Mills, Dean		1/1/81	7/31/81	1	23.00
Mills, Dewart H.		1/1/80	7/31/81	1	52.11
Mills, Gene		1/1/81	7/31/81	1	28.00
Mills, Ira		1/1/81	7/31/81	1	93.76

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK

Page 8 of 13

- \*Column 4-Code
- FSA 1
  - PCA 2
  - SCA 3
  - DBRA 4
  - CWHSSA 5
  - ADEA 6
  - CCPA 7

See Reverse Side for Instructions

Form WH-56  
(Rev. June 1976)

Room 306, Houston Center Bldg.  
717 S. Houston, Tulsa, OK 74127-9094

PAYMENT TO BE COMPLETED AND ORIGINAL COPY  
OF RECEIPT (S) MAILED TO OFFICE DESIGNATED  
BY \_\_\_\_\_

COMPLIANCE OFFICER  
R.G. O'Neal

DATE  
2/10/82

Page Nine

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Mills, Larry		11/1/81	7/31/81	1	112.62
Millsbaugh, David		11/1/81	7/31/81	1	19.74
Mincey, William		11/1/81	7/31/81	1	18.86
Morrison, M.		11/1/80	12/31/80	1	229.50
Morrison, Randy		11/1/80	12/31/80	1	393.84
Mundy, Frank		11/1/80	7/31/81	1	815.80
Myers, Kevin		11/1/81	7/31/81	1	31.59
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]	1	6,185.52
Nading, L.		11/1/81	7/31/81	1	60.83
Nicholas, Carl		11/1/80	7/31/81	1	235.23
Norvell, Mark		11/1/80	12/31/80	1	81.14
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
Oleskiewicz, David		11/1/80	12/31/80	1	36.04
Otholdt, Terry		11/1/80	7/31/81	1	331.88
Overlease, Rocky Lee		11/1/81	7/31/81	1	24.92
Owens, Larry		11/1/80	7/31/81	1	188.83
Owens, Ronald D.		11/1/81	7/31/81	1	37.80
Paluso, Dennis		11/1/80	7/31/81	1	147.41
Payne, Reg		11/1/81	7/31/81	1	133.16

Name and address of establishment

Sub-TOTAL

Fox Drilling Co.  
Tulsa, OK

Page 9 of 13 Pages

- \*Column 4-Code
- FLSA 1
  - PCA 2
  - SCA 3
  - DBRA 4
  - CWHSSA 5
  - ADEA 6
  - CCPA 7

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg.  
717 S. Houston, Tulsa, OK 74129099

PAYMENT TO BE COMPLETED AND ORIGINAL COPY  
OF RECEIPT (S) MAILED TO OFFICE DESIGNATED  
BY \_\_\_\_\_

COMPLIANCE OFFICER

DATE

R.G. O'Neal

2/23/82

Page Ten

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Pect, Bob		11/1/81	7/31/81	1	27.00
Peters, Mark		11/1/80	12/31/80	1	26.70
Pinkerton, C.		11/1/80	12/31/80	1	141.60
Pinkerton, Kay		11/1/80	12/31/80	1	60.92
Pogue, Anthony P.		11/1/80	12/31/80	1	96.89
Powders, Archie		11/1/80	12/31/80	1	63.99
Prochaska, George V.		11/1/81	7/31/81	1	66.90
Pryor, Lynn Alan		11/1/81	7/31/81	1	125.86
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]	1	[REDACTED]
Ratliff, Fred		11/1/81	7/31/81	1	11.03
Reed, LeRoy		11/1/80	7/31/81	1	322.54
Reed, Ronnie L.		11/1/80	12/31/80	1	69.13
Reese, Mike		11/1/80	12/31/80	1	86.98
Reibert, Carl		11/1/81	9/18/81	1	58.38
Reynolds, Don		11/1/81	7/31/81	1	143.36
Rhynes, Brian K.		11/1/80	7/31/81	1	75.84
Riser, Kenny		11/1/81	7/31/81	1	56.70
Robinson, Mark Wayne		11/1/81	7/31/81	1	33.88
Robinson, Marshall L.		11/1/80	7/31/81	1	254.72

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK

Page 10 of 13

Exhibit A

\*Column 4-Code

- FLSA 1
- PCA 2
- SCA 3
- DBRA 4
- CWHSSA 5
- ADEA 6
- CCPA 7

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

SUMMARY OF UNPAID WAGES

Room 306, Houston Center Bldg,  
717 S. Houston, Tulsa, OK 74127-9004

PAYMENT TO BE COMPLETED AND ORIGINAL COPY  
OF RECEIPT (S) MAILED TO OFFICE DESIGNATED  
BY \_\_\_\_\_

COMPLIANCE OFFICER

DATE

R. G. O'Neal

2/23/82

Page Eleven

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Robinson, N. D.		1/1/80	7/31/81	1	720.01
Robinson, Sam		1/1/81	7/31/81	1	76.34
Secrist, Ted C.		1/1/81	8/14/81	1	80.40
Sharp, Kenneth		1/1/81	8/14/81	1	29.40
Smith, George F.		1/1/80	12/31/80	1	103.97
Smith, John R.		1/1/80	12/31/80	1	124.28
Smith, Ronald Gene		1/1/81	7/31/81	1	311.24
Smith, Ronnie Lee		1/1/81	7/31/81	1	29.40
Staley, Jim		1/1/80	12/31/80	1	20.96
Stephens, James D.		1/1/80	7/31/81	1	141.26
Stephenson, Mike		1/1/80	7/31/81	1	271.08
Stewart, Royce Wade		6/1/80	7/31/81	1	35.36
Stolp, Mike		1/1/81	7/31/81	1	75.11
Stoppel, Jim M.		1/1/80	12/31/80	1	258.89
Strayer, Edward		1/1/80	7/31/81	1	269.97
Taylor, Don		1/1/81	7/31/81	1	55.55
Taylor, Marvin E.		1/1/80	12/31/80	1	48.40
Taylor, Marvin H.		1/1/80	12/31/80	1	175.50
Taylor, Patrick Henry		1/1/81	7/31/81	1	110.32
Taylor, Terry Alan		1/1/80	7/31/81	1	153.79

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK

Exhibit A  
Page 11 of 13

\*Column 4-Code

- FLSA 1
- PCA 2
- SCA 3
- DBRA 4
- CWHSSA 5
- ADEA 6
- CCPA 7

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION

Room 306, Houston Center Bldg.  
717 S. Houston, Tulsa, OK 74127-9044

SUMMARY OF UNPAID WAGES

PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY \_\_\_\_\_

COMPLIANCE OFFICER  
R.G. O'Neal

DATE  
2/23/82

Page Twelve

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Tercy, William David		1/1/81	7/31/81	1	17.92
Tew, Eric		1/1/80	12/31/80	1	30.74
Thomas, Arch Ray		1/1/80	12/31/80	1	48.00
Thomas, Danny C.		1/1/80	7/31/81	1	20.60
Thomas, Gerald D.		1/1/80	12/31/80	1	24.38
Thomas, Keith		1/1/80	12/31/80	1	31.08
Thornbrough, Karl Lee		1/1/80	12/31/80	1	18.48
Thornbrough, Randy		1/1/80	7/31/81	1	451.21
Tinsley, Bryon		1/1/81	7/31/81	1	48.20
Tisdale, Stephen T.		1/1/81	7/31/81	1	24.84
Totten, Joe Brian		1/1/81	7/31/81	1	10.20
Troutman, Finley		1/1/81	9/1/81	1	108.00
Trumbly, Jon A.		1/1/81	7/31/81	1	30.78
Trundle, David		1/1/81	7/31/81	1	209.00
Underhill, Larry		1/1/80	12/31/80	1	30.45
Upshaw, Gerald Lee		1/1/80	7/31/81	1	58.94
Vanosdol, Donald D.		1/1/81	7/31/81	1	19.14
Ventris, Steve N.		1/1/80	12/31/80	1	43.31
Walker, Clyde		1/1/81	7/31/81	1	19.24
Walker, David		1/1/80	7/31/81	1	418.34

Sub-TOTAL

Name and address of establishment

Fox Drilling Co.  
Tulsa, OK

Exhibit A

Page 12 of 13

- \*Column 4-Code
- FLSA 1
  - PCA 2
  - SCA 3
  - DBRA 4
  - CWHSSA 5
  - ADEA 6
  - CCPA 7



EXHIBIT "B"

Ted Deatheridge

Johnny Deatheridge

Ralph B. Myers

Mark Myers

Harold Ellis

Earl Radford

James Radford

Steven Deatheridge

Richard O'Day

Don Wilson

Everett Wayne Brown

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

DOWELL, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. 82-C-695-B
	)	
WESTERN OIL RESOURCES, LTD.,	)	
	)	
Defendant.	)	

JUDGMENT AFTER DEFAULT BY COURT CLERK

Defendant Western Oil Resources, Ltd. has been regularly served with process, but has failed to appear and answer the Plaintiff's Complaint herein. The default of Defendant has been entered. It appears that the Defendant is not an infant or incompetent person or in the military service and it appears from the affidavit that Plaintiff is entitled to judgment in the amount of FOURTEEN THOUSAND TWO HUNDRED THIRTY-FIVE AND 16/100 DOLLARS (\$14,235.16).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Plaintiff recover from Defendant the sum of FOURTEEN THOUSAND TWO HUNDRED THIRTY-FIVE AND 16/100 DOLLARS (\$14,235.16), together with interest thereon at the rate of 15% per annum from the date of this judgment until paid, together with costs in the sum of \$64.55 and an attorney fee in the amount of \$ 381.00 .

~~JACK C. SILVER,~~

By: 14/ Thomas R. Brett  
Deputy U.S. D. 9



1 FLOYD L. WALKER, Esq.  
 2 PRAY, WALKER, JACKMAN,  
 3 WILLIAMSON & MARLAR  
 2200 Fourth National Building  
 Tulsa, Oklahoma 74119  
 (918) 584-4136

4 LYON & LYON  
 5 A Partnership Including  
 R. DOUGLAS LYON  
 6 A Professional Corporation  
 JAMES H. SHALEK  
 7 800 Wilshire Boulevard  
 Los Angeles, California 90017  
 8 (213) 489-1600

9 Attorneys for Defendant

**FILED**  
 NOV 10 1982  
 Jack C. Silver, Clerk  
 U. S. DISTRICT COURT

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF OKLAHOMA

14	SORENSEN RESEARCH CO., INC.,	)	
		)	Civil Action No.
15	Plaintiff,	)	81-C-497-B
		)	
16	vs.	)	
		)	
17	AMERICAN PHARMASEAL,	)	STIPULATION RE DISMISSAL
	a corporation,	)	
18		)	
	Defendant.	)	
19		)	

20

21 IT IS HEREBY STIPULATED by and between the parties to  
 22 the above-entitled action, through their respective counsel,  
 23 that, the parties having settled between them the controversy  
 24 which is the subject matter of said action, all claims in said  
 25 action may be dismissed, with prejudice, each party to bear its  
 26 own costs.

27 ///  
 28 ///

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PAUL H. JOHNSON  
HEAD & JOHNSON, P. A.

H. ROSS WORKMAN  
RICK D. NYDEGGER  
FOX, EDWARDS & GARDINER

DATED: November 3, 1982.

By Paul H. Johnson  
Attorneys for Plaintiff

FLOYD L. WALKER  
PRAY, WALKER, JACKMAN, WILLIAMSON  
& MARLAR

LYON & LYON  
A Partnership Including  
R. DOUGLAS LYON  
A Professional Corporation  
JAMES H. SHALEK

DATED: Nov 3, 1982.

By Floyd L. Walker  
Attorneys for Defendant

IT IS SO ORDERED this 10 day of October, 1982.

S/ THOMAS R. BRETT

United States District Judge

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

FILED

NOV 10 1982

FIGGIE INTERNATIONAL, INCORPORATED, )  
a corporation, doing business under )  
the trade style RAWLINGS SPORTING )  
GOODS COMPANY, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 81-C-313-B  
 )  
CHARLES R. BENJAMIN, )  
 )  
Defendant. )

ORDER OF DISMISSAL

NOW on this 10 day of November, 1982, upon the joint motion of the Plaintiff and the Defendant to dismiss the above entitled cause with prejudice, and the Court after hearing the evidence offered in support and cost statements of counsel, finds that such motions should be granted.

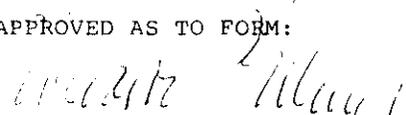
IT IS THEREFORE ORDERED:

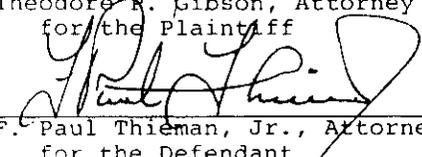
1. All of the Plaintiff's claims and causes of action against the Defendant be and the same are hereby dismissed with prejudice to any future action or actions; and,
2. The General Personal Guaranty of payment signed and dated December 11, 1978, be and the same is hereby cancelled and shall be of no further force and effect; and,
3. Plaintiff shall pay the cost of the action.

S/ THOMAS K. BRETT

Judge

APPROVED AS TO FORM:

  
Theodore R. Gibson, Attorney  
for the Plaintiff

  
F. Paul Thieman, Jr., Attorney  
for the Defendant

FILED  
NOV 8 1982

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-646-C
	)	
SUSAN L. TACKER,	)	
	)	
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 8th day of November, 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 8th day of November, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

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

ELVER F. BRYANT, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 82-C-96-B  
 )  
 RICHARD S. SCHWEIKER, )  
 Secretary of Health and )  
 Human Services of the )  
 United States of America, )  
 )  
 Defendant. )

**FILED**  
NOV - 5 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

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 should be and hereby is affirmed.

ENTERED this 17<sup>th</sup> day of November, 1982.



THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

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

LEWIS C. JOHNSON, )  
 )  
 ) Plaintiff, )  
 )  
 ) vs. )  
 )  
 ) RURAL WATER DISTRICT #3, )  
 ) WASHINGTON COUNTY, ITS BOARD )  
 ) OF DIRECTORS, Consisting of )  
 ) JESSE MERCHANT, Chairman; )  
 ) RICHARD KRIEGE, Vice-Chairman, )  
 ) JAMES GRAYSON, Secretary and )  
 ) Treasurer; MRS. PAT BRINLEE, )  
 ) Member; WENDELL BEU, Member; )  
 ) KENNETH GOODMAN, Member; )  
 ) LYNN FREEMAN, Member; and )  
 ) LLOYD W. HUBBS, District Manager, )  
 )  
 ) and )  
 ) FARMERS' HOME ADMINISTRATION, )  
 ) United States Department of )  
 ) Agriculture, United States of )  
 ) America, )  
 )  
 ) Defendants. )

No. 82-C-707-B

**FILED**

11 - 5 1982

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

O R D E R

This matter comes before the Court on the Motion to Dismiss of the defendant, United States of America, the Motion to Dismiss for Lack of Subject Matter Jurisdiction of the defendant, Rural Water District #3, Washington County, and on the plaintiff's reply thereto. For the reasons set forth below, the Court finds that the Motion to Dismiss of the United States of America should be sustained and the Motion to Dismiss for Lack of Subject Matter Jurisdiction of the defendant, Rural Water District #3, Washington County, should be sustained.

Defendant, United States of America, bases its Motion to Dismiss on two grounds: for lack of subject matter jurisdiction pursuant to Fed.R.Civ.P. 12(b)(1) and for failure to state a claim upon which relief may be granted pursuant to Fed.R.Civ.P. 12(b)(6). In support of its claim that this Court lacks subject matter jurisdiction, the United States argues that the United States Court of Claims has concurrent jurisdiction of "any civil action or claim against the United States, not exceeding \$10,000.00 in amount, founded...upon any express or implied contract with the United States..." 28 U.S.C.A. §1346. Plaintiff alleges in his complaint that he is owed \$20,497.17 under the contract in question. It appears that plaintiff's claim exceeds \$10,000.00 and, assuming plaintiff meets other requirements, this Court has jurisdiction of plaintiff's cause.

However, in support of its claim that plaintiff has failed to state a cause of action the United States argues that the contract in question is between the plaintiff and an individual as "Owner." Although the contract is entitled "United States Department of Agriculture Farmers Home Administration, Legal Services Agreement," the United States claims that the contract is not signed by an agency or employee of the United States nor is the United States of America named as a party. Thus, the United States claims that there is no privity of contract between itself and the plaintiff and the plaintiff has no claim against the United States for breach of the contract.

In response to the argument of the United States, the plaintiff appears to claim that there was an implied contract between himself and the Government in that all legal work was done in accordance with the regional attorney for Farmers' Home Administration ("FHA"); all title opinions rendered were required to meet the loan requirements of the FHA and each disbursement for attorney's fees was approved by the FHA; FHA approved the "Legal Services Agreement", the services rendered and the bill submitted for services rendered by the plaintiff; FHA had an obligation to insure that Rural Water District #3 paid the final billing to the plaintiff before final disbursement of funds was made; and the plaintiff worked under the exclusive instruction of FHA's regional attorney.

It is well-settled that the United States is not impliedly obligated on contracts relating to projects which are funded or subsidized by the federal government. Somerville Technical Services v. U.S., 640 F.2d 1276, 1281 (Ct.Cl. 1981); D.R. Smalley & Sons v. U.S., 372 F.2d 505, 508, cert. denied 389 U.S. 835 (1967); and Housing Corp. v. U.S., 468 F.2d 922, 924 (Ct. Cl. 1972). In D.R. Smalley & Sons v. U.S., supra, the United States made a grant to the State of Ohio of 90 percent of the cost of building a highway in that state. The plaintiff was a contractor with the State of Ohio who lost money on the project, made a settlement with the State of Ohio whereby Ohio paid a part of the loss, then sued the United States for the balance. The plaintiff claimed

an implied contract was created between itself and the United States because the contracts were drafted pursuant to the regulations and requirements of the Government, and the contracts were approved by the Government. The United States Court of Claims rejected the plaintiff's argument stating:

"The National Government makes many hundreds of grants each year to the various states, to municipalities, to schools and colleges and to other public organizations and agencies for many kinds of public works, including roads and highways. It requires the projects to be completed in accordance with certain standards before the proceeds of the grant will be paid. Otherwise the will of Congress would be thwarted and taxpayers' money would be wasted. These grants are in reality gifts or gratuities. It would be farfetched indeed to impose liability on the Government for the acts and omissions of the parties who contract to build the projects, simply because it requires the work to meet certain standards and upon approval thereof reimburses the public agency for a part of the costs.

"The sovereign acts of defendant described above do not impose liability on defendant for the acts and omissions of the State of Ohio on the theory of implied contract. The contracts were between the state and plaintiff.

"Accordingly, since there was no privity of contract, express or implied, between plaintiff and defendant, the defendant is not liable in contract for the damages claimed by plaintiff." D.R.Smalley & Sons v. U.S., 372 F.2d 505, 508 (Ct. Cl. 1967).

Somerville Technical Services v. U.S., 640 F.2d 1276 (Ct.Cl. 1981) involved a very similar situation to the one at hand. There, the federal government through the FHA made a grant for the construction of a sewer project in a village in Michigan. A contractor on the project sued the village and the United States claiming there was an implied contract between it, the village,

and the United States that obligated the Government to pay a note given the contractor by the village. The Court of Claims rejected the contractor's claims and adopted the reasoning of the Smalley case set forth previously, saying:

"There was no privity of contract between the FHA and the plaintiff either with respect to the construction contract or the Village note. The FHA was not a party to either document and was acting in a sovereign capacity in making the grant and loan." Somerville Technical Services at 1280-81.

The Somerville and Smalley cases are applicable to the situation at hand. Although the FHA approved the legal services agreement and monitored various aspects of the legal services performed by the plaintiff, such acts do not make the FHA a party to the contract. Because the FHA did not sign the contract, there is no privity between the plaintiff and the United States of America. Thus, the Court cannot impose liability on the United States and the Motion to Dismiss of the United States pursuant to Fed.R.Civ.P. 12(b)(6) is sustained.

Defendant, Rural Water District #3, Washington County ("Rural Water"), filed its Motion to Dismiss for Lack of Subject Matter Jurisdiction pursuant to Fed.R.Civ.P. 12(b)(1) objecting to plaintiff's assertion that this Court has venue of this matter under 28 U.S.C.A. §1391(e).<sup>1/</sup> Since the United States of America

---

<sup>1/</sup> The Court notes that Rural Water appears to confuse improper venue with lack of subject matter jurisdiction. If it appeared the Court had both subject matter and personal jurisdiction in this matter, the Court would have deemed defendant's Motion to Dismiss to be a Motion to Dismiss for Improper Venue under Fed.R.Civ.P. 12(b)(3).

is no longer a defendant in this matter, there must be independent grounds for jurisdiction over defendant, Rural Water.<sup>2/</sup> Plaintiff is a citizen of Oklahoma. Defendant, Rural Water, is a public nonprofit rural water district organized and existing under 82 Okl.St. Ann. §§1301-1323. It appears to have been incorporated pursuant to 82 Okl.St. Ann. §1306. Therefore, it has the power to sue and be sued in its corporate name and is a citizen of the State of Oklahoma in that regard. For this reason, there is no diversity of citizenship between the plaintiff and the defendant and this Court does not have the requisite jurisdiction necessary to hear this matter. Thus, defendant's Motion to Dismiss is sustained for lack of subject matter jurisdiction.

IT IS THEREFORE ORDERED that the Motion to Dismiss of defendant, United States of America, is sustained and the Motion to Dismiss of defendant, Rural Water District #3, Washington County, is also sustained.

ENTERED this 5<sup>th</sup> day of November, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

---

<sup>2/</sup> This Court had original jurisdiction over the United States of America pursuant to 28 U.S.C.A. §1346. As long as the United States was a party to this lawsuit, this Court could hear plaintiff's claim against Rural Water under its pending jurisdiction. See Obenshain v. Halliday, 504 F.Supp. 946, 951 (E.D. Va. 1980).

FILED

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-402-B
	)	
THEODORE E. NEUMAYR,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter comes on for consideration this 14 day of ~~October~~ <sup>Nov</sup>, 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, Theodore E. Neumayr, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Theodore E. Neumayr, was personally served with an Alias Summons and Complaint on September 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, Theodore E. Neumayr, for the principal sum of \$539.10, plus interest at the legal rate from the date of this Judgment until paid.

S. J. [Signature]  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

LAWRENCE L. BAKER, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 AMERICAN GENERAL FIRE AND )  
 CASUALTY COMPANY, )  
 )  
 Defendant. )

NO. 81-C-407-E ✓

FILED

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

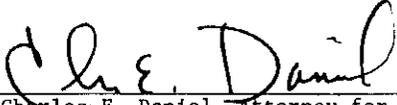
ORDER OF DISMISSAL

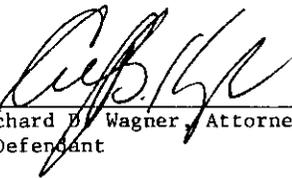
ON This 4<sup>th</sup> day of <sup>November</sup> ~~October~~, 1982, upon the written application of the parties for a Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering 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 Plaintiff filed herein against the Defendant be and the same hereby is dismissed with prejudice to any future action.

  
\_\_\_\_\_  
Judge, District Court of the United States,  
Northern District of Oklahoma

Approvals as to form:

  
\_\_\_\_\_  
Charles E. Daniel, Attorney for  
Plaintiff

  
\_\_\_\_\_  
Richard B. Wagner, Attorney for  
Defendant

21

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

ANN M. WOMACK, )  
 )  
Plaintiff, )  
 )  
-vs- )  
 )  
WELCH FOODS, INC., a cooperative, )  
a Michigan corporation, and )  
WAL-MART STORES, INC., a )  
Delaware corporation, )  
 )  
Defendants. )

No. 82-C-70-E ✓

FILED

NOV 4 1982 u

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

ORDER OF DISMISSAL

This action comes before the Court on the stipulation of  
the parties to dismiss this action,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this  
action be dismissed.

DONE this 4<sup>th</sup> day of November, 1982.

James O. Ellison  
JAMES O. ELLISON  
Judge of the U. S. District Court  
Northern District of Oklahoma

APPROVED AS TO FORM:

Stephen I. Oakley  
STEPHEN I. OAKLEY  
Attorney for Plaintiff

Alfred K. Moran  
ALFRED K. MORAN  
Attorney for Defendants

Closes

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

DON A. JENKINS, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 78-C-189-E  
 )  
 FRED ASTAIRE NATIONAL DANCE )  
 ASSOCIATION, INC., a Florida )  
 corporation, and RAYMOND SONNIER, )  
 d/b/a FRED ASTAIRE DANCE STUDIO )  
 (Tulsa), d/b/a H and H STUDIOS, )  
 INC., d/b/a SONNIER & SONS, INC., )  
 RICHARD FELIX, MICHAEL HENDERSON, )  
 LE ROY WANT, jointly and severally, )  
 )  
 Defendants. )

FILED  
BY  
JULY 1980

O R D E R

This matter is presently before the Court on Plaintiff's motion for summary judgment. This motion concerns only the First Count of the Complaint, and only Defendant Raymond Sonnier. Defendants Leroy Want, Richard Felix, Michael Henderson, and Fred Astaire National Dance Association had been previously dismissed from this action, and partial judgment had already been entered in Plaintiff's favor and against Defendant Sonnier on Plaintiff's Second Count, which alleged default on a promissory note. This Partial Judgment was entered on August 26, 1980, in the amount of \$11,500.00, bearing interest at the contractual rate of 10%.

Defendant Sonnier has wholly failed to respond to the present motion, and his present whereabouts are unknown, Plaintiff's counsel having been unable, with the exercise of due diligence, to discover those whereabouts.

Summary judgment is, therefore, appropriate in this case, Rule 54(e), Fed.R.Civ.Pro. Having reviewed the exhibits attached to Plaintiff's motion, the deposition of Plaintiff, and the pleadings on file, the Court finds and concludes that there is no genuine issue of material fact in existence, and that summary judgment is appropriate as a matter of law, as prayed for in Plaintiff's First Count of the Complaint, as amended.

The Court further finds that the uncontroverted evidence in this case supports Plaintiff's allegations of fraud, and finds that an award of punitive damages is appropriate.

The Court therefore finds that Plaintiff is entitled to judgment

in his favor, and against Defendant Sonnier, as follows:

1. Plaintiff is entitled to judgment against Defendant Sonnier in the amount of \$11,500.00, plus interest at the rate of 10% per annum until paid; plus an attorney's fee in the amount of 15% of the unpaid balance, as contracted for;

2. Plaintiff is further entitled to judgment against Defendant Sonnier in the amount of \$18,790.60, plus interest at the rate provided for by statute;

3. Plaintiff is further entitled to recover punitive damages of Defendant Sonnier in the amount of \$75,000.00; and

4. Plaintiff is hereby awarded the costs of this action.

It is so Ordered this 4<sup>th</sup> day of November, 1982.

  
\_\_\_\_\_  
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. )  
 )  
 THREE THOUSAND TWO HUNDRED )  
 TWENTY DOLLARS (\$3,220.00) )  
 IN UNITED STATES CURRENCY, )  
 )  
 Defendant. )

81-C-633-E ✓

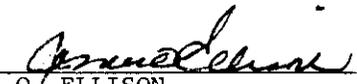
4  
J. O. Silver, Jr.  
DISTRICT CLERK

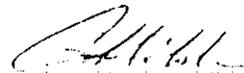
J U D G M E N T

Upon motion of the plaintiff, sustained by the Court, Judgment is ordered as follows:

Judgment is entered in favor of the defendant, Three Thousand Two Hundred Twenty Dollars (\$3,200.00) in United States Currency, and against the plaintiff, United States of America, that the currency is not subject to forfeiture, and that the Custodian of Seized Monies, Drug Enforcement Administration, Room 335, U.S. Courthouse 333 W. 4th Street, Tulsa, Oklahoma 74103, is directed and ordered to remit said currency to the claimant, Marvin A. Yocham.

Entered this 4<sup>th</sup> day of November, 1982.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

  
Counsel for Plaintiff

  
Counsel for Claimant

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

FILED

NOV 8 1982

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

UNITED VIDEO, INC., )  
a Delaware corporation, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 81-C-431-E  
 )  
MULTIMEDIA CABLEVISION, INC., )  
a South Carolina corporation, )  
 )  
Defendant. )

NOTICE OF DISMISSAL WITHOUT PREJUDICE

TO: Multimedia Cablevision, Inc., Defendant, and  
James L. Kincaid, David A. Fleming, and  
Michael A. Pace, its Attorneys

NOTICE IS HEREBY GIVEN that the plaintiff hereby DISMISSES  
the above-entitled action without prejudice, pursuant to Rule  
41(a)(1)(i) of the Federal Rules of Civil Procedure, the defen-  
dant having heretofore served neither an answer nor a motion for  
summary judgment. The Clerk of the District Court is hereby re-  
quested to enter such dismissal in the records of the Court.

Dated November 3, 1982.

PRICHARD, NORMAN & WOHLGEMUTH

By   
Stephen A. Schuller  
909 Kennedy Building  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorneys for the Plaintiff

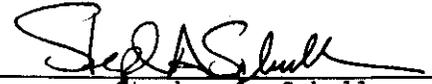
CERTIFICATE OF MAILING

I hereby certify that on the 3<sup>rd</sup> day of November, 1982,  
I mailed a true and exact copy of the foregoing instrument to

Mr. James L. Kincaid  
Conner, Winters, Ballaine,  
Barry & McGowen  
2400 First National Tower  
Tulsa, Oklahoma 74103

Mr. David P. Fleming  
Mr. Michael A. Pace  
Dow, Lohnes & Albertson  
Suite 500  
1225 Connecticut Avenue, N.W.  
Washington, D.C. 20036

and that the same was in an envelope with proper postage thereon fully prepaid.

  
\_\_\_\_\_  
Stephen A. Schuller

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

**FILED**

NOV 8 1982

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

JACK BRAVERMAN, an individual,	)
	)
Plaintiff,	)
	)
vs.	)
	)
BUD MARRS d/b/a BUD MARRS OIL	)
COMPANY, a sole proprietorship;	)
ASCOT OILS, INC., a Louisiana	)
corporation; and BIGHEART PIPE	)
LINE CORPORATION, an Oklahoma	)
corporation,	)
	)
Defendants.	)

Civil Action  
No. 81-C-186-E

ORDER FOR DISMISSAL

ON THIS 11<sup>th</sup> day of December, 1982, this cause comes on for hearing before me upon the motion of plaintiff for an order of dismissal of this cause without prejudice.

It appearing to the Court that plaintiff is deceased and that his heirs do not desire to continue the litigation and that the defendants have no objection to a dismissal of this cause without prejudice,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this cause is dismissed without prejudice.

\_\_\_\_\_  
Judge of the District Court

FILED

NOV 8 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. )  
 )  
 OWEN SWAIM, )  
 )  
 Defendant. )

CIVIL ACTION NO. 81-C-773-E

O R D E R

Good cause having been shown, it is hereby ordered,  
adjudged and decreed that the above-referenced action is hereby  
dismissed without prejudice against the United States of America.

Dated this 7th day of November, 1982.

S/ JAMES O. ELLISON  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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

FILED  
NOV 11 1982

Jack P. Shiel, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JOHN L. LEE, )  
 )  
Defendant. )

CIVIL ACTION NO. 82-C-968-C

DEFAULT JUDGMENT

This matter comes on for consideration this 3<sup>rd</sup> day of November, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Gerald Hilsher, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, John L. Lee, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, John L. Lee, was personally served with Summons and Complaint on October 8, 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, John L. Lee, for the principal sum of \$323.13, plus interest at the legal rate from the date of this Judgment until paid.

151 H. Dale Cook  
UNITED STATES DISTRICT JUDGE

**FILED**

NOV - 2 1982

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

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

AVCOM OF VIRGINIA, INC.,	)	
a foreign corporation,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 82-C-221-C
	)	
SATFINDER SYSTEMS, INC.,	)	
an Oklahoma corporation,	)	
	)	
Defendant.	)	

O R D E R

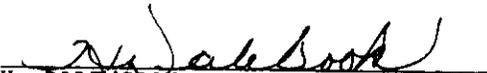
Now before the Court for its consideration is plaintiff's Motion for Summary Judgment, pursuant to Rule 56, Federal Rules of Civil Procedure, filed on October 13, 1982. Fifteen days have passed and Satfinder Systems, Inc., has not responded to this Motion nor has an extension of time within which to respond been requested by defendant. Rule 14(a) of the Local Rules of the United States District Court for the Northern District of Oklahoma provides as follows:

(a) Briefs. Each motion, application and objection filed shall set out the specific point or points upon which the motion is brought and shall be accompanied by a concise brief. Memoranda in opposition to such motion and objection shall be filed within ten (10) days after the filing of the motion or objection, and any reply memoranda shall be filed within ten (10) days thereafter. Failure to comply with this paragraph will constitute waiver of objection by the party not complying, and such failure to comply will constitute a confession of the matters raised by such pleadings.

Therefore, it is the Order of the Court that plaintiff's

Motion for Summary Judgment should be and hereby is sustained.

It is so Ordered this 9<sup>th</sup> day of November, 1982.

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

1  
pt

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

**FILED**

NOV - 2 1982 *hm*

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

DELLA KAY McCULLOCH, and all )  
other persons similarly )  
situated, )

Plaintiffs, )

vs. )

Case No. 81-C-868-B ✓

CLAREMORE JUNIOR COLLEGE )  
a/k/a OKLAHOMA MILITARY )  
ACADEMY, et al., )

Defendants. )

NOTICE OF DEATH AND VOLUNTARY DISMISSAL  
AS TO DEFENDANT NADINE SMITH

Plaintiffs, by and through their attorneys, would inform the Court, pursuant to F.R.C.P. 25 and 41(a), that defendant, NADINE SMITH died on October 22, 1982, and plaintiffs would allege that any claim plaintiffs have against said defendant did abate upon her death. Further, plaintiffs would voluntarily dismiss their complaint as against defendant NADINE SMITH.



D. GREGORY BLEDSOE  
Attorney for Plaintiffs  
1515 South Denver  
Tulsa, Oklahoma 74119  
(918) 599-8118

CERTIFICATE OF MAILING

I, D. Gregory Bledsoe, do hereby certify that I mailed a true and correct copy of the above and foregoing instrument to Mr. John R. Carle, P.O. Box 1267, Claremore, Oklahoma 74017; Mr. Jan Eric Cartwright, Attorney General, 112 State Capitol Building, Oklahoma City, Oklahoma 73105; Mr. Patrick H. Cremin, 4100 Bank of Oklahoma Tower, Tulsa, Oklahoma 74172; and, to Mr. James P. Tanner P.O. Box 1246, Claremore, Oklahoma, 74017 by depositing same in the United States Mail with proper postage affixed thereon this 1st day of November, 1982.

  
D. GREGORY BLEDSOE

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

**FILED**

NOV - 2 1982

RIFFE PETROLEUM COMPANY, )  
a corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
ERGON, INC., a corporation, )  
and TOTAL PETROLEUM, INC., )  
a corporation, )  
 )  
Defendants. )

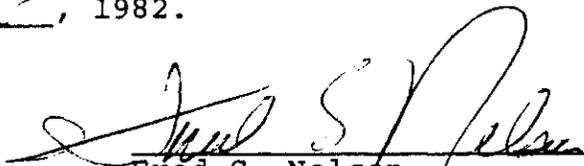
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

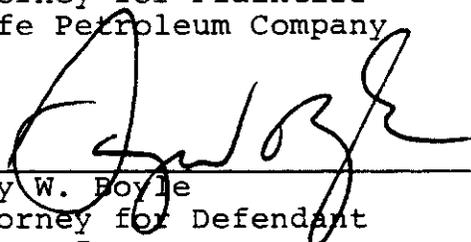
No. 82-C-598-C

STIPULATION OF DISMISSAL

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

Dated: November 2<sup>nd</sup>, 1982.

  
\_\_\_\_\_  
Fred S. Nelson  
Attorney for Plaintiff  
Riffe Petroleum Company

  
\_\_\_\_\_  
Gary W. Boyle  
Attorney for Defendant  
Ergon, Inc.

  
\_\_\_\_\_  
J. D. Jorgenson  
Attorney for Defendant  
Total Petroleum, Inc.

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

**FILED**

MOUNT VERNON MILLS, INC., )  
a Corporation and TURNER HALSEY )  
CO., INC., a corporation, )  
 )  
Plaintiffs, )  
 )  
vs )  
 )  
EDWARD WALKER and F. E. FARRIER, )  
 )  
Defendants. )

NOV 1 1982  
C. S. Silver, Clerk

NO. 82-C-490-B

O R D E R

(JUDGMENT)

On Stipulation of Entry of Judgment signed by all parties above named mentioned, and having been submitted and considered, and good cause appearing;

THEREFORE, it is Ordered that Judgment be entered in the sum of \$56,157.09, plus interest thereon at the statutory rate from the date each invoice became delinquent until Judgment, interest thereafter at the rate of 12% per annum on the unpaid balance, an attorneys fee of \$5,615.00, together with costs in the sum of \$60.00, making a total Judgment, including both damages and costs and disbursements, of the sum of \$61,832.09 against the Defendants, Edward Walker and F. E. Farrier, jointly and severally.

DATED this 1st day of November, 1982.

W. Thomas R. Brett  
UNITED STATES DISTRICT JUDGE

LAW OFFICES  
UNGERMAN,  
CONNER &  
LITTLE  
  
MIDWAY BLDG.  
2727 EAST 21 ST.  
SUITE 400  
  
P. O. BOX 2888  
TULSA, OKLAHOMA  
74101