

Entered

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

SEP 21 1983

TRW, INC., Reda Pump Division,)
an Ohio corporation,)
)
Plaintiff,)
)
v.)
)
S & N PUMP COMPANY, INC.,)
a Texas corporation,)
)
Defendant.)

NICK C. SILVER, CLERK
DISTRICT COURT

NO. 81-C-77-BT

J U D G M E N T

In accordance with the jury verdict entered herein on August 25, 1983, judgment is hereby entered in favor of plaintiff, TRW, INC., Reda Pump Division, and against defendant, S & N Pump Company, Inc., on plaintiff's claim on the account and for special order equipment in the amount of \$137,520.59, plus prejudgment interest at a rate of 2 percent per month (24 percent per annum) from August 1, 1980, postjudgment interest at said same rate, and attorneys' fees in the amount of \$163,898.86 plus costs in the amount of \$1,518.20. Judgment is also hereby rendered in favor of defendant, S & N Pump Company, Inc., and against plaintiff, TRW, Inc., on defendant's counterclaim for nonconforming goods and/or breach of express warranty in the amount of \$107,000.00, and on defendant's counterclaim for lost profits in the amount of \$51,042.00 plus prejudgment interest on the latter sum at a rate of 6 percent per annum from November 1, 1981 until this date and postjudgment interest on the total sums at a rate of 9.98 percent per annum, and an attorneys' fee in the

amount of \$122,637.50, plus court costs in the amount of \$3,137.76.

ENTERED this 31st day of October, 1983.

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

THOMAS R. BRET
UNITED STATES DISTRICT JUDGE

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

OCT 31 1983

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 GERALD F. KEETER,)
)
 Defendant.)

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

CIVIL ACTION NO. 82-C-162-E

DEFAULT JUDGMENT

This matter comes on for consideration this 31 day
of ~~November~~ ^{OCTOBER}, 1983, the Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Peter Bernhardt, Assistant United States Attorney, and
the Defendant, Gerald F. Keeter, appearing not.

The Court being fully advised and having examined the
file herein finds that Defendant, Gerald F. Keeter, was served
with Alias Summons and Complaint on September 21, 1983. The time
within which the Defendant could have answered or otherwise moved
as to the Complaint has expired and has not been extended. The
Defendant has not answered or otherwise moved, and default has
been entered by the Clerk of this Court. Plaintiff is entitled
to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the
Plaintiff have and recover Judgment against Defendant, Gerald F.
Keeter, for the principal sum of \$447.47, plus costs and interest
at the current legal rate of 9.98 percent from the date of
judgment until paid.


UNITED STATES DISTRICT JUDGE

FILED

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

OCT 31 1983

IN RE:)
)
 FINNELL COMPRESSOR, INC.,)
)
 Debtor,)
)
 ASSOCIATES COMMERCIAL CORPORATION)
 and INGERSOLL-RAND COMPANY,)
)
 Plaintiffs,)
)
 VS.)
)
 FINNELL COMPRESSOR, INC.,)
)
 Defendant.)

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

Case Nos. 82-C-1185-E ✓
82-C-1186-CE

Consolidated

ORDER OF DISMISSAL

On this 31st day of Oct, 1983, the Court, having reviewed the Motion and Agreement for Dismissal filed by Ingersoll-Rand Company, Finnell Compressor, Inc. and Associates Commercial Corporation, finds that dismissal of the captioned cases is appropriate.

IT IS THEREFORE ORDERED that the captioned cases brought before this Court as appeals from the United States Bankruptcy Court for the Northern District of Oklahoma, are dismissed.

S/ JAMES L. ELLISON
JAMES L. ELLISON
United States District Judge

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

FILED

OCT 31 1983

PABCO ENERGY, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 SUN EXPLORATION AND PRODUCTION)
 COMPANY,)
)
 Defendant.)

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

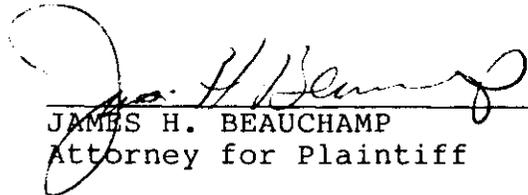
Case No. 82-C-1187-E

STIPULATION FOR DISMISSAL WITH PREJUDICE

It is hereby stipulated that the above-entitled action and all causes of action and claims therein and arising therefrom be dismissed with prejudice, each party to bear its own costs, expenses or attorney's fees.

DATED October 24, 1983.

JAMES H. BEAUCHAMP
Attorney at Law
4500 South Garnett, Suite 906
Tulsa, Oklahoma 74146
(918) 627-5545



JAMES H. BEAUCHAMP
Attorney for Plaintiff

John R. Richards
Attorney at Law
Richards and Paul, of Counsel
9 East 4th Street, Suite 400
Tulsa, Oklahoma 74103
(918) 584-2583



JOHN R. RICHARDS
Attorney for Defendant

IT IS SO ORDERED:

Dated: 10-28, 1983

S/ JAMES O. ELLISON

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

FILED

OCT 28 1983

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

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

ROBERT SHOUSE,)	
)	
Plaintiff,)	
)	
vs.	)	No. 81-C-491-B
)	
CITY OF OWASSO, a Municipal corp-)	
oration; KENNETH THOMPSON and)	
VIC LOMBREGLIA,)	
)	
Defendants.)	

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

The plaintiff, Robert Shouse, and the defendants, City of Owasso, Kenneth Thompson and Vic Lombreglia, advise the court of a settlement agreement between the parties and pursuant to Rule 41(a)(1)(ii), F.R.C.P., jointly stipulate that the plaintiff's action be dismissed with prejudice with all parties bearing their own attorneys fees and costs incurred herein.

Dated this 28th day of October, 1983.

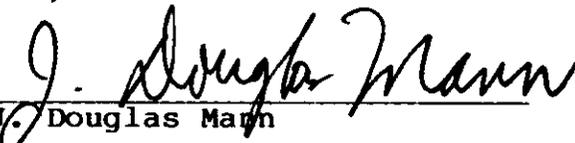

Robert Shouse, Plaintiff


Paul F. McTigue, Jr.
2211 E. 21st St.
Tulsa, OK 74114
(918) 747-1414
Attorney for Plaintiff, Robert Shouse

J. Douglas Mann
FOR ROSENSTEIN, FIST & RINGOLD
525 South Main, Suite 300
Tulsa, Oklahoma 74103
(918) 585-9211

and

Ronald D. Cates
1424 Terrace Drive
Tulsa, Oklahoma 74103

By 
J. Douglas Mann

Attorneys for Defendants, City
of Owasso, Kenneth Thompson and
Vic Lombreglia

Entered

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

NOV 1 1983

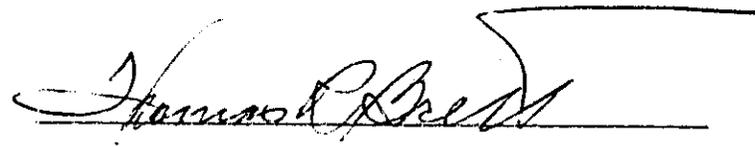
OCT 28 1983

VENCIL HITCHCOX,
Plaintiff,
v.
MISSOURI PACIFIC RAILROAD,
Defendant.

W. G. BLYES, CLERK
DISTRICT COURT
No. 83-C-82-BT

J U D G M E N T

In accordance with the jury verdict rendered October 27, 1983, judgment is hereby entered in favor of defendant, Missouri Pacific Railroad, and against plaintiff, Vencil Hitchcox. Costs are hereby assessed against the plaintiff.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 28 1983

W. C. SILVER, CLERK
DISTRICT COURT

STATE FARM FIRE & CASUALTY)
COMPANY and STATE FARM MUTUAL)
AUTOMOBILE INSURANCE COMPANY,)

Plaintiffs,)

vs.)

No. 83-C-42-C

HERBERT E. CHURCH & DONNA)
CHURCH, individually and as)
husband and wife, and)
HERBERT E. CHURCH AND DONNA)
CHURCH d/b/a THE BLAST FAST)
COMPANY and WILLIAM P.)
ANDERSON,)

Defendants,)

and)

WILLIAM P. HENDERSON,)

Third Party Plaintiff,)

vs)

MID-CENTURY INSURANCE COMPANY,)
INC.,)

Third Party Defendant.)

O R D E R

Now before the Court for its consideration is the motion of the third party defendant, Mid-Century Insurance Company, Inc. to dismiss, filed on October 5, 1983. The Court has no record of a response to this motion from third-party plaintiff or any other party. 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, in that third-party plaintiff, William P. Henderson, has failed to comply with local Rule 14(a) and no responsive pleading has been filed within 22 days of the filing of the Motion to Dismiss herein, the Court concludes that Henderson has waived any objection to said motion and has confessed the matters contained therein.

Accordingly, it is the Order of the Court that the motion of third-party defendant, Mid-Century Insurance Company to dismiss the third-party complaint should be and hereby is sustained.

It is so Ordered this 27th day of October, 1983.


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

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

FILED

OCT 28 1983

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

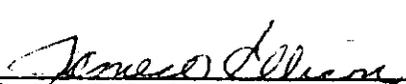
TERRY ORRICK,)
)
Plaintiff,)
)
vs.) No. 82-C-804-E
)
SAFECO INSURANCE COMPANY,)
a foreign corporation,)
)
Defendant.)

JUDGMENT

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

IT IS ORDERED AND ADJUDGED that the Plaintiff Terry Orrick take nothing, that the action be dismissed on the merits, and that the Defendant Safeco Insurance Company recover of the Plaintiff its costs of action.

DATED at Tulsa, Oklahoma this 29th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 28 1983

THOMAS C. SILVER, CLERK
FEDERAL DISTRICT COURT

MICHAEL F. HORNE, Trustee,

Plaintiff,

vs.

MARY EVA COOK,

Defendant.

No. 83-C-764-E

JOURNAL ENTRY OF JUDGMENT

NOW on this 28 day of October, 1983, the Plaintiff's Motion for Default Judgment comes on before the undersigned Judge pursuant to Rule 55 of the Federal Rules of Civil Procedure.

After having examined the Court file, the Plaintiff's Motion for Default Judgment and attached affidavit of Tommy J. Ballard, this Court finds that the Defendant, Mary Eva Cook, has failed to plead or otherwise respond to the Plaintiff's Complaint within twenty (20) days of service of summons upon her as required by the Federal Rules of Civil Procedure. Therefore, pursuant to Rule 55 of the Federal Rules of Civil Procedure, this Court finds that it should grant the Plaintiff's Motion for Default Judgment against the Defendant, and award the Plaintiff the relief requested in its Complaint.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff's Motion for Default Judgment pursuant to Rule 55 of the Federal Rules of Civil Procedure should be granted, as the Defendant, Mary Eva Cook, has failed to plead or otherwise respond to the Plaintiff's Complaint filed herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant, Mary Eva Cook, and her heirs, successors or assigns, have no right, title or interest in and to the real property described on Exhibit "A" attached hereto by virtue of that certain Journal Entry of Judgment and Decree of Divorce in Case No. JFD-81-209 entered in the District Court within and for Craig County, State of Oklahoma, on the 20th day of January, 1982.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant, Mary Eva Cook, and her heirs, successors or assigns, are hereby enjoined from claiming any right, title or interest in and to the real property described on Exhibit "A" attached hereto by reason of the aforementioned Journal Entry of Judgment and Decree of Divorce.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

All that part of the SE/4, NE/4; and all that part of the North Half of the NE/4 of Sec. 34, Township 24 North, Range 19 East of the Indian Meridian, LYING NORTH AND WEST of the following described Tract, viz: Beginning at a point on the West line of the E/2, NE/4; 336.4 feet North of the Southwest corner of said E/2, NE/4, thence North along said West line a distance of 442.2 feet, thence North 42 degrees 42' East a distance of 1939.8 feet to a point on the East line of said E/2, NE/4, 435.8 feet South of the Northeast corner of said E/2, NE/4, thence South along said East line a distance of 442.2 feet, thence South 42 degrees 42' West a distance of 1008.2 feet, thence South 47 degrees 18' East a distance of 100.0 feet, thence South 42 degrees 42' West a distance of 500.0 feet, thence North 47 degrees 18' West a distance of 100.0 feet, thence South 42 degrees 42' West a distance of 431.6 feet to a point of beginning: LESS the following described Tract: Beginning at the Northeast corner of said E/2, NE/4, THENCE West along the North line of said E/2, NE/4 a distance of 330.0 feet, thence S 16.5 feet, thence S 84 16' E a distance of 331.7 feet to a point on the E line of said E/2, NE/4 thence N along said E line a distance of 50.0 feet to the point of beginning;

Insurance Co. be and the same is hereby vacated and set aside;

2. That the judgment of this Court entered herein on the 19th day of May, 1980 dismissing Plaintiff's cause of action against Defendant Dick Tanner not having been appealed is affirmed; and

3. That judgment be entered awarding judgment to the Defendant Hartford Life Insurance Co. and against the Plaintiff Marie Faye Evans, each side to pay its own costs.

DATED this 27th day of October, 1983.

S/ JAMES O. ELLISON

JAMES O. ELLISON, JUDGE
UNITED STATES DISTRICT COURT

APPROVED AS TO SUBSTANCE AND FORM:



PAUL MCTIGHE
2211 East 21st Street
Tulsa, Oklahoma 74114
(918) 747-1414
ATTORNEY FOR PLAINTIFF
MARIE FAYE EVANS



ELSIE DRAPER of
GABLE & GOTWALS
20th Floor, Fourth National
Bank Building
Tulsa, Oklahoma 74119
(918) 582-9201
ATTORNEY FOR DEFENDANT
HARTFORD LIFE INSURANCE CO.

IN THE UNITED STATES DISTRICT COURT FOR

THE NORTHERN DISTRICT OF OKLAHOMA

OCT 27 1983

TERRY ORRICK and
CYNTHIA ORRICK,

Plaintiffs,

v.

SAFECO INSURANCE COMPANY,

Defendant.

)
)
)
)
)
)
)
)
)
)

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

Case No. 82-C-804-E

ORDER

COMES NOW for hearing this 27th day of April, 1983, the Plaintiff's Motion to drop Cynthia Orrick as a party Plaintiff in the above captioned cause. The Court finds that the said Cynthia Orrick has no right, title, or interest in the 1981 Buick Park Avenue Diesel which is the subject matter of this litigation.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Cynthia Orrick be dropped as party Plaintiff in the above styled and captioned case.

James E. Ellison
Judge James E. Ellison

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

FILED

ITT LIFE INSURANCE CORPORATION,)
a Wisconsin corporation,)
)
Plaintiff,)
)
vs.)
)
NAOMI FARLEY, an individual,)
)
Defendant.)

FILED
OCT 27 1983

Jack C. Silver, Clerk
U. S. DISTRICT COURT
No. 81-C-513-C

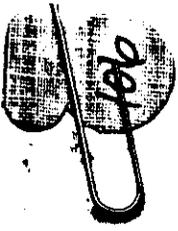
J U D G M E N T

Pursuant to the Findings of Fact and Conclusions of Law entered simultaneously herein, the Court finds for the plaintiff ITT Life Insurance Corporation and against the defendant Naomi Farley. The Certificate of Insurance issued by plaintiff to Junior Farley is hereby reformed to correctly state the intent of the parties and to correct the clerical error in typing the amount of original insurance so that it will read \$10,000.00 rather than \$45,220.00.

The first and only remaining counterclaim of defendant Naomi Farley is hereby denied.

It is so Ordered this 27th day of October, 1983.


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



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

FILED

OCT 27 1983

dm

J. M. HUBER CORPORATION,)
)
 Plaintiff,)
)
 vs.)
)
 LOWERY WELLHEADS, INC.,)
 GEORGE LOWERY and DONALD)
 WALFORD,)
)
 Defendants.)

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

No. 81-C-594-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 rendered,

IT IS ORDERED AND ADJUDGED that the Plaintiff take nothing, that the action be dismissed on the merits, and that the Defendants, Lowery Wellheads, Inc., George Lowery and Donald Walford recover of the Plaintiff J. M. Huber Corporation their costs of action.

DATED at Tulsa, Oklahoma this 21st day of October, 1983.

James O. Ellison

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

106

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

FILED

OCT 27 1983

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

MANDY SHAWN DIXON, et al.,)
)
 Plaintiffs,)
)
 vs.)
)
 ST. FRANCIS HOSPITAL, INC.,)
 et al.,)
)
 Defendants.)

No. 83-C-846-E

ORDER

NOW on this 27th day of October, 1983, comes on for hearing Plaintiffs' motion to remand and the Court, finding the same to be confessed, finds the same should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiffs' motion for Order remanding this action to state court be and is hereby granted.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 27 1983

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

JAMES RICKETTS,)
)
 Plaintiff,)
)
 vs.)
)
 MIAMI NATIONAL BANK, N.A.,)
 et al.,)
)
 Defendants.)

No. 82-C-516-E

JUDGMENT

This action came on for jury trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the Court, hearing Defendants' motion for directed verdict at the conclusion of Plaintiff's case, finds the same should be granted for failure of Plaintiff to prove the essential elements of his claim.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants' motion for directed verdict be and is hereby granted, that Plaintiff take nothing, that the case be dismissed on the merits and that the Defendants recover of the Plaintiff their costs of the action.

Dated at Tulsa, Oklahoma this 27TH day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 27 1983

MICHAEL RAY COLBERG,)
)
 Plaintiff,)
)
 vs.)
)
 ROCKWELL INTERNATIONAL)
 CORPORATION INTERNATIONAL)
 UNION, UNITED AUTOMOBILE,)
 AEROSPACE AND AGRICULTURAL)
 IMPLEMENT WORKERS OF AMERICA,)
 AND LOCAL 952 OF THE U.A.W.,)
)
 Defendants.)

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

No. 82-C-1175-E

JUDGMENT

This action came on for jury trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the Court, after hearing Defendants' motions for directed verdict at the conclusion of Plaintiff's case, finds the same should be granted as follows:

The Court makes no findings as to the issue raised by both Defendants on statute of limitations. Nor does the Court's ruling encompass Defendants' argument that Plaintiff failed to exhaust administrative remedies. Rather, Defendants' motions are sustained on Plaintiff's failure to establish the elements necessary to prove the allegations made in the above-styled case.

Under the holding of S. J. Grove & Sons vs. Intern. Bro. of Teamsters, 581 F.2d 1241 (7th Cir. 1978), disputes involving interpretations of "just cause" provisions are resolvable by the Court in the absence of disputed facts. The Court therefore specifically finds Plaintiff was discharged for just cause and

therefore no breach of the collective bargaining agreement occurred.

The Court further finds Plaintiff failed to establish the essential elements of his claim against the Union for breach of the statutory duty of representation. See Vaca vs. Sipes, 87 S.Ct. 903 (1967).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants' motions for directed verdict be and are hereby granted, that Plaintiff take nothing, that the case be dismissed on the merits and that the Defendants recover of the Plaintiff their costs of the action.

DATED at Tulsa, Oklahoma this 27th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 27 1983

ROY H. OWENS,

Petitioner,

vs.

U. S. BUREAU OF PRISONS
AND THE ATTORNEY GENERAL
OF THE UNITED STATES,

Respondents.

No. 83-C-785-E

JACK B. SILVER, CLERK
U.S. DISTRICT COURT

O R D E R

The Court has now before it a petition filed by Roy H. Owens, number 41290-115, for a writ of habeas corpus pursuant to "28 U.C.C. § 2241". At the time the petition was filed, Petitioner Owens was incarcerated in the Tulsa County Jail. Petitioner alleges he has served a five-year sentence pursuant to a federal conviction in the Western District of Texas and is now being detained in the Tulsa County Jail past the expiration of said sentence in violation of his rights under the United States Constitution.

The records of this case show that on August 1, 1983, the U.S. Parole Commission, Southeast Region, issued a warrant for Petitioner's arrest based upon a probation office report that Petitioner absconded from supervision on June 14, 1983. Said warrant was executed by the Tulsa Police on August 13, 1983 when Petitioner was arrested for public intoxication.

Petitioner has been transferred from the Tulsa County Jail to the federal correctional institution in El Reno, Oklahoma pursuant to a September 9, 1983 Order of the U.S. Parole

Commission to return him to the federal correctional institution at Talladega, Alabama for a parole revocation hearing.

Petitioner cannot deny that he absconded from the supervision of the Southern District of Florida in June of this year. He admits in his petition that he left Miami, Florida at the beginning of June, 1983 to come to Oklahoma.

Petitioner is currently incarcerated pursuant to a valid warrant for arrest under 18 U.S.C. § 4213 for violation of a condition of parole. By his letter dated October 9, 1983, Petitioner informs the Court that he was to be transferred to Talladega, Alabama within two to three weeks for his revocation hearing. He has been accorded the opportunity to have a preliminary reasonable cause hearing which was held in the presence of the probation officer on August 15, 1983 pursuant to 18 U.S.C. § 4214. It was determined that there was probable cause to believe that he had violated a condition of his parole and a report was sent to the United States Parole Commission. Section 4214(c) provides that a revocation hearing must be held within ninety (90) days of the date of the retaking by warrant.

Relief from actions of the Parole Commission is not available from a federal court in a habeas corpus action prior to Petitioner's exhaustion of available administrative remedies. United States ex rel Sanders vs. Arnold, 535 F.2d 848 (3rd Cir. 1976); Guida vs. Nelson, 603 F.2d 261 (2nd Cir. 1979); Smoake vs. Willingham, 359 F.2d 386 (10th Cir. 1966). Petitioner has yet to undergo a parole revocation hearing. If the ruling of the Parole Commission proves to be adverse to Petitioner he has available to

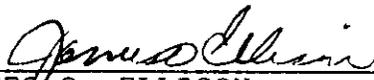
him a remedy under 18 U.S.C. § 4215 which provides that he may apply to have the decision reconsidered by a regional commissioner within thirty (30) days following the date of the decision, and he may appeal any adverse decision of the regional commissioner to the national appeals board by submitting a written notice of appeal within thirty (30) days following the date of such decision. This Court sees no reason to interfere with the orderly process of review and appeal set forth by these statutes. It is the finding of this Court that the Petition for a Writ of Habeas Corpus must be dismissed for failure to pursue available administrative remedies.

Respondent contends that Petitioner is no longer confined by any federal process in this District and therefore the writ is moot. The petition states as Respondents the United States Bureau of Prisons and the Attorney General of the United States. At the time of the filing of the petition, however, Petitioner was in the custody of the Tulsa City-County Jail and of the United States Parole Commission. Jurisdiction under 28 U.S.C. § 2241 lies not only in the district of actual physical confinement but also in the district where a custodian responsible for the confinement is present. McCoy vs. U.S. Board of Parole, 537 F.2d 962, 964 (8th Cir. 1976). In most circumstances, the custodian is the chief administrative official of the correctional institution. Additionally, since Owens was incarcerated in the Tulsa City-County Jail through the mechanism of a federal parole violation warrant issued by the Parole

Commission one of his custodians for purposes of habeas corpus jurisdiction is the Parole Commission. At the time of this Order, Petitioner is no longer in the custody of the Tulsa City-County Jail, nor is he in a district within which this case could have been brought against the proper party respondent, the United States Parole Commission pursuant to 28 U.S.C. § 1404(a).

IT IS THEREFORE ORDERED AND ADJUDGED that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 of Petitioner Roy H. Owens, number 41290-115, be and hereby is dismissed.

ORDERED this 27th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JOEL K. MOONEY,)
)
 Defendant.)

OCT 26 1983

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

CIVIL ACTION NO. 83-C-751-B

DEFAULT JUDGMENT

This matter comes on for consideration this 25th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Joel K. Mooney, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Joel K. Mooney, was served with Summons and Complaint on September 16, 1983. 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, Joel K. Mooney, for the principal sum of \$886.80, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 26 1983

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JAMES V. DUNCAN,)
)
 Defendant.)

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

CIVIL ACTION NO. 83-C-696-E

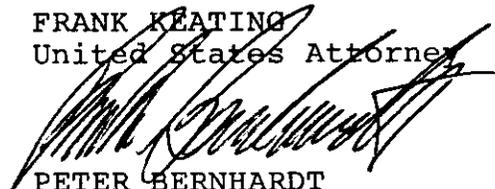
NOTICE OF DISMISSAL

COMES NOW the Plaintiff, United States of America, by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, 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 26th day of October, 1983.

UNITED STATES OF AMERICA

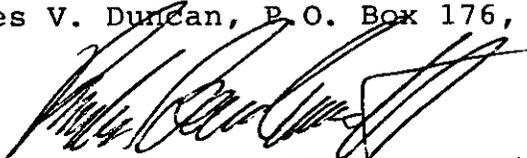
FRANK KEATING
United States Attorney



PETER BERNHARDT
Assistant United States Attorney
460 U.S. Courthouse
Tulsa, OK 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 26th day of October, 1983, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: James V. Duncan, P.O. Box 176, Big Cabin, Oklahoma 74332.


Assistant United States Attorney

Entered

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

FILED

OCT 26 1980

W. G. SILVER, CLERK
U.S. DISTRICT COURT

WILLARD R. CARTWRIGHT,)
)
 Plaintiff,)
)
 vs.)
)
 METROPOLITAN LIFE INSURANCE)
 COMPANY,)
)
 Defendant.)

No. 83-C-106-BT

ORDER OF DISMISSAL

On this 25 day of October, 1980,
upon written application of parties for an order of 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
the complaint with prejudice to any future action, and the Court
being fully advised in the premises, finds that said complaint
should be dismissed; 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 are hereby dismissed with prejudice to
any further action.

S/ THOMAS R. BRETT

THOMAS R. BRETT, JUDGE
UNITED STATES DISTRICT COURT

Entered

FILED

OCT 25 1983

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

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

UNR INDUSTRIES, INC.,)
a Delaware corporation,)
)
Plaintiff,)
)
v.)
)
FREDDIE'S SALES AND SERVICE, INC.,)
an Oklahoma corporation,)
)
Defendant.)

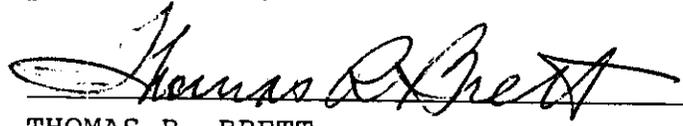
No. 82-C-1104-BT

JUDGMENT ON JURY VERDICT

This matter was tried before a jury on October 19, 20 and 21, 1983. In accordance with the verdict of the jury judgment is hereby entered in favor of plaintiff, UNR Industries, Inc., and against defendant, Freddie's Sales and Service, Inc., in the amount of Forty One Thousand Five Hundred Eighty Seven and 58/ 100 Dollars (\$41,587.58), with interest at 9.98 percent per annum from this date together with costs of this action. Judgment is further entered in favor of plaintiff, UNR Industries, Inc., and against defendant, Freddie's Sales and Service, Inc., on the counterclaim of Freddie's Sales and Service, Inc., against plaintiff, UNR Industries, Inc.

IT IS FURTHER ORDERED that the matters of costs, attorney's fees and prejudgment interest, if any, are set for hearing on November 30, 1983, at 9:00 a.m.

ENTERED this 25th day of October, 1983.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

Entered

JAMES ELLIOTT,

Plaintiff,

v.

MARTIN'S RAT HOLE DRILLING, INC.,
an Oklahoma corporation,

Defendant.

No. 83-C-63-BT

CLERK
COURT

JUDGMENT

Pursuant to the jury verdict rendered October 25, 1983,
judgment is hereby entered in favor of defendant, Martin's
Rat Hole Drilling, Inc., and against plaintiff, James Elliott.
Costs are to be assessed against the plaintiff.

IT IS SO ORDERED this 25th day of October 25, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

CLERK OF DISTRICT COURT

SHELTER INSURANCE COMPANIES,)
)
 Plaintiff,)
)
 vs.) No. 83-C-122-C
)
 KENDALL L. KERR and)
 ROBERT M. SAUNIER,)
)
 Defendants.)

ORDER OF DISMISSAL

On this 25 day of October, 1983, upon the written Stipulation of the plaintiff and defendants, for a dismissal with prejudice of plaintiff's Complaint, the Court having examined said Stipulation finds, that the parties have reached a settlement of the issues of the claims involved herein and the Court being fully advised in the premises finds that the Complaint of the plaintiff against the defendants should be dismissed with prejudice.

IT IS THEREFORE ORDERED by the Court that the Complaint of the plaintiff against the defendants be and the same is hereby dismissed with prejudice to any future action.

15/ H. Dale Cook
UNITED STATES DISTRICT JUDGE

Entered

FILED

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

OCT 25 1983

OKLAHOMA BROKERAGE COMPANY,)
an Oklahoma corporation,)
)
Plaintiff,)
)
v.)
)
DACO INDUSTRIES, INC., a)
Kansas corporation,)
)
Defendant.)

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

Case No. 83-C-314-B

Stipulation of DISMISSAL WITH PREJUDICE

COMES NOW the parties above-named and having fully settled and compromised the issues set forth in the above entitled cause of action, do hereby dismiss said cause with prejudice. The Court costs shall be paid by the Defendant.

G. Lee Jackson
G. LEE JACKSON
4717 S. Yale
Suite 10
Tulsa, Oklahoma 74135
Attorney for Plaintiff

KAPLAN, SHANBERG, BIGUS & OSMAN
By *Chester B. Kaplan*
CHESTER B. KAPLAN (Mo. #0012474)
1402 Mercantile Tower
1101 Walnut
K.C., Mo. 64106
(816) 474-8000

David R. Milstein
DAVID R. MILSTEIN
Local Counsel
710 Oil Capitol Building
507 S. Main Street
Tulsa, Oklahoma 74103
(918) 585-1345

Attorneys for Daco Industries, Inc.

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

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 CLARENCE J. VANSANDT,)
)
 Defendant.)

10 25 1983

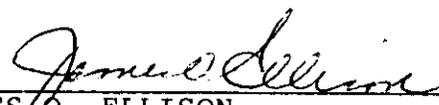
Silver

No. 83-C-408-E

ORDER

Pursuant to the Court's Order of August 18, 1983, and in consideration of Plaintiff's failure to obtain service upon the named Defendant, it is Ordered and Adjudged that the above-styled case is hereby dismissed.

ORDERED this 24th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

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

FILED

SEP 24 1983

kg

FLOYD G. BLAIR, Personal)
Representative of the Estates)
of Mary J. Blair and Virgil W.)
Blair, both deceased,)

Plaintiff,)

vs.)

MISSOURI-KANSAS-TEXAS)
RAILROAD COMPANY and OKLAHOMA,)
KANSAS and TEXAS RAILROAD)
COMPANY,)

Defendants.)

W. C. SILVER, CLERK
DISTRICT COURT

Case No. 82-C-964-B

ORDER

Now on this 24 day of October, 1983, this matter comes on for hearing upon Plaintiff's Dismissal with Prejudice of his Complaint against Oklahoma, Kansas and Texas Railroad Company and, the premises considered, this Court finds that the same should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendant, Oklahoma, Kansas and Texas Railroad Company, be dismissed with prejudice form the above captioned case.


Judge

FILED
IN OPEN COURT

OCT 24 1983

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

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

ROBERT LEE MORRIS,)	
)	
Plaintiff,)	
)	
vs.	)	No. 82-C-129-E
)	
CONNIE JEAN GRAHAM,)	
)	
Defendant.)	

O R D E R

Pursuant to this Court's Order of September 12, 1983, and in consideration of the failure of Plaintiff to obtain service on the Defendant Connie Jean Graham within the required time period, it is Ordered and Adjudged that the above-styled case be, and hereby is, dismissed.

ORDERED this 21ST day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

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

OCT 24 1983

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

LEE KENNETH BORNEMAN,

Plaintiff,

vs.

MISSOURI PACIFIC RAILROAD COMPANY,

Defendant.

No. 82-C-1108-E

ORDER OF DISMISSAL WITH PREJUDICE

On this 24th day of October, 1983, the above captioned cause came on before me, the undersigned, upon the joint "Stipulation for Dismissal With Prejudice" filed herein by both parties hereto. The Court finds that all matters in controversy between the parties have been settled and compromised and that the above action should be dismissed with prejudice.

IT IS SO ORDERED.

S/ JAMES O. ELLISON

JAMES O. ELLISON
United States District Judge

APPROVED:

Lloyd Larkin
Lloyd Larkin
Attorney for Plaintiff

Joe M. Fears
Joe M. Fears
Attorney for Defendant

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

FILED

OCT 21 1983

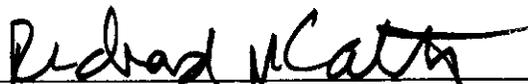
JACK C. SILVER, CLERK
U.S. DISTRICT COURT

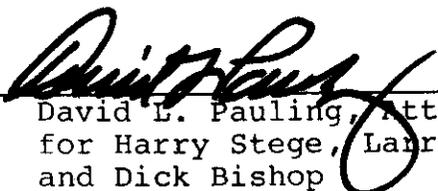
RICHARD LEE McCARTHER,)
)
Plaintiff,)
)
vs.)
)
HARRY STEGE, CHIEF OF)
POLICE, et al.,)
)
Defendants.)

No. 83-C-5-E

STIPULATION OF DISMISSAL
WITH PREJUDICE

COMES NOW Richard Lee McCarther, Plaintiff herein, and David L. Pauling, attorney of record for defendants Harry Stege, Dick Bishop and Larry Latimer, pursuant to F.R.C.P. 41(a) (1) (i), and herewith stipulate to the dismissal with prejudice of the captioned action insofar as it relates to the defendants identified herein, and further mutually stipulate that each party is to bear his respective costs and attorney fees arising as a consequence of this litigation.


Richard Lee McCarther


David L. Pauling, Attorney
for Harry Stege, Larry Latimer
and Dick Bishop

WITNESSED BY:


Ernest A. Bedford, Attorney at Law

FILED

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

OCT 21 1983

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

TOMMY G. BENSON,)	
)	
Petitioner,)	
)	
vs.	)	No. 81-CR-79-E
	)	and 83-C-793-E
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

O R D E R

The Court has now before it the Petitioner's "Motion to be Afforded a Psychological Stress Evaluator Test", which this Court has deemed a motion to vacate under 28 U.S.C. § 2255. The Petitioner, Tommy Glen Benson, number 04357-062 requests that the Court order the Respondent, United States to accept the results of a "psychological stress evaluator test" which the Petitioner requests to undergo in order to prove the allegations of his motion. He alleges that he was refused proper witnesses in order to show the truth at trial, that he was advised by his court-appointed attorney that he could not have proper witnesses at trial but that he would have a chance to advise the judge of his involvement in post-trial proceedings, that his attorney told him that he would receive no more than four to six years sentence in return for a guilty plea, and that he was coerced into pleading guilty against his will.

The settled rule is that a plea of guilty is void and subject to a § 2255 collateral attack when threats or promises

divest it of the character of a voluntary act. Runge vs. United States, 427 F.2d 122, 123 (10th Cir. 1970); Machibroda vs. United States, 368 U.S. 487, 82 S.Ct. 510 (1962). It is also the rule that a hearing is required on a § 2255 motion unless the motion and the files and records in the case conclusively show that the prisoner is entitled to no relief, or where no factual issues are raised. Putman vs. United States, 337 F.2d 313 (10th Cir. 1964). This Court must determine therefore whether Petitioner's motion and the files and the records in the case conclusively show that his plea of guilty was voluntarily and knowingly entered.

Petitioner initially entered a plea of guilty on October 19, 1981 subsequent to the impanelment of a jury but before the presentation of any evidence in his case. Petitioner was advised, pursuant to Rule 11(c) of the Federal Rules of Criminal Procedure, of the nature of the charge, the mandatory sentence, the right to representation by an attorney, his right to plead not guilty and to be tried by a jury, his right to confront and cross-examine witnesses against him, his right not to be compelled to incriminate himself, the waiver of trial and the fact that any remarks made on the record may later be used in a prosecution for perjury. Petitioner waived jury and stated on the record that his guilty plea was made voluntarily and freely and of his own choice.

On October 22, 1981, further proceedings were had in the

courtroom and in the Court's chambers in response to an indication during the preparation of the pre-sentence report that Petitioner was denying his guilt. During these proceedings the Court inquired as to Petitioner's satisfaction with the services of his attorney, Mr. Kramer. The Court made it clear to Petitioner that another attorney could be appointed for him in the event that he was dissatisfied. Petitioner responded that he was satisfied with the services of his attorney and that he wished to stand on his original plea of guilty. Petitioner does not deny his guilt but only offers explanations for his actions which could serve as a mitigating factor in determining sentence, but could not serve as a defense. At most, Petitioner's statements indicate that he is guilty but may have stood on a plea of not guilty and opted for a trial were he not in fear that the evidence that would be brought out in trial could endanger him.

Normally, allegations of fact in a Petitioner's motion to vacate are accepted as true, but that is not so where the allegations are contradicted by the files and records before the Court. Putman, supra at 315; Pelley vs. United States, 214 F.2d 597 (7th Cir.), cert. denied, 75 S.Ct. 296. This Court is of the opinion that the files and records in this case not only contradict Benson's allegations but also show without question that his plea of guilty was entered voluntarily and knowingly with a full understanding of the nature of the charge and the possible penalties and was not the result of coercion or promise

of any kind. Petitioner repeatedly admitted guilt, repeatedly denied being promised anything in return for his plea or being forced into pleading guilty. This Court offered Petitioner ample opportunity to explain the bases of his fear of bringing forth evidence and determined on the record that Petitioner was not denying guilt but only wished the evidence to be brought forward in mitigation of his crime. Ample opportunity was presented this Petitioner to discuss with the Court his allegations that he was denied the use of witnesses in his favor.

The burden on the Petitioner to establish a claim of ineffective assistance of counsel is great. Ellis vs. Oklahoma, 430 F.2d 1352 (10th Cir. 1970). The current standard in the Tenth Circuit as stated in Dyer vs. Crisp, 613 F.2d 275 (10th Cir. 1980), requires that representation not fall below that expected of a reasonable, competent and skilful defense attorney. A review of the record shows that under this standard, there is no evidence of a breach of duty by Petitioner's counsel or that his advice was not within the range of competence required of him.

This Court concludes that no factual issues are raised by Petitioner's motion and that the files and records conclusively show that his guilty plea was entered voluntarily and knowingly and without promise of any kind. There is therefore no necessity for this Court to hold an evidentiary hearing. In this regard it will not be necessary for the Court to order the administration of any kind of stress evaluator test or to take the testimony of Petitioner in any form.

IT IS THEREFORE ORDERED AND ADJUDGED that Petitioner's "Motion to be Afforded a Psychological Stress Evaluator Test", deemed a motion to vacate under 28 U.S.C. § 2255 be and is hereby denied.

ORDERED this 21st day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

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

OCT 21 1983

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

DAVID L. SWINDELL,)
)
Plaintiff,)
)
v.)
)
RICHARD S. SCHWEIKER, Secretary)
of Health and Human Services,)
Defendant.)

No. 82-C-771-E

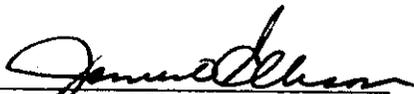
O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed on October 7, 1983 in which it is recommended that this case be remanded to the Secretary for further administrative proceedings. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

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

Accordingly, it is Ordered that this case be remanded to the Secretary for further proceedings consonant with the Findings and Recommendations of the Magistrate.

Datd this 21st day of October, 1983.


 JAMES O. ELLISON
 UNITED STATES DISTRICT JUDGE

FILED

OCT 21 1983

pt

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA
J. G. Silva
U.S. DIST. CT. OKLA.

JACK DANIEL,)
)
Plaintiff,)
)
vs.)
)
HARTFORD ACCIDENT & INDEMNITY)
COMPANY, a Connecticut)
corporation,)
)
Defendant.)

Case No. 83-C-740-C ✓

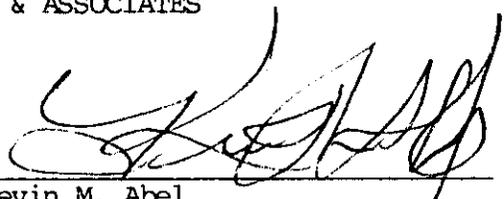
PLAINTIFF'S NOTICE OF
DISMISSAL WITH PREJUDICE

COMES NOW the Plaintiff and hereby gives notice pursuant to Federal Rules of Civil Procedure 31(a)(1)(i) of Plaintiff's Dismissal of the above entitled and numbered action before service by the Defendant of either an answer or a motion for summary judgment.

The Clerk of the Court is hereby requested to enter this Dismissal.

DATED this 21st day of October, 1983.

ABEL & ASSOCIATES

By: 

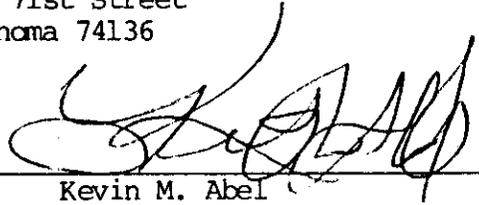
Kevin M. Abel
2121 South Columbia, Suite 220
Tulsa, Oklahoma 74114

Attorneys for Plaintiff,
JACK DANIEL

CERTIFICATE OF MAILING

I, Kevin M. Abel, hereby certify that on this 21st day of October, 1983, I mailed a true and correct copy of the above and foregoing Dismissal to:

Mr. Frank Masoner
Hartford Accident & Indemnity Company
2508-A East 71st Street
Tulsa, Oklahoma 74136



A handwritten signature in black ink, appearing to read 'K. Abel', is written over a horizontal line.

Kevin M. Abel

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

FILED

OCT 21 1983

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

SHELTER MUTUAL INSURANCE CO.,)

Plaintiff,)

vs.)

KEVIN WILLIAM HOP and)
JOHN J. STOWE,)

Defendants.)

No. 82-C-1045-C

JOURNAL ENTRY OF JUDGMENT

The above cause comes on for non-jury trial on this, the 14th day of October, 1983, at its regular setting, and all parties are present and announce ready for trial, and based upon the testimony of witnesses sworn and the evidence and exhibits presented, and further, based upon the stipulation of the parties in the Pre-Trial Order previously entered in this cause, the court finds that the defendant, Kevin William Hop, did not intentionally injure or attempt to injure the defendant, John J. Stowe, with his vehicle on the date in question; and that the defendant, Kevin William Hop, did, in fact, give timely and reasonable notice to the plaintiff, Shelter Mutual Insurance Co., of the accident and incident in question, such notice being given as soon as practicable under the facts and circumstances of this case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the relief requested in the Complaint on file herein be denied and

it is hereby determined that the plaintiff, Shelter Mutual Insurance Co., does, in fact, have coverage and is obligated to defend the current state court lawsuit filed by John J. Stowe against Kevin William Hop.

DONE AND DATED this 21st day of October, 1983.

1.31 H. Dale Cook
H. DALE COOK,
Chief United States District Judge

APPROVED AS TO FORM AND CONTENT:

W. S. Hall
William S. Hall,
Attorney for Plaintiff

John L. Edwards
Attorney for Defendant Hop

Michael P. Howard
Attorney for Defendant Stowe

Entered

FILED

OCT 21 1983

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. 83-C-668-B
)	
ROY D. WINKLEMAN,)	
)	
Defendant.)	

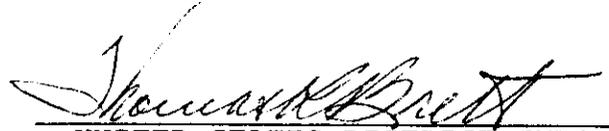
AGREED JUDGMENT

This matter comes on for consideration this 20th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Roy D. Winkleman, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Roy D. Winkleman, was personally served with Alias Summons and Complaint on October 13, 1983. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$872.33, plus interest at the legal rate 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,

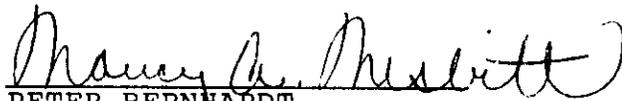
Roy D. Winkleman, in the amount of \$872.33, plus costs and interest at the legal rate from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

for 
PETER BERNHARDT
Assistant U.S. Attorney


ROY D. WINKLEMAN

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	OCT 20 1983
)	
Plaintiff,	)	W. C. SILVER, CLERK
	)	DISTRICT COURT
vs.)	
)	
TERRENCE W. LAZAR,)	
)	
Defendant.	)	CIVIL ACTION NO. 83-C-660-B

DEFAULT JUDGMENT

This matter comes on for consideration this 20th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Terrence W. Lazar, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Terrence W. Lazar, was served with Alias Summons and Complaint on September 12, 1983. 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, Terrence W. Lazar, for the principal sum of \$525.87, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.


UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 20 1983

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 INTERNATIONAL BUSINESS)
 AIRCRAFT, INC.,)
)
 Defendant.)

CIVIL ACTION NO. 83-C-745-B

NOTICE OF DISMISSAL

COMES NOW, Plaintiff, United States of America, acting on behalf of Federal Aviation Administration, by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure hereby gives notice of dismissal with prejudice of this action. In settling this action, no admissions of any kind are made by the Defendant, International Business Aircraft, Inc. Plaintiff hereby confesses Defendant's Motion to Strike filed on September 20, 1983, and the last phrase of paragraph 7 of the Complaint is hereby deleted.

UNITED STATES OF AMERICA

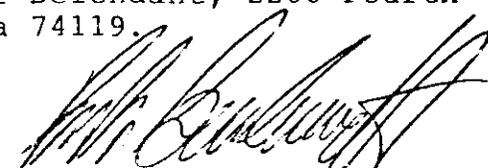
FRANK KEATING
United States Attorney



PETER BERNHARDT
Assistant United States Attorney
460 U.S. Courthouse
Tulsa, OK 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 20th day of October, 1983, a true and correct copy of the foregoing was delivered to: Floyd L. Walker, Attorney for Defendant, 2200 Fourth National Building, Tulsa, Oklahoma 74119.


Assistant United States Attorney

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

OCT 20 1983
JACK C. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
ISAAC D. FIELDS,)	
)	
Defendant.	)	CIVIL ACTION NO. 83-C-147-B

O R D E R

Now on this 20 day of October, 1983, it appears that the Defendant in the captioned case has not been located within the Northern District of Oklahoma, and therefore attempts to serve him have been unsuccessful.

IT IS THEREFORE ORDERED that the Complaint against Defendant, Isaac D. Fields, be and is dismissed without prejudice.

Marshall Brett
UNITED STATES DISTRICT JUDGE

Entered

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

OCT 20 1983

DELVIN LUMPKIN & DELVIN LUMPKIN)
d/b/a REBAR CONSTRUCTION,)
)
Plaintiff,)
)
v.)
)
WILLIAM G. YOUNG CONSTRUCTION)
COMPANY, INC., a Kansas corporation))
)
Defendant.)

JACK O. SILVER, CLERK
U.S. DISTRICT COURT

No. 83-184-BT

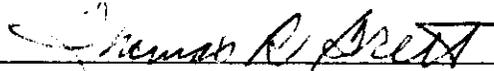
J U D G M E N T

This case came on for jury trial on Monday, October 17, 1983. After the presentation of all of the evidence on October 19, 1983, the Court sustained the motion for directed verdict of the plaintiff. The defendant's counterclaim against the plaintiff was submitted to the jury and the jury returned its verdict for the plaintiff and against the defendant thereon.

Therefore, judgment is hereby entered in favor of the plaintiff, Delvin Lumpkin, d/b/a Rebar Construction, against the defendant, William G. Young Construction Company, Inc., in the amount of Twenty Nine Thousand Seven Hundred Fifty Seven and 58/100 Dollars (\$29,757.58), plus interest at the rate of 6% per annum from January 1, 1983 to this date and post-judgment interest in the amount of 9.98% per annum. Further, judgment is rendered in favor of plaintiff and against the defendant on the defendant's counterclaim.

Hearing is set for the 10th day of November, 1983, at
9:30 o'clock A.M., regarding plaintiff's claim for costs
and attorney's fees.

EnNTERED this 20th day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 20 1983

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

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

JAMES K. MAYS,)

Defendant.)

CIVIL ACTION NO. 83-C-672-C

DEFAULT JUDGMENT

This matter comes on for consideration this 20th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, James K. Mays, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, James K. Mays, was served with Alias Summons and Complaint on September 12, 1983. 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 K. Mays, for the principal sum of \$243.96, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

DONNA ROBERTS, et al.,)
)
 Plaintiffs,)
)
 vs.)
)
 COLLINS FOODS INTERNATIONAL,)
 INC., et al.,)
)
 Defendants.)

FILED
OCT 20 1983
Jack C. Silver, Clerk
U. S. DISTRICT COURT

No. 83-C-717-C ✓

O R D E R

Now before the Court for its consideration is the motion of defendant Adrian W. Whited to dismiss based on allegedly insufficient service of process, filed on September 14, 1983. The Court has no record of a response to this motion from plaintiffs. Rule 14(a) of the local Rules of the United States District Court for the Northern District of Oklahoma provides as follows:

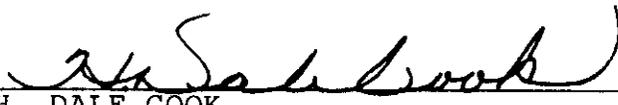
(a) Briefs. Each motion, application and objection filed shall set out the specific point or points upon which the motion is brought and shall be accompanied by a concise brief. Memoranda in opposition to such motion and objection shall be filed within ten (10) days after the filing of the motion or 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, in that plaintiffs have failed to comply with local Rule 14(a) and no responsive pleading has been filed within 36 days of the filing of the Motion to Dismiss herein, the

Court concludes that plaintiffs have waived any objection to said motion and have confessed the matters contained therein.

Accordingly, it is the Order of the Court that the Motion to Dismiss defendant Adrian W. Whited should be and hereby is sustained.

It is so Ordered this 20 day of October, 1983.


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

Judgment rendered this 14 day of October, 1983.

Jack C. Silver, Clerk

Pam Jones, Deputy Clerk
CLERK OF THE DISTRICT COURT

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

FILED

JERRY G. DETWILER, MIKE JUSTICE, CLAUDE)
NELSON, ROBERT H. CORBETT, DAVID C. QUINLAN)
and WILLIAM T. THORNE,)

OCT 19 1983

Plaintiffs,)

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

vs.)

Case No. 82-C-1215-BT

JACK V. SANDERS, JACK H. SANTEE, RONALD T.)
SMITH and WAYLAND KELLY,)

Defendants.)

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 19th day of October, 1983, the above styled and numbered cause comes on for consideration by the Court on the Joint Stipulation for Dismissal filed herein by the Plaintiffs and Defendants. The Court, having examined the Joint Stipulation for Dismissal, finds that the Plaintiffs and the Defendants have entered into a compromise agreement in settlement of the claims set forth in the Complaint and that the claims for relief set forth therein should be dismissed with prejudice as against the Defendants, Jack V. Sanders, Jack H. Santee, Ronald R. Smith and Wayland Kelly, pursuant to the Joint Stipulation for Dismissal.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the causes of action filed by the Plaintiffs against the Defendants are hereby dismissed with prejudice to future filing.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 19 1983

FRANK J. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
RODNEY O. BEAL,)
)
Defendant.)

CIVIL ACTION NO. 83-C-671-B

DEFAULT JUDGMENT

This matter comes on for consideration this 19th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Rodney O. Beal, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Rodney O. Beal, was served with an Alias Summons and Complaint on September 7, 1983. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Rodney O. Beal, for the principal sum of \$285.00, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

Frank J. Silver
UNITED STATES DISTRICT JUDGE

Entered

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

UNITED STATES OF AMERICA,	)	OCT 19 1983
)	
Plaintiff,	)	JACK C. SILVER, CLERK
	)	U.S. DISTRICT COURT
vs.)	
)	
GERALD E. HALE,)	
)	
Defendant.	)	CIVIL ACTION NO. 83-C-697-B

DEFAULT JUDGMENT

This matter comes on for consideration this 19th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Gerald E. Hale, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Gerald E. Hale, was served with Alias Summons and Complaint on September 16, 1983. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Gerald E. Hale, for the principal sum of \$630.00, plus accrued interest of \$143.52 as of July 31, 1983, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

S/ THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

FILED

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

OCT 19 1983 *dm*

CITY OF TULSA, a municipal corporation,)	
)	
Plaintiff,)	
)	
vs.)	
)	
CONTINENTAL CASUALTY COMPANY, a foreign corporation,)	
)	
Defendant.)	

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

No. 81-C-518-E ✓

JUDGMENT

This action came on for hearing before the Court, Honorable James O. Ellison presiding, and the issues having been duly heard, and a decision having been duly rendered,

IT IS ORDERED AND ADJUDGED that the comprehensive liability insurance policy issued by the Defendant Continental Casualty Company, Policy No. CCP 09 912 15 48, provides coverage for Plaintiff City of Tulsa for the injuries sustained by Elizabeth Fears on October 30, 1980.

IT IS FURTHER ORDERED that Plaintiff recover of the Defendant its costs of action.

Dated at Tulsa, Oklahoma this 19th day of October, 1983.



 JAMES O. ELLISON
 UNITED STATES DISTRICT JUDGE

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

FILED

SARAH DYKSTRA, a minor who)
sues by and through JOEL AND)
VICKI DYKSTRA, her father)
and mother, as next friends,)
)
Plaintiff,)

OCT 19 1983

Clifford Silva
S.F. 1983

vs.)

No. 82-C-326-E

INDEPENDENT SCHOOL DISTRICT)
NO. 3 OF BROKEN ARROW,)
TULSA COUNTY, OKLAHOMA;)
OKLAHOMA STATE DEPARTMENT)
OF EDUCATION,)
)
Defendants.)

JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown within twenty (20) days that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this judgment by United States mail upon the attorneys for the parties appearing in this action.

DATED this 19th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

WAYNE H. CREASY,)
)
Plaintiff,)
)
vs.)
)
WALTERS & WALTERS, INC.,)
a foreign corporation, and)
G.C. WALTERS, JR.,)
an individual,)
)
Defendants.)

OCT 19 1983

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

No. 82-C-724-E

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 19th day of October, 1983, there comes on for consideration the motion of the Plaintiff for leave to dismiss with prejudice. The Court finds that, based upon the agreement attached to said motion, the parties have reached a complete and final settlement of their differences with respect to this action and the same should be dismissed with prejudice.

IT IS, THEREFORE, ORDERED, adjudged and decreed that this action be, and the same is hereby, dismissed with prejudice to any future refiling hereof.

57 JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

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

FILED

SHELTER AMERICA CORPORATION,)
)
 Plaintiff,)
)
 vs.) Case No. 83-C-647-E
)
 EVERETT O. SWAGGER and)
 CECILIA SWAGGER,)
)
 Defendants.)

SEP 19 1983

J. C. Silver, Clerk
DISTRICT COURT

JUDGMENT OF DEFAULT

This cause coming for hearing before the undersigned Judge upon Plaintiff's Motion for Default Judgment against Defendants, Everett O. Swagger and Cecilia Swagger, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, and it appearing to the Court that the Complaint in the above cause was filed on the 28th day of July, 1983, and that Summons and Complaint were duly served on Defendants on September 10, 1983, and that no answer or other defense has been filed by said Defendants, and that default was entered by the Clerk on the 12 day of October, 1983, and that no proceeding has been taken by said Defendants, Everett O. Swagger and Cecilia Swagger, since default was entered by the Clerk.

The Court having examined the file, reviewed the Motion, Affidavit, and Brief filed by Plaintiff, and having considered the Affidavit of Plaintiff's counsel as to the attorney fees incurred by Plaintiff in this matter, and being fully advised finds, and

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Court has jurisdiction over the parties and the subject matter of this action pursuant to 28 U.S.C §1332.

2. That default judgment is hereby entered against Defendants, Everett O. Swagger and Cecilia Swagger, and in favor of Plaintiff for possession of the following described personal property, to-wit: One (1) 1982 Doral Eastwind Mobile Home, Serial No. TWIALAS17022.

3. In the event possession cannot be had within thirty (30) days of this date, the Court retains jurisdiction to reopen the case and consider alternative relief.

4. In the event possession is obtained within thirty (30) days of this date, this Court reserves, until after sale proceedings, the right of Plaintiff to be awarded a deficiency judgment with interest thereon as provided by the Contract and by 12A O.S. §9-504.

5. Plaintiff have further judgment against Defendants for a reasonable attorney fee in the amount of Six Hundred Eighteen (\$618.00) Dollars.

6. The Court further directs that Plaintiff is entitled to collection expenses and costs of this action.

MADE AND ENTERED this 19TH day of October, 1983.


UNITED STATES DISTRICT JUDGE

Entered

IN THE DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 19 1993

JOCK C. SILVER, CLERK
DISTRICT COURT

STEPHEN L. SOHOSKY and ALICE
A. SOHOSKY, Natural Parents
and Personal Representatives
of CATHERINE SUZANNE SOHOSKY,
deceased; and ALICE A SOHOSKY,
Individually,

Plaintiffs,

vs.

BERRY PERSHING THOMPSON,

Defendant.

No. 830C-165-B ✓

LOUIS O. SOHOSKY and OTIE
L. SOHOSKY,

Plaintiffs,

vs.

BERRY PERSHING THOMPSON
665 S. W. Pt. Malabar Boulevard
Palm Beach, Florida,

Defendant.

No. 83-C-279-E

FRANCES EARLENE BRADFORD
and JIM O. BRADFORD,

Plaintiffs,

vs.

BERRY PERSHING THOMPSON
and STEPHEN L. SOHOSKY, ✓

Defendants.

No. 83-C-521-E

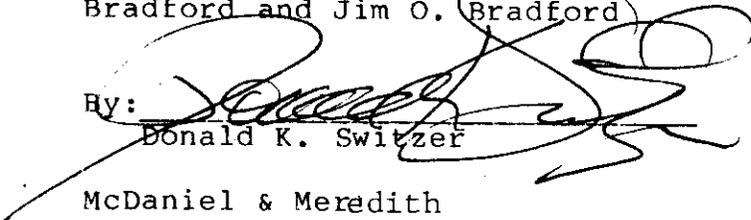
STIPULATION OF DISMISSAL

COME NOW, FRANCES EARLENE BRADFORD and JIM O. BRADFORD,
Plaintiffs and STEPHEN L. SOHOSKY, Defendant, by and through

their respective counsel of record, and stipulate to the dismissal of each of the Plaintiffs' respective claims against the Defendant, Stephen L. Sohosky.

LOGAN, LOWRY, JOHNSTON,
SWITZER, WEST & WYATT
101 South Wilson Street
P. O. Box 558
Vinita, Oklahoma 74301
(918) 256-7511

Attorneys for Frances Earlene
Bradford and Jim O. Bradford

By: 
Donald K. Switzer

McDaniel & Meredith
2825 East Skelly Drive
Suite 826
Tulsa, Oklahoma

Attorneys for Stephen L.
Sohosky

By: 
Leslie V. Williams

CERTIFICATE OF MAILING

I, Donald K. Switzer, do certify that a true and correct copy of the above and foregoing Stipulation for Dismissal, was mailed to:

1. James K. Secrest, III, Esquire
Rogers, Honn, Hill,
Secrest & McCormick
117 East Fifth Street
Tulsa, Oklahoma 74103
2. Joseph M. Best, Esquire
Best, Sharp, Thomas,
Glass & Atkinson
Suite 300 - Oil Capital Building
Tulsa, Oklahoma 74103

3. Leslie Williams, Esquire
McDaniel & Meredith
2825 East Skelly Drive
Suite 826
Tulsa, Oklahoma 74105

on this 14 day of October, 1983, with postage thereon
fully prepaid.


Donald K. Switzer

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 18 1983

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DALLAS L. FLANAGAN,)
)
Defendant.)

CIVIL ACTION NO. 83-C-753-C

DEFAULT JUDGMENT

This matter comes on for consideration this 18th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Dallas L. Flanagan, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Dallas L. Flanagan, was served with Summons and Complaint on September 16, 1983. 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, Dallas L. Flanagan, for the principal sum of \$614.27, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 18 1983

JACK GREEN and ALVERETTA GREEN)
)
 Plaintiffs,)
)
 vs.)
)
 FIBREBOARD CORPORATION, et al.)
)
 Defendants.)

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

No. 83-C-580-C

ORDER

On this 18th day of Oct, 1983, on the Application of plaintiff and defendant Armstrong Cork Company herein, the Court finds and therefore orders that the defendant Armstrong Cork Company is hereby dismissed from this case with prejudice. The Court further orders that the dismissal with prejudice of defendant Armstrong Cork Company shall not prejudice plaintiff's rights to proceed against other named defendants.

151 H. Dale Cook
United States District Judge
Northern District

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

FILED

THE AETNA CASUALTY AND SURETY)
COMPANY, a corporation,)
)
Plaintiff,)
)
vs.)
)
HAROLD LEE RAY, KERR-McGEE)
CORPORATION, and LUIS BRAVO,)
)
Defendants.)

09.18.1983 *rm*
Jack C. Silva, Clerk
U.S. DISTRICT COURT
No. 83-C-95-C

J U D G M E N T

This action having come before the Court and the issues having been duly determined,

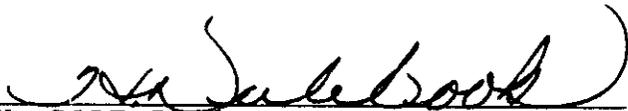
It is Ordered, Adjudged and Decreed that the plaintiff Aetna Casualty and Surety Company has no duty or obligation to appear and defend Harold Lee Ray in a state court action filed in the District Court in and for Tulsa County, State of Oklahoma, Case No. CT-82-410, styled Luis Bravo, v. Harold Lee Ray and Kerr-McGee Oil Company by virtue of a contract of liability insurance entered into between the plaintiff, Aetna Casualty and Surety Company and the defendant, Harold Lee Ray, Policy No. 40 FX 9320CCA;

that plaintiff is not liable under Policy No. 40 FX 9320CCA for any personal or property damage which the insured Harold Lee Ray might be compelled to pay to Luis Bravo in relation to any

judgment in state court Case No. CT-82-410, now on file in the District Court in and for Tulsa County, State of Oklahoma;

that any personal or property damages suffered by Luis Bravo which were caused by the defendant Harold Lee Ray striking defendant Luis Bravo about the head and shoulders with an iron pipe on or about September 9, 1981 at a Kerr-McGee service station located at 1501 North Mingo Road, Tulsa, Oklahoma are not covered by Policy No. 40 FX 9320CCA.

It is so Ordered this 18th day of October, 1983.


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

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

FILED

OCT 18 1983

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

THE AETNA CASUALTY AND SURETY)
COMPANY, a corporation,)
)
Plaintiff,)
)
vs.)
)
HAROLD LEE RAY, KERR-McGEE)
CORPORATION, and LUIS BRAVO,)
)
Defendants.)

No. 83-C-95-C ✓

ORDER

Now before the Court for its consideration are the motions of plaintiff for default judgment against defendant Harold Lee Ray and for summary judgment herein, filed on June 6, 1983. The Court has no record of a response to these motions from defendants Harold Lee Ray or Luis Bravo. 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, in that the above named defendants have failed to comply with local Rule 14(a) and no responsive pleadings have been filed within 133 days of the filing of the above mentioned motions herein, the Court concludes that defendants Ray and Bravo have waived any objection to said motions and have confessed the matters contained therein.

Defendant Harold Lee Ray is further in default in this action as he has failed to file an answer herein after having been duly served with process on February 17, 1983.

The Court further makes the following conclusions:

1. that plaintiff Aetna Casualty and Surety Company is not liable under Policy No. 40 FX 9320CCA for any personal or property damage which the insured Harold Lee Ray might be compelled to pay to Luis Bravo in state court Case No. CT-82-410 now on file in the District Court in and for Tulsa County, State of Oklahoma;

2. that plaintiff has no duty to appear in or defend Harold Lee Ray in Case No. CT-82-410 because the incident of September 9, 1981 involving Mr. Ray's striking Mr. Bravo about the head was an intentional assault and battery committed by Mr. Ray upon Mr. Bravo and it was not an accident within the meaning of Part I, Para.C of insurance Policy No. 40 FX 9320CCA; and

3. that there is no genuine issue as to any material fact involved in this lawsuit and plaintiff is entitled to a judgment as a matter of law.

Accordingly, it is the Order of the Court that the motions of plaintiff for default judgment and summary judgment should be and hereby are sustained.

It is the further Order of the Court that defendant Harold Lee Ray is in default for failure to file any responsive pleading to the complaint of the plaintiff.

It is so Ordered this 18 day of October, 1983.


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

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

FILED

OCT 18 1983

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

THE BOARD OF TRUSTEES OF THE PLUMBERS)
& PIPEFITTERS NATIONAL PENSION FUND;)
THE BOARD OF TRUSTEES OF PIPE FITTERS)
LOXAL 205 HEALTH AND WELFARE FUND;)
THE BOARD OF TRUSTEES OF PLUMBERS &)
PIPE FITTERS LOCAL UNION 397)
APPRENTICESHIP FUND; and THE BOARD)
OF TRUSTEES OF PLUMBERS & PIPE FITTERS)
LOCAL UNION 397 BUILDING FUND,)

Plaintiffs,)

No. 83-C-650-C

vs.)

WALKINGSTICK PLUMBING COMPANY,)

Defendant.)

ORDER OF DISMISSAL

Now on this 18 day of Oct, 1983, plaintiffs' Motion to Dismiss coming on for consideration and counsel for plaintiffs herein representing and stating that all issues, controversies, debts and liabilities between the parties have been paid, settled and compromised;

IT IS THE ORDER OF THIS COURT that said action be, and the the same is, hereby dismissed with prejudice to the bringing of another or future action by the plaintiffs herein.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

Entered

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

OCT 18 1983

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

CHERRY C. WILLIAMS, individually,
and on behalf of her minor son as
next friend, RODERICK BROOKS;
VERONICA SWAIM; EMANUEL HIGHTOWER;
CHRISTINE BROOKS, individually and
on behalf of her minor children as
next friend, DAVID TURNER and SHAMIKO
LOUIE; and BRENDA C. PARKER, on behalf
of her minor daughter as next friend,
TANARA OLIVER,

Plaintiffs,

v.

HERTZ CORPORATION, a foreign corpora-
tion,

Defendant.

82-567
No. 83-C-527-BT

JUDGMENT

In accordance with the order of this Court entered
October 18, 1983, sustaining defendant's motion for summary
judgment, judgment is hereby entered in favor of defendant,
Hertz Corporation, and against plaintiffs, Cherry C. Williams,
individually; against plaintiff Cherry C. Williams on behalf
of her minor son, Roderick Brooks, as next friend; Veronica
Swaim; Emanuel Hightower; Christine Brooks, individually;
against Christine Brooks on behalf of her minor children,
David Turner and Shamiko Louie, as next friend; and against
Brenda C. Parker on behalf of her minor daughter, Tanara
Oliver, as next friend.

ENTERED this 18th day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 17 1983

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

KELLY McNEW and JANET McNEW,)
)
 Plaintiffs,)
)
 vs.) No. 82-C-1098-C
)
 GEORGE ELIAS, PHYLLIS ELIAS,)
 JOE SAM VASSAR, and TULSA)
 PETROLEUM RESOURCES, INC., an)
 Oklahoma corporation,)
)
 Defendants.)

O R D E R

Now before the Court for its consideration is the motion of defendant Joe Sam Vassar to dismiss this action as against him for failure of the complaint to state any claim against said defendant upon which relief can be granted and because of plaintiffs' failure to diligently prosecute said action against him, filed on September 8, 1983. The Court has no record of a response to this motion from plaintiffs Kelly McNew and Janet McNew. 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, in that plaintiffs have failed to comply with local Rule 14(a) and no responsive pleading has been filed within 38 days of the filing of defendant Vassar's motion to dismiss herein, the Court concludes that plaintiffs have waived any objection to said motion and have confessed the matters contained therein.

Accordingly, it is the Order of the Court that defendant Joe Sam Vassar's motion to dismiss should be and hereby is granted.

It is so Ordered this 17th day of October, 1983.


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

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

FILED

OCT 17 1983

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

NEW HAMPSHIRE INSURANCE)
COMPANY,)
)
Plaintiff,)
)
vs.)
)
JEFFREY CHRISTIAN, et al.,)
)
Defendants.)

No. 82-C-497-E

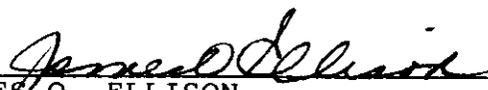
JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown within twenty (20) days that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this judgment by United States mail upon the attorneys for the parties appearing in this action.

DATED this 17th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 17 1983

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

FEDERATED METALS CORPORATION,)
))
 Plaintiff,))
vs.))
SCRAP CORPORATION OF AMERICA,))
 Defendant.))

No. 82-C-565-E

ORDER DISMISSING PLAINTIFF'S CLAIM AGAINST DEFENDANT AND
DISMISSING DEFENDANT'S CROSS-CLAIM AGAINST PLAINTIFF

Upon application of the parties and for good cause shown, the Court does hereby dismiss with prejudice the claim of the Plaintiff against the Defendant and does hereby dismiss with prejudice the cross-claim of the Defendant against the Plaintiff.

DATED this 17 day of Oct., 1983

JAMES O. ELLISON
United States District Judge

OCT 17 1983

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

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

MARK A. PREVOST,)	
)	
Plaintiff,)	
)	
vs.	)	No. 82-C-956-E
)	
GEORGE L. WALLACE and)	
GRAVES TRUCK LINES, INC.,)	
a Kansas corporation,)	
)	
Defendants.)	

ORDER OF DISMISSAL

This matter came on for consideration on this 17th day of October, 1983, upon the Joint Application for Dismissal With Prejudice filed herein. The Court being duly advised in the premises, finds that said application for dismissal is in the best interests of justice and should be approved, and the above styled and numbered cause of action dismissed with prejudice to a refiling.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Joint Application for Dismissal With Prejudice by the parties be and the same is hereby approved and the above styled and numbered cause of action and Complaint is dismissed with prejudice to a refiling.

S/ JAMES O. ELLISON

APPROVED:

Mike Buckley
Attorney for Plaintiff

Ronald Lusk
Attorney for Defendants

JAMES O. ELLISON
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 17 1983

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LARRY L. LUCAS,)
)
 Defendant.)

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

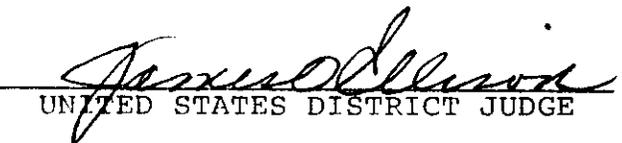
CIVIL ACTION NO. 83-C-677-E

DEFAULT JUDGMENT

This matter comes on for consideration this 17th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Larry L. Lucas, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Larry L. Lucas, was served with an Alias Summons and Complaint on September 14, 1983. 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, Larry L. Lucas, for the principal sum of \$1,114.23, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.


UNITED STATES DISTRICT JUDGE

FILED

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

OCT. 14 1983

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

FORREST SWANSON and
EDITH SWANSON,

Plaintiffs

vs

BACHE HALSEY STUART SHIELDS
INCORPORATED, a foreign
corporation,

Defendant

No. 82-C-1173-C

ORDER OF DISMISSAL

The parties to this action having filed herein their
Stipulation For Dismissal, the Court hereby dismisses the above
entitled action with prejudice, each party to bear his own costs.

Dated this 14th day of October, 1983.

A. H. Dale Cook
JUDGE

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

FILED

OCT. 14 1983

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

THELMA B. PECK and)
WILLIAM M. PECK,)
)
Plaintiffs,)
)
)
vs.)
)
)
CONNIE J. RING, and ALLSTATE)
INSURANCE COMPANY, and Illinois)
corporation,)
)
Defendants.)

NO. 82-C-997-E

ORDER OF DISMISSAL

ON this 14 day of Oct, 19 83 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 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.

The parties further covenant and agree that this settlement does not prejudice or involve the claims, damages, loss and causes of action of ALLSTATE INSURANCE COMPANY.

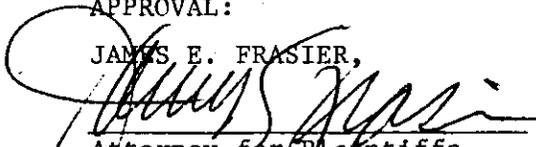
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the plaintiffs filed herein against the defendant be and the same hereby is dismissed with prejudice to any further action.

S/ JAMES O. ELLISON

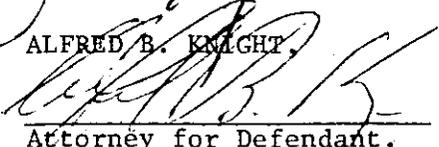
JUDGE, DISTRICT COURT OF THE UNITED STATES,
NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:

JAMES E. FRASIER,


Attorney for Plaintiffs,

ALFRED B. KNIGHT,


Attorney for Defendant.

Randel F. Robbins, in the amount of \$2,277.90, plus accrued interest of \$253.79 as of August 31, 1983,, plus costs and interest at the legal rate from the date of this Judgment until paid.

W. H. Dale Cook
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING
United States Attorney

for Marcy A. Nesbitt
PETER BERNHARDT
Assistant U.S. Attorney

Randel Robbins
RANDEL F. ROBBINS

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ROY T. TOPPING,)
)
 Defendant.)

OCT. 14 1983

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

CIVIL ACTION NO. 83-C-363-E

DEFAULT JUDGMENT

This matter comes on for consideration this 14th day of October, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Roy T. Topping, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Roy T. Topping, was served with Alias Summons and Complaint on June 28, 1983. 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, Roy T. Topping, for the principal sum of \$215.97, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

S/ JAMES U. ELSON

UNITED STATES DISTRICT JUDGE

Entered

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

OCT 13 1983

E.A. KARAY CO., INC.,)
a/k/a E.A. Karay, Inc.,)
a New York corporation,)
))
Plaintiff,)
))
v.)
))
B.J. EQUIPMENT CO., INC.,)
a/k/a B.J. Equipment Company,)
Inc., an Oklahoma corporation,)
and B.J. SUDDERTH, an indivi-)
dual,)
))
Defendants.)

WICK C. SILVER, CLERK
DISTRICT COURT

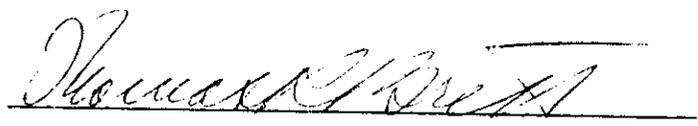
No. 82-C-953-BT

ORDER

On October 5, 1983, this matter came before the Court for status conference wherein the parties advised the Court that the defendants have been discharged in bankruptcy, case numbers 82-1115 and 82-0714 in the Northern District of Oklahoma.

IT IS THEREFORE ORDERED plaintiff's case against defendants is dismissed.

ENTERED this 13 day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED

OCT 19 1983

W. G. SILVER, CLERK
U.S. DISTRICT COURT

WILLIAM E. SCHOOLER,)
)
 Plaintiff,)
)
 v.)
)
 TULSA COUNTY SHERIFF;)
 TULSA COUNTY DISTRICT ATTORNEY;)
 TULSA COUNTY COMMISSIONER;)
 and NEAL COATS, kitchen)
 supervisor,)
)
 Defendants.)

No. 82-C-1001-BT

O R D E R

On October 12, 1983, United States Magistrate Robert S. Rizley held a status conference by telephone during which he communicated to the plaintiff herein his recommendation that the motions to dismiss and for summary judgment of the defendants be sustained. Plaintiff stated he had no objection to the Court granting the motions as he wishes to dismiss his case.

Pursuant to the Magistrate's recommendation entered October 12, 1983 that all the defendants' motions be granted and since plaintiff has no objection thereto, the Court hereby affirms the recommendation of the Magistrate.

IT IS THEREFORE ORDERED the recommendation of the Magistrate is affirmed and plaintiff's action is dismissed with prejudice.

ENTERED this 13 day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

1983 MAR 13

MAR 13 1983

DAVID G. SILVER, CLERK
U.S. DISTRICT COURT

CORY BUTCHER BAER,)
)
 Petitioner,)
)
 v.)
)
 TIM WEST,)
)
 Respondent,)
)
 and)
)
 THE ATTORNEY GENERAL OF)
 THE STATE OF KANSAS,)
)
 Additional)
 Respondent.)

No. 82-C-1041-BT

O R D E R

On March 3, 1983, petitioner filed with this Court his petition for writ of habeas corpus pursuant to 28 U.S.C. §2254. Having examined the petition, this Court determined petitioner was attacking a state detainer and requested the Clerk of this Court to sent to petitioner Form XD-2, which is the proper form for a petition for writ of habeas corpus by a person attacking a state detainer. The Clerk of this Court mailed the form to petitioner on March 9, 1982, to the Conner Correctional Center in Hominy, Oklahoma. On March 16, 1982, the Clerk of this Court again mailed the form to petitioner in care of the U.S. Marshal's Office in Topeka, Kansas. Included in the letter to the Marshal's office was a request to the Marshal to forward the form and cover letter to petitioner. The cover letter instructed petitioner to fill out the new form and return it to the Court within ten days.

As of this date, petitioner has never responded to this Court's request. The Court has no reason to believe that petitioner has not received the proper form and the instructions with regard to that form from the Clerk of this Court.

In consideration of the above, the Court concludes petitioner's petition for writ of habeas corpus should be dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED this 13th day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

FILED

OCT 15 1983

Jack C. Silve
DISTRICT CLERK

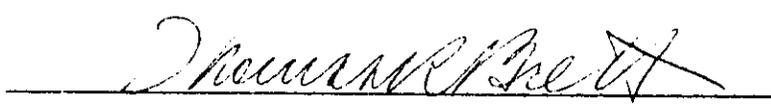
ASSOCIATES COMMERCIAL CORPORATION,)
 a Delaware corporation,)
)
 Plaintiff,)
)
 v.)
)
 OIL WEST SUPPLY, INC., an)
 Oklahoma corporation,)
)
 Defendant.)

No. 83-C-100-BT

AMENDED JUDGMENT

In accordance with the August 30, 1983 order of this Court sustaining plaintiff's motion for summary judgment, judgment is hereby entered in favor of plaintiff, Associates Commercial Corporation, and against defendant, Oil West Supply, Inc., in the amount of \$103,689.76, together with attorney's fees in the amount of \$5,800.00, plus pre-judgment interest from September 24, 1982 until October 3, 1983 at the rate of 6 percent per annum (23 Okl.St. Ann. §6), post-judgment interest at 10.8 percent per annum (28 U.S.C. §1961) and the costs of the action.

IT IS SO ORDERED this 13th day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

FILED

OCT 13 1983

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

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

A. G. BECKER, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 ALBERT J. BLAIR, JR.,)
)
 Defendant.)

Case No. 83-C-631-B

JOURNAL ENTRY OF DEFAULT AND JUDGMENT

Now on this 13th day of October, 1983, the above-entitled cause came on for hearing pursuant to the plaintiff's Application for Default Judgment, and the Court, after having reviewed the file and being fully advised in the premises herein, finds that the defendant Albert J. Blair, Jr., was properly served with process according to law, and that said defendant has failed to answer or otherwise plead herein within the time required by law and is in default.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that said defendant is hereby in default, that the allegations of plaintiff's Complaint be taken as true and confessed as against them; and that plaintiff be, and is hereby awarded judgment against said defendant in the amount of \$122,377.69 together with interest thereon at the legal rate until paid, plus an attorney's fee in the amount of \$1,070.32 and costs of this action.

S/ THOMAS R. BRETT

District Judge for the
Northern District of Oklahoma

- Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
OCT 13 1983

WILLIAM S. SILVER, CLERK
DISTRICT COURT

LEATRICE T. HORNSBY,

Plaintiff,

vs.

MARGARET M. HECKLER,
Secretary of Health and
Human Services of the
United States of America,

Defendant.

CIVIL ACTION NO. 83-C-410-B

ORDER

For good cause shown, pursuant to 42 U.S.C. §405(g),
this cause is remanded for further administrative action in the
form of preparation of an adequate record and/or further hearing.

Dated this 13 day of October, 1983.


UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

OCT 13 1983

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 BOBBY GENE INGLETT, MYRA)
 MARIE INGLETT, CHARLES ETTA)
 SAULTERS, a/k/a CHARLES ETTA)
 SOULTERS, a/k/a CHARLES)
 SAULTERS, ELOISE NELSON,)
 ALLIED FIDELITY CORPORATION,)
 JOHN DOE, BOARD OF COUNTY)
 COMMISSIONERS, TULSA COUNTY,)
 OKLAHOMA, AND COUNTY TREA-)
 SURER, TULSA COUNTY, OKLAHOMA,)
)
 Defendants.)

JACK G. SILVER, CLERK
DISTRICT COURT

CIVIL ACTION NO. 83-C-331-B

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 13th day
of October, 1983. The Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Nancy A. Nesbitt, Assistant United States Attorney; the
Defendants, County Treasurer, Tulsa County, Oklahoma, and Board
of County Commissioners, Tulsa County, Oklahoma, appearing by
their attorney, David A. Carpenter; the Defendant, Bobby Gene
Inglett, appearing by his attorney, Jeffrey S. Wolfe; and the
Defendants, Myra Marie Inglett, Charles Etta Saulters, a/k/a
Charles Etta Saulters, a/k/a Charles Saulters, Eloise Nelson,
Allied Fidelity Corporation, and John Doe, appearing not.

The Court being fully advised and having examined the
file herein finds that the Defendant, Bobby Gene Inglett, was
served with Alias Summons and Complaint on May 25, 1983; that

the Defendant, Myra Marie Inglett, was served with Alias Summons and Complaint on June 3, 1983; that the Defendant, Charles Etta Saulters, a/k/a Charles Etta Soulters, a/k/a Charles Saulters, was served with Alias Summons and Complaint on July 12, 1983; that the Defendant, Eloise Nelson, acknowledged receipt of Summons and Complaint on April 27, 1983; that the Oklahoma Insurance Commissioner acknowledged receipt of Alias Summons and Complaint on behalf of the Defendant, Allied Fidelity Corporation, on April 29, 1983; that the Defendant, John Doe, was served with Alias Summons and Complaint by serving same on Linda Ferguson, tenant of the real property described below, on June 2, 1983; that the Defendant, Board of County Commissioners, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on April 21, 1983; and that the Defendant, County Treasurer, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on April 19, 1983.

It appears that the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, filed their Answers herein on May 6, 1983; that the Defendant, Bobby Gene Inglett, filed his Answer herein on July 1, 1983; and that the Defendants, Myra Marie Inglett, Charles Etta Saulters, a/k/a Charles Etta Soulters, a/k/a Charles Saulters, Eloise Nelson, Allied Fidelity Corporation, and John Doe have failed to answer the Complaint or otherwise plead and that their default has therefore been entered by the Clerk of this Court.

The Court further finds that Plaintiff's First Cause of Action is based upon a mortgage note and for foreclosure of a real property mortgage securing said mortgage note upon the following-described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Sixty-two (62), Block Two (2), Suburban Acres Third Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded plat thereof.

THAT the Defendants, Bobby Gene Inglett and Myra Marie Inglett, did on the 15th day of March, 1968, execute and deliver to the United States of America, acting through the Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,500.00, payable in monthly installments, with interest thereon at the rate of six (6) percent per annum.

The Court further finds that the Defendants, Bobby Gene Inglett and Myra Marie Inglett, made default under the terms of the aforesaid mortgage note by reason of their failure to make the monthly installments due thereon, which default has continued and that by reason thereof the above-named Defendants are indebted to the Plaintiff in the sum of \$6,812.61 as of October 1, 1982, plus interest thereafter at the rate of six (6) percent per annum until paid, plus the court costs of this action accrued and accruing. The Court further finds that Default by the Defendants Bobby Gene Inglett should be taken in rem only, as against the subject property only, and no personal judgment is to be taken against either defendant.

The Defendant, County Treasurer, Tulsa County, Oklahoma, has an interest in the above-described real property by virtue of

real estate taxes for the years 1982 in the amount of \$ -0- now due and owing and unpaid, which are a lien against said real property. Said lien is prior and superior to the mortgage lien of the Plaintiff.

The Court further finds that the Plaintiff's Second Cause of Action seeks to have a Judgment and Commitment Order against the Defendant, Charles Etta Saulters, declared as a valid lien against the real property described above and to have said judgment lien accorded its proper priority herein.

THAT on June 13, 1977, said Judgment and Commitment Order was entered against the Defendant, Charles Etta Saulters, in which Charles Etta Saulters was ordered to pay a fine to the United States of America in the amount of \$10,000.00. This fine has not been paid although payment has been demanded by the Plaintiff. There is due and owing under said Judgment and Commitment Order the sum of \$9,950.00 as of September 9, 1983, and the Judgment and Commitment Order is a valid lien against the real property described above to this extent. Said lien is junior and inferior to the mortgage lien of the Plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment, in rem, against Defendants, Bobby Gene Inglett and Myra Marie Inglett, under its First Cause of Action in the sum of \$6,812.61, as of October 1, 1982, plus interest accruing at the rate of six (6) percent per annum, plus the costs of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that an Order of Sale shall be issued to the United States Marshal for

the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property herein, and apply the proceeds thereof as follows:

First:

In payment of the costs of this action, accrued and accruing, including the costs of sale;

Second:

In payment of the real estate taxes assessed against the subject real property in the amount of \$ -0-;

Third:

In payment of the Judgment rendered herein in favor of the Plaintiff on its First Cause of Action;

Fourth:

In payment of the fine assessed against the Defendant, Charles Etta Saulters, as is described in Plaintiff's Second Cause of Action.

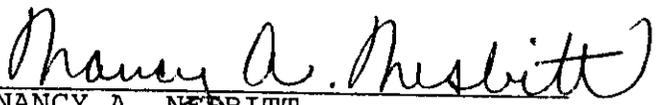
The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

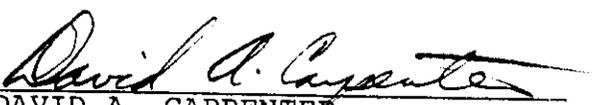
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, the Defendants and all persons claiming under them since the filing of the Complaint herein be and they are forever barred and foreclosed of any

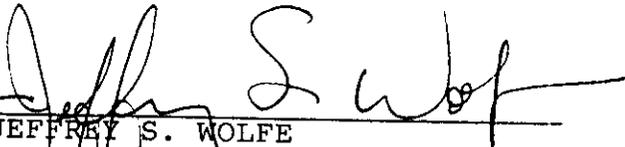
right, title, interest or claim in or to the subject real property or any part thereof.


UNITED STATES DISTRICT JUDGE

APPROVED:
FRANK KEATING
United States Attorney


NANCY A. NESBITT
Assistant United States Attorney


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


JEFFREY S. WOLFE
Attorney for Defendant
BOBBY GENE INGLETT

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

FILED

OCT 12 1983

GULF AMERICAN RESOURCES, INC.,)
a Texas corporation, and)
GEORGE L. REYNOLDS,)

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

Plaintiffs,)

-vs-)

No. 82-C-822-C

JERRY BRADSHAW, both individually)
and d/b/a BABCO EXPLORATION,)

Defendant.)

O R D E R

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

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

Done this 11 day of October, 1983.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM & CONTENT:

JONES, FRANCY, DORIS, SUTTON &
EDWARDS, INC.

By Ira L. Edwards, Jr.
Ira L. Edwards, Jr.
114 East 8th Street, Suite 400
Tulsa, OK 74119
Attorneys for Plaintiffs

JONES, GIVENS, GOTCHER, DOYLE &
BOGAN, INC.

By Alfred K. Morlan
Alfred K. Morlan
201 West Fifth, Suite 400
Tulsa, OK 74103
Attorneys for Defendant

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

JACKSON L. ROSS,

Plaintiff,

vs.

BURLINGTON NORTHERN, INC.,
Successor by merger to the
St. Louis-San Francisco
Railway Company,

Defendant,
Third-Party Plaintiff

vs.

PETTIBONE CORPORATION,

Third-Party Defendant.

No. 81-C-502-E

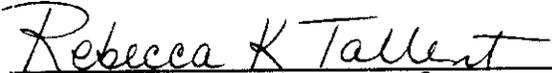
FILED

OCT 6 1983

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

STIPULATION FOR DISMISSAL WITH PREJUDICE

Third-party plaintiff, Burlington Northern Railroad Company, (formerly Burlington Northern, Inc.) and third-party defendant, Pettibone Corporation, inform the Court that they have fully settled third-party plaintiff's claim and cause of action against the third-party defendant, and stipulate that this cause of action against third-party defendant, Pettibone Corporation, be dismissed with prejudice, each party to bear its own costs.



Rebecca K. Tallent, of
Kornfeld Satterfield McMillin
Harmon Phillips & Upp
P.O. Box 26400
Oklahoma City, Okla. 73126
Attorneys for Third-Party Plaintiff
Burlington Northern, Inc.



Michael L. Noland, of
Foliart, Mills & Niemeyer
2020 First National Center
Oklahoma City, Okla. 73102
Attorneys for Third-Party Defendant
Pettibone Corporation

FILED

OCT 12 1983

U.S. Silver
80

ORDER

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

IT IS SO ORDERED this 11th day of ^{October}~~September~~, 1983.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

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

FILED

OCT 11 1983

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

STATE FARM MUTUAL AUTOMOBILE)
INSURANCE COMPANY,)

Plaintiff,)

vs.)

No. 83-C-157-E

RICKY GLEN APPLGATE, BECKY)
APPLGATE, BETTY LAWRENCE,)
HARLAN PLEASANT, FARMERS INSURANCE)
COMPANY, INC., and OKLAHOMA)
FARM BUREAU MUTUAL INSURANCE)
COMPANY and PATRICIA PLEASANT,)

Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE

COME NOW the plaintiff and its attorney and the defendants and their attorneys and stipulate that the above-captioned cause of action be dismissed with prejudice to filing a future action herein.



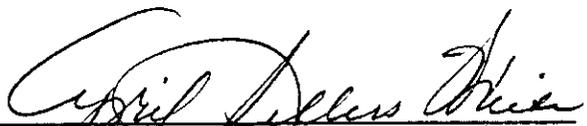
Attorney for Plaintiff



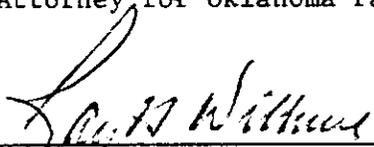
Attorney for Defendants Ricky Glen Applegate and Becky Applegate



Attorney for Betty Lawrence


Attorney for Harlan Pleasant and
Patricia Pleasant


Attorney for Oklahoma Farm Bureau


Attorney for Farmers Insurance Co., Inc.

FILED

IN THE UNITED STATES DISTRICT COURT **OCT 11 1983**
FOR THE NORTHERN DISTRICT OF OKLAHOMA

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

BILLY H. JONES,)
)
 Plaintiff,)
)
 vs.)
)
 FRANK THURMAN, Sheriff and)
 TULSA COUNTY COMMISSIONERS,)
)
 Defendants.)

No. 82-C-1065-E

O R D E R

NOW on this 7th day of October, 1983, comes on for hearing Defendants' motion to dismiss and the Court being fully advised in the premises finds the same should be granted.

Rule 14(a) of the Rules of the District Court for the Northern District of Oklahoma provides that failure to file memoranda in opposition to motions within ten (10) days after the filing of the motion will constitute waiver of objection by the non-complying party and that such failure will constitute confession.

Where such finding is dispositive of the case, however, the Court is reluctant to impose so severe a sanction absent every opportunity for Plaintiff to respond. This being a prisoner petition, the Court has extended more than every opportunity to Plaintiff and now finds Defendants' motion must be granted.

Defendants' motion was filed January 24, 1983, over nine months ago. Based upon Plaintiff's letter indicating he had not received his mail due to a transfer, the Court sent him a copy of the motion, sua sponte, and ordered a response by May 16, 1983,

which time has long since passed.

Further, the affidavit of Berry Jo Fears refutes Plaintiff's earlier allegations of non-receipt.

The Court finds the motion is confessed. See Woods Constr. Co. v. Atlas Chemical Indus., Inc., 337 F.2d 888 (Tenth Cir. 1964).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants' motion to dismiss be and is hereby granted.



JAMES/O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA OCT 11 1983

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LOCAL COAL COMPANY, INC.,)
)
 Defendant.)

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

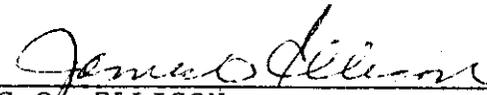
No. 82-C-149-E

JUDGMENT

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

IT IS ORDERED AND ADJUDGED that the Plaintiff United States of America recover of the Defendant Local Coal Company, Inc. the sum of \$2,400.00, with interest thereon at the rate of 9.98 per cent as provided by law, and its costs of action.

DATED at Tulsa, Oklahoma this 7th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

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

FILED

PAUL GAMBLE, RUTH ANN)
GAMBLE d/b/a GAMBLE PLUMBING)
AND HEATING,)
)
Plaintiffs,)
)
vs.)
)
U.S. HOME CORPORATION, a)
Delaware corporation,)
)
Defendant.)

Oct 10, 1983

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

No. 82-C-779-B

FILED

OCT 19 1983

MUTUAL DISMISSAL

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

COME NOW the Plaintiffs, Paul Gamble and Ruth Ann Gamble, d/b/a Gamble Plumbing and Heating, and the Defendant, U.S. Home Corporation, and do each hereby dismiss, with prejudice, their respective actions and claims against each other in this litigation, with each party to bear their own respective attorney fees, Court costs and litigation expenses.

Dated this 10 day of October, 1983.

Paul Gamble
Paul Gamble

Ruth Ann Gamble
Ruth Ann Gamble



E. Terrill Corley
1809 East 15th Street
Tulsa, Oklahoma 74104
(918) 744-6641
Attorney for Plaintiffs

U.S. HOME CORPORATION

By: 

Dale Stotts
Its Regional President

ELLER AND DETRICH, INC.

By: 

Philip J. Eller
Dwight L. Smith
2727 East 21st Street
Midway Building, Suite 200
Tulsa, Oklahoma 74114
(918) 747-8900
Attorneys for Defendant

APPROVED:

S/ THOMAS R. BRETT

Thomas R. Brett
United States District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 7 day of October, 1983, I mailed a true and correct copy of the above and foregoing Notice of Dismissal, postage fully prepaid, to:

David H. Sanders, Jr.
Suite 205
624 South Denver Ave.
Tulsa, Oklahoma 74119



Earl W. Wolfe

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

DORAN BYRD and
JENNIFER BYRD,

Plaintiffs,

-vs-

GOODYEAR TIRE & RUBBER
COMPANY, a corporation,

Defendant.

FILED

OCT - 7 1983

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

No. 82-C-203-C

O R D E R

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 with prejudice to the bringing of another action for the same.

DONE this 4th day of October, 1983.

W. H. Dale Cook
JUDGE OF THE U. S. DISTRICT COURT

FILED

OCT -7 1993 *hm*

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

JACOB D. SILVER, CLERK
U.S. DISTRICT COURT

MAPCO CONTROLS COMPANY)
)
Plaintiff,)
)
vs.)
)
INQUIRY HANDLING SERVICE,)
INC.)
)
Defendant)

Case No. 83-C-759-CEV

NOTICE OF DISMISSAL

COMES NOW the Plaintiff, MAPCO Controls Company, having entered into a complete settlement of the causes of action herein as evidenced by Exhibit "A" attached hereto and made a part hereof, and hereby dismisses all said causes of action with prejudice and releases and discharges defendant and its shareholders, officers, directors, employees, attorneys, accountants, agents and representatives with regard to any matters stated in said suit or which could have been stated therein.

MAPCO Controls Company

By *Kristen E. Cook*
Kristen E. Cook
Senior Attorney
1800 South Baltimore
Tulsa, Oklahoma 74119

EXHIBIT "A"

LAW OFFICES

TURNER, GERSTENFELD, WILK & TIGERMAN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

8383 WILSHIRE BOULEVARD, SUITE 510

BEVERLY HILLS, CALIFORNIA 90211-2486

TELEPHONE (213) 657-3100

September 27, 1983

RUBIN M. TURNER
GERALD F. GERSTENFELD*
BARRY R. WILK
BERT Z. TIGERMAN
STEVEN E. YOUNG*
DORTHA LARENE PYLES
STANLEY M. CLARK
EDWARD FRIEDMAN
CYNTHIA R. URMER

* A PROFESSIONAL CORPORATION

† CERTIFIED SPECIALIST
IN TAXATION LAW

OF COUNSEL

SEARS AND KRAINES
LONDON, ENGLAND

JOSE MARIA ABASCAL
MEXICO CITY, MEXICO

HIRSON AND KÄLLMEYER, INC.
JOHANNESBURG, SOUTH AFRICA

ABADEE, DRESNER & FREEMAN
SYDNEY, AUSTRALIA 2000

Kristen E. Cook
Attorney at Law
1800 So. Baltimore
Tulsa, Oklahoma 74119

Re: Mapco Controls vs. Inquiry Handling Services
USDC Case No. 83-C-759-C
Our File No. 3278

Dear Kris:

In accordance with the agreement reached between our respective clients, the above mentioned suit will be dismissed with prejudice upon the following terms and conditions:

A total payment of \$15,000.00 will be paid by our client to your client, payable as follows:

\$5,000.00, being transmitted herewith;

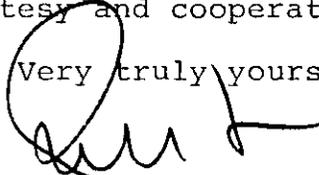
\$5,000.00 thirty days thereafter; and

\$5,000.00 thirty days after the second payment.

Thank you for your courtesy and cooperation and, of course, the enclosed \$5,000.00 check is delivered to you upon condition that acceptable documentation is submitted to me reflecting the foregoing.

Thank you again for your courtesy and cooperation.

Very truly yours,

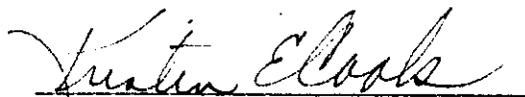


RUBIN M. TURNER

RMT:rl
Enclosure
cc: Mr. Michael Simon

CERTIFICATE OF SERVICE

A true and correct copy of the above and foregoing instrument has, on this 5th day of October, 1983, been forwarded to Mr. Ruben M. Turner, attorney for defendant, at 8383 Wilshire Boulevard, Suite 510, Beverly Hills, California 90211-2486, by placing same in the United States mail.


Kristen E. Cook

Entered

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

FILED

OCT -6 1983

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

MIDWAY MFG. & SUPPLY CO.,)
and TEXAS INTERNATIONAL)
CORPORATION,)

Plaintiffs,)

v.)

NO. 82-C-436-BT

FRANKLIN SUPPLY CO.,)

Defendant,)

OILFIELD EQUIPMENT RENTAL)
1980A LTD., a partnership,)
and PLH WORKOVER CO., a)
partnership,)

Intervenors.)

JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised this 6th day of October, 1983 by all counsel that this action has been settled, or is in the process of being settled concerning the claims of the parties. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action if on or before Monday, November 21, 1983 cause is shown by any party that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this Judgment by United States Mail upon the attorneys for the parties appearing in this action.

ENTERED this 6th day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

NANCY L. DAVIS,)
)
 Plaintiff,)
)
 vs.)
)
 ANDERSON BROTHERS MANUFACTURING)
 COMPANY, INC.,)
)
 Defendant.)

OCT -6 1983
JACK C. SILVER, CLERK
U.S. DISTRICT COURT
No. 83-C-22B

ORDER OF DISMISSAL WITH PREJUDICE

This matter comes on for hearing before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma on the joint application of the parties hereto for a Dismissal with Prejudice as the parties have settled all the claim as alleged in the complaint and amended complaint and the Court being fully advised in the premises finds that said Order of Dismissal should be issued.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the cause of action herein brought by Nancy L. Davis, plaintiff, vs. Anderson Brothers Manufacturing Company, Inc., is hereby dismissed with Prejudice to the future filing of the same as the cause of action has been completely settled between the parties.

S/ THOMAS R. BRETT

Judge of the District Court

Entered

2

FILED

OCT - 6 1983

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

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

RIFFE PETROLEUM COMPANY,)
a corporation,)
)
Plaintiff,)
)
v.)
)
D & H PAVING, INC.,)
a corporation,)
)
Defendant.)

595
No. 83-C-585-B

ORDER ENTERING JUDGMENT

The Motion of Plaintiff, Riffe Petroleum Company, for summary judgment pursuant to Federal Rule of Civil Procedure 56 came on regularly before the Court on October 5, 1983, Plaintiff appearing by its attorney, Donald L. Kahl, and Defendant, D & H Paving, Inc., appearing not. The Court, having read the pleadings and affidavits on file in this cause, having heard the arguments of counsel, and being fully advised in the premises finds that Defendant's only answer in this cause is a general denial; that Defendant has failed to respond as set forth in Rule 56(c) of the Federal Rules of Civil Procedure and Rule 14 of the Rules of the United States District Court for the Northern District of Oklahoma to Plaintiff's Motion for Summary Judgment; that the Court has contacted Defendant's counsel and advised him that failure to respond to Plaintiff's Motion constitutes a waiver of the objection by the party not responding and constitutes a confession of the matters

raised by Plaintiff's Motion for Summary Judgment and that Defendant's counsel orally advised the Court he had no intention of responding; that Defendant has failed to appear at the status conference on October 5, 1983; and that pursuant to Rule 14 of the Rules of the United States District Court for the Northern District of Oklahoma, Defendant's failure to respond to Plaintiff's Motion for Summary Judgment constitutes a waiver of objection by Defendant and a confession by Defendant of the matters raised by Plaintiff's Motion for Summary Judgment.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion for Summary Judgment be, and the same hereby is granted and that Plaintiff, Riffe Petroleum Company, shall have judgment against Defendant, D & H Paving, Inc., in the amount of \$146,191.36 with interest thereon as a finance charge from the date of indebtedness through the date of this judgment at a rate of 1½% per month, or 18% per annum, and interest thereon from the date of judgment at the rate of 1½% per month, or 18% per annum, until paid, attorney's fees in the amount of \$1,458.75, and costs of this action in the amount of \$65.40.

Dated October 5th, 1983.


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

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

FILED

OCT 2 1983

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

DENNIS LEE SORDEN,)
)
Plaintiff,)
)
vs.)
)
WILFRED CLAUSEN,)
)
Defendant.)

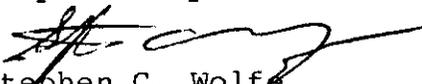
No. 82-C-636-E

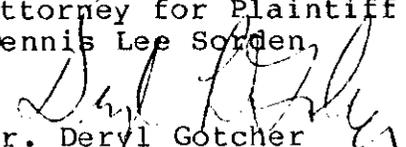
STIPULATION OF SETTLEMENT; APPLICATION AND ORDER OF DISMISSAL

Comes now both plaintiff and defendant, and mutually stipulate, agree and represent to the Court as follows.

On September 21, 1983, a status conference was held before the Honorable James O. Ellison, Judge, and the parties were granted ten (10) days from date in which to submit a joint stipulation of settlement. Following said status conference, the parties plaintiff and defendant, through their respective attorneys, have fully and completely settled all issues existing between said parties, and therefore jointly request that the above numbered and styled cause of action be dismissed with prejudice.

Respectfully submitted,


Stephen C. Wolfe
Attorney for Plaintiff
Dennis Lee Sorden,


Mr. Deryl Gotcher
Attorney for Defendant
Wilfred Clausen

noted
2/22/83

FILED

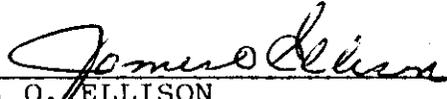
OCT - 6 1983

ORDER

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

NOW, on this 6th day of September, 1983, upon the joint stipulation of settlement and application for dismissal filed by plaintiff and defendant herein, the Court orders as follows, to-wit:

IT IS ORDERED, ADJUDGED AND DECREED, that the above numbered and styled cause of action by plaintiff, Dennis Sorden against the defendant, Wilfred Clausen, be and the same is hereby dismissed with prejudice.



JAMES O. ELLISON
DISTRICT JUDGE

Entered
FILED
OCT -6 1983
JAC C. SILVER, CLERK
DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

LEATRICE T. HORNSBY,)
)
 Plaintiff,)
)
 vs.)
)
 MARGARET M. HECKLER,)
 Secretary of Health and)
 Human Services of the)
 United States of America,)
)
 Defendant.)

CIVIL ACTION NO. 83-C-410-B

O R D E R

For good cause shown, pursuant to 42 U.S.C. §405(g),
this cause is remanded for further administrative action.

Dated this 5th day of October, 1983.


UNITED STATES DISTRICT JUDGE

Plaintiff pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. In support of their motion, Defendants aver that Plaintiff has failed to state facts showing he has been deprived of his constitutional rights by any of the Defendants named in this action and that Defendants are immune from money damages because Plaintiff has failed to show that they knew or should have known that any actions taken by them deprived Plaintiff of his constitutional rights.

There are two elements which must be pled by the Plaintiff to recover under 28 U.S.C. § 1983: (1) that the Defendants have deprived the Plaintiff of a right secured by the Constitution or laws of the United States and (2) that this deprivation occurred under color of any statute, ordinance, regulation, custom or usage, of any state or territory. Lessman vs. McCormick, 591 F.2d 605, 609 (10th Cir. 1979).

Plaintiff's First Amendment Claim: The Supreme Court in Pell vs. Procunier, 417 U.S. 817, 94 S.Ct. 2800 (1974) considered first amendment rights in the context of the prison system. The Court said:

... a prison inmate retains those first amendment rights that are not inconsistent with his status as a prisoner or with the legitimate penological objectives of the corrections system. Thus challenges to prison restrictions that are asserted to inhibit first amendment interests must be analyzed in terms of the legitimate policies and goals of the corrections system, to whose custody and care the prisoner has been committed in accordance with due process of law.

417 U.S. at 822. Plaintiff here received thirty (30) days in disciplinary segregation and the loss of thirty (30) days earned

credits for violation of the Department of Corrections policy against correspondence or association with an employee on a non-professional basis until one hundred eighty (180) days after discharge. To the extent that this policy infringes on the Plaintiff's first amendment freedoms it does so in furtherance of legitimate policies and goals of the Department of Corrections in the furtherance of rehabilitation and internal security. Such objectives have been identified by the Supreme Court as proper bases for regulations concerning first amendment rights. "... lawful incarceration brings about the necessary withdrawal or limitation of many privileges and rights, a retraction justified by the considerations underlying our penal system ...". Price vs. Johnston, 334 U.S. 266, 285, 68 S.Ct. 1049 (1948). The Department of Corrections instituted the policy to prevent inmates from harassing employees and to maintain proper relationships between the institution staff and the inmates. This Court finds such a policy to be in furtherance of legitimate goals of the correction system and not inviolation of the Plaintiff's constitutional rights.

Plaintiff's due process and equal protection claims:

Plaintiff claims that he was denied due process in that "... the offense represented in said misconduct report was not in agreement with the incident that did occur and further it was illegally prosecuted because the alleged incident occurred more than eight days prior to the start of any investigation and subsequent issuance of any misconduct report". He also asserts

that he was denied equal protection in that "... this institution has in operation a policy that denys(sic) inmates their right and privilege of corresponding without restriction ..." The gist of his complaint is that Defendants exceeded their authority by imposing a policy on Plaintiff that contradicts Department of Corrections policy. Plaintiff is under the impression that Department of Corrections policy dictates that inmates may correspond without restriction with anyone other than another inmate.

Even if such a department policy existed, and even if Defendants did in fact exceed their authority by applying such policy to Plaintiff, Defendants would not necessarily have violated Plaintiff's constitutional rights. There are three circumstances in which a departure from agency guidelines may state a claim cognizable by a federal court:

1. When compliance with the agency regulation is mandated by the Constitution or federal law;
2. When an individual has reasonably relied on agency regulations promulgated for his guidance or benefit and has suffered substantially because of their violation by the agency; or
3. When the violation of the agency regulation arguably amounts to a denial of equal protection.

United States vs. Caceres, 440 U.S. 741, 749, 99 S.Ct. 1465, 1470 (1979). Plaintiff alleges a delay of eight days from the time of the alleged incident to the start of the investigation and subsequent issuance of a misconduct report. On October 30, 1981, prison officials were advised that Mr. Jackson had sent the cards

to an employee. Plaintiff was placed on "close custody" pending an investigation, since the complaining employee was unavailable at that time for questioning. A misconduct report was written and dated November 2, 1981 at 3:00 p.m. After a hearing punishment was imposed on November 3, 1981 and later modified by the warden. Plaintiff's allegation concerns the time between the actual incident, his sending of the letters, and the issuance of the misconduct report. Even if such a delay did exist and was against department policy, Plaintiff has no constitutional right to receive notice of a disciplinary charge immediately following the incident nor does he have a right to a hearing within a specified period of time. The delay in and of itself was not of such duration as to constitute a denial of due process. Plaintiff has not alleged that he did not commit the infractions nor that he was injured in any way by the eight-day delay in the institution of the investigation. See Dowdy vs. Johnson, 510 F.Supp. 836 (E.D. Va. 1981).

Plaintiff's claims of cruel and unusual punishment:
Plaintiff claims that he was subjected to cruel and unusual punishment in that he was "physically and legally punished although no facts support the charge of misconduct issued against him". Within the meaning of the eighth amendment, cruel and unusual punishment consists of barbarous punishment or unnecessary and wanton infliction of pain as well as practices which violate a "broad and idealistic concept of dignity, civilized standards, humanity and decency" or which are

"incompatible with the evolving standards of decency that mark the progress of a maturing society". Estelle vs. Gamble, 429 U.S. 97, 102 - 103, 97 S.Ct. 285 (1976). Although treatment of prisoners must not be barbarous or shocking to the conscience, unpleasant or even undesirable practices and conditions do not give rise to a § 1983 cause of action for eighth amendment violations. Clappier vs. Flynn, 605 F.2d 519, 533 (10th Cir. 1979). This Court finds that a punishment of thirty (30) days disciplinary segregation and the loss of thirty (30) days earned credit is not cruel and unusual punishment within the above guidelines. Additionally, this Court notes that Plaintiff admits sending the two communications to the employee although he has alleged in Count 3 that no facts support the charge of misconduct issued against him.

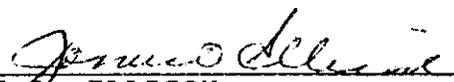
In view of the allegations in Plaintiff's complaint, the submission of report of review by the Department of Corrections, and the pleadings filed on behalf of the Defendants in support of their motion for judgment on the pleadings, this Court finds that Plaintiff has not stated a cause of action under § 1983 in that he has failed to allege that he has been deprived of a right secured by the Constitution or laws of the United States. Lessman, supra. In view of Plaintiff's failure to allege a proper cause of action under § 1983, it will not be necessary for the Court to address Defendants' arguments in regard to good faith immunity for money damages.

The Court also notes in response to Plaintiff's numerous motions for default judgment that Defendants have not failed to respond to Plaintiff's allegations but have sought permission of the Court for extensions of time to answer and to file motions. The entry of a default judgment was not proper at any time during the pendency of this suit.

IT IS THEREFORE ORDERED AND ADJUDGED that the motion of Defendants for judgment on the pleadings be and hereby is granted.

IT IS FURTHER ORDERED that Plaintiff's complaint be and hereby is dismissed with prejudice.

ORDERED this 6th day of October, 1983.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

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

OCT - 5 1983

W. S. Silve
Scribe

WASTE MANAGEMENT, INC.,)
a Delaware corporation,)
)
Plaintiff,)
)
v.)
)
ROBERT E. SPARKS,)
)
Defendant.)

No. 81-C-870-E

ORDER OF
DISMISSAL WITH PREJUDICE

It appearing to the Court by the stipulation of the parties dismissing the above referenced litigation with prejudice and further requesting the Court to enter an Order of Dismissal with Prejudice, and it further appearing to the Court that the matter has been fully settled, adjusted and compromised, and that the parties have agreed to dismiss their respective claims, one against the other, in full, total and complete settlement of all claims which either party brought or could have brought in the present litigation, and further that the parties have given, one to the other, complete mutual releases of all claims and liabilities; therefore,

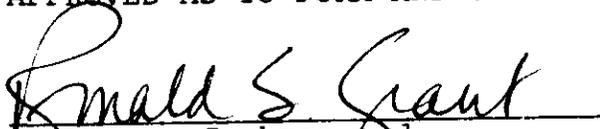
IT IS ORDERED, ADJUDGED AND DECREED that the above referenced litigation should be and it is hereby dismissed with prejudice.

DATED this 29 day of September, 1983.

S/ JAMES O. ELLISON

JAMES O. ELLISON,
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:



J. Warren Jackman and
Ronald S. Grant

Attorneys for Plaintiff



David O. Harris

Attorney for Defendant

4. That no other entitled person has filed herein any Claim or Answer within the time fixed by law;

Based upon the above findings, and the Court being otherwise fully advised in the matter, it is hereby:

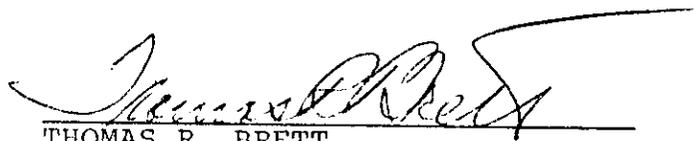
ORDERED and ADJUDGED:

(1) That Judgment be and the same is hereby entered against the Respondent in Rem, the \$3,000.00 plus accrued interest representing the substituted equity in the 1978 Chevrolet Corvette .

(2) That all person claiming any right, title, or interest in or to the said Respondent in Rem are held in default.

(3) That the said Respondent in Rem, the \$3,000.00 plus accrued interest, be and the same is hereby forfeit to the United States of America.

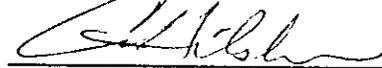
(4) That the United States Marshal be and he is hereby directed to deliver the foresaid substituted property (\$3,000.00 plus accrued interest) to the United States Drug Enforcement Administration for disposition according to law, after the deduction of the Marshal's costs if any.


THOMAS R. BRETT
United States District Judge

APPROVED:

United States of America

FRANK KEATING
United States Attorney


GERALD HILSHER
Assistant United States Attorney


RON MOOK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA)
and ROBERT RANDOLPH,)
Revenue Officer, Internal)
Revenue Service,)
)
Petitioners,)
)
vs.)
)
JON WARREN STACY,)
)
Respondent.)

OCT - 4 1983

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

CIVIL ACTION NO. 83-C-384-E

ORDER DISCHARGING RESPONDENT AND DISMISSAL

ON THIS 4 day of Oct, 1983, Petitioners' Motion to Discharge Respondent and for Dismissal came for hearing. The Court finds that Respondent has now complied with the Internal Revenue Service Summons served upon him February 19, 1982, that further proceedings herein are unnecessary and that the Respondent, Jon Warren Stacy, should be discharged and this action dismissed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COURT that the Respondent, Jon Warren Stacy, be and he is hereby discharged from any further proceedings herein and this cause of action and Complaint are hereby dismissed.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

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

FILED

SEP 21 1983

Jack C. [unclear] Clerk
U. S. DISTRICT COURT

BOVAIRD SUPPLY COMPANY,)
)
Plaintiff,)
)
vs.)
)
BUCKEYE PETROLEUM CO., INC.,)
)
Defendant.)

No. 82-C-978-E

JOURNAL ENTRY OF JUDGMENT BY DEFAULT

On the 15th day of September, 1983, the above captioned matter came on for trial on the merits, Plaintiff, the Bovaird Supply Company, appearing by and through its attorney of record, Gary W. Boyle, and Defendant, Buckeye Petroleum Co., Inc., not appearing.

The Court upon taking evidence and being fully advised in the premises finds as follows:

1. The Plaintiff is a corporation organized and existing under the laws of the State of Oklahoma with its principal place of business in Tulsa, Oklahoma.

2. The Defendant is a corporation organized and existing under the laws of a state other than Oklahoma with its principal place of business outside the State of Oklahoma.

3. The cause of action set forth below arose in Tulsa, Oklahoma and the amount in controversy herein exceeds the sum of \$10,000.00 exclusive of interest and costs.

4. Venue and jurisdiction are proper in this Judicial District pursuant to 28 U.S.C. §§1330(a), 1391(a) (1976).

5. Plaintiff sold and delivered certain goods, wares and merchandise to the Defendant between August, 1981 and August, 1982 for which Defendant promised to pay Plaintiff \$33,583.21 plus interest at the rate of eighteen percent (18%) per annum from August 31, 1981 until paid in full all as detailed in the pleadings and the Exhibits attached hereto and incorporated herein by reference.

6. Plaintiff has made due demand for payment of said sum but Defendant has wholly failed, refused and neglected to pay any portion thereof.

7. Plaintiff is entitled to a default judgment pursuant to Rule 55, Federal Rules of Civil Procedure.

8. Plaintiff has been required to retain the services of an attorney to prosecute this action and it is entitled to recover a reasonable attorney's fee of \$ 1,016.60.

9. Plaintiff is entitled to recover from Defendant its costs in this action of \$ 69.10.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff, The Bovaird Supply Co., be awarded a default judgment against Defendant, Buckeye Petroleum Co., Inc. in the principal sum of \$33,583.21 with accrued interest to the date of judgment of \$6,558.39, for a total of \$40,141.60, with interest at the

rate of eighteen percent (18%) per annum from date of judgment on the unpaid amount until fully paid, together with the costs of this action of \$ 69.10, and a reasonable attorney's fee of \$ 1,016.60.

Dated this 3rd day of October, 1983

James O. Ellison
James O. Ellison, Judge
Northern District of Oklahoma

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

83-313

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 JAMES C. LOWE;)
 ATHENA J. LOWE;)
 BILLIE D. LOWE; OKLAHOMA)
 MEDICAL COLLECTION SERVICES,)
 INC.;)
 BOARD OF COUNTY COMMISSIONERS,)
 Washington County, Oklahoma;)
 COUNTY TREASURER, Washington)
 County, Oklahoma,)
)
 Defendants.)

CLERK
COURT

CIVIL ACTION NO. 83-C-482-B

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 3rd day
of October, 1983. The Plaintiff appearing by Frank Keating,
United States Attorney for the Northern District of Oklahoma,
through Philard L. Rounds, Jr., Assistant United States Attorney,
the Defendants, County Treasurer, Washington County, Oklahoma,
Board of County Commissioner, Washington County, Oklahoma, by and
through Wendell H. Boyce, Assistant District Attorney, Washington
County, Oklahoma, Oklahoma Medical Collection Services, Inc., by
William J. Dale, James C. Lowe and Billie D. Lowe, appearing not.

The Court being fully advised and having examined the
file herein finds that Defendant, James C. Lowe and Defendant,
Billie D. Lowe, were served with Summons and Complaint on
June 22, 1983. As to Athena J. Lowe the Plaintiff on June 24,
1983, applied for the dismissal of the action as to Defendant,
Athena J. Lowe. An Order dismissing the action as to Defendant,

Athena J. Lowe was entered on June 28, 1983. The Board of County Commissioners, Washington County, Oklahoma, was served with Summons and Complaint on June 14, 1983. The County Treasurer, Washington County, Oklahoma, was served with Summons and Complaint on June 16, 1983. Oklahoma Medical Collection Services, Inc., was served with Alias Summons and Amended Complaint on August 29, 1983.

It appears that the Defendants, James C. Lowe and Billie D. Lowe, have failed to answer and that default has been entered by the Clerk of this Court. Further, that the Board of County Commissioners and County Treasurer, Washington County, Oklahoma, filed their Disclaimer herein on June 15, 1983.

The Court further finds there is due and owing the Defendant, Oklahoma Medical Collection Services, Inc., by virtue of their Judgment entered September 2, 1982, in case No. C-82-243 in the District Court of Washington County the following: \$1,287.99 bearing interest at the rate of 10 percent from the date of judgment until paid, plus \$250.00 in fees and \$64.40 as costs in said action.

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

Lot Forty-two (42), Eastman Second Addition
to Ochelata, Washington County, Oklahoma

THAT on April 29, 1980, James C. Lowe and Athena J. Lowe, then husband and wife, executed and delivered to the United

States of America, acting through Farmers Home Administration, their promissory note in the amount of \$30,400.00, payable in monthly installments with interest thereon at the rate of 10 percent per annum.

The Court further finds that as security for the payment of the above described note James C. Lowe and Athena J. Lowe, then husband and wife, executed and delivered to the United States of America, a real estate mortgage dated April 29, 1980, covering the above described property, and recorded in Book 737 at Page 796 in the records of the County Clerk of Washington County, Oklahoma.

The Court further finds that Defendants, James C. Lowe and Athena J. Lowe, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon, which Defendants are now indebted to the Plaintiff in the sum of \$30,534.18, plus accrued interest of \$2,453.16 as of March 23, 1983, plus interest thereafter at the rate of \$8.3656 per day until paid, plus the costs of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendant, James C. Lowe, in the amount of \$30,534.18, plus accrued interest of \$2,453.16 as of March 23, 1983, plus interest thereafter at the rate of \$8.3656 per day until judgment, plus interest from the date of Judgment at the legal rate until paid, plus costs of the action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Oklahoma Medical Collection Services, Inc., have and recovery judgment against the Defendant in the amount of \$1,287.99 bearing interest at 10 percent from date of judgment until paid, plus attorneys' fees in the amount of \$250.00, plus costs of \$64.40 based upon the Judgment entered in the District Court of Washington County in case No. C-82-243 on September 2, 1982.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Washington County, Oklahoma, have no interest or right in the real property involved in this action by virtue of their Disclaimer filed herein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of Defendant, James C. Lowe, to satisfy Plaintiff's money judgment herein, an Order of Sale shall issue to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisalment the real property herein and apply the proceeds of sale as follows:

First:

In payment of the costs of this action, accrued and accruing incurred by the Plaintiff, including costs of the sale of said real property;

Second:

In payment of the Judgment rendered herein in favor of the Plaintiff;

Third:

In favor of the Judgment rendered herein on behalf of Oklahoma Medical Collection Services, Inc., Defendant.

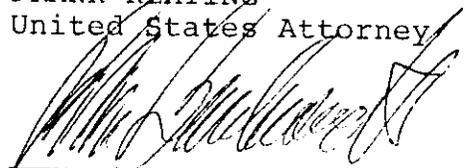
The surplus from said sale, if any, shall be deposited with the Clerk of Court to await further order of the Court.

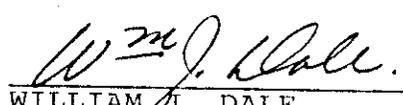
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of above described real property, under and by virtue of this judgment and decree, the Defendants and all persons claiming under them since the filing of the Complaint herein be and they are forever barred and foreclosed of any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


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

APPROVED:

FRANK KEATING
United States Attorney


for PHILARD L. ROUNDS, JR.
Assistant United States Attorney


WILLIAM J. DALE
Attorney for Defendant
Oklahoma Medical Collection Services Inc.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT -3 1983

FRANK C. SILVER, CLERK
DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 TOMMY W. JONES,)
)
 Defendant.)

CIVIL ACTION NO. 83-C-638-B

DEFAULT JUDGMENT

This matter comes on for consideration this 3rd day of ~~September~~ ^{October}, 1983, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Tommy W. Jones, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Tommy W. Jones, was served with an Alias Summons and Complaint on September 2, 1983. 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, Tommy W. Jones, for the principal sum of \$1,645.17, plus interest at the legal rate from the date of this Judgment until paid, and costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

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

RECEIVED
OCT 10 1983
TOM C. SIMMER, CLERK
DISTRICT COURT

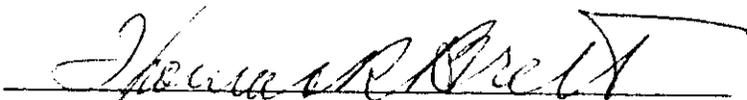
ASSOCIATES COMMERCIAL)
CORPORATION, a Delaware)
corporation,)
)
Plaintiff,)
)
v.)
)
OIL WEST SUPPLY, INC., an)
Oklahoma corporation,)
)
Defendant.)

No. 83-C-100-BT ✓

J U D G M E N T

In accordance with the Court's order of August 30, 1983, which sustained plaintiff's motion for summary judgment, and in keeping with the joint stipulation of the parties with regard to attorney's fees filed September 30, 1983, judgment is hereby entered in favor of plaintiff, Associates Commercial Corporation, and against Oil West Supply, Inc., in the amount of \$103,689.76, plus post-judgment interest at the rate of 9.98 percent per annum (28 U.S.C. §1961), a reasonable attorney's fee in the amount of \$5,800.00 and costs of the action.

ENTERED this 3rd day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

103-3-193

JOHN G. SILVER, CLERK
DISTRICT COURT

BRENDA S. MATHIS,

Plaintiff,

v.

LENDER SERVICE INCORPORATED,

Defendant.

NO. 83-C-21-B

J U D G M E N T

In accordance with the Findings of Fact and Conclusions of Law entered this date, Judgment is hereby entered in favor of Lender Service Incorporated, and against the plaintiff, Brenda S. Mathis, with costs assessed against the plaintiff.

ENTERED this 3rd day of October, 1983.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

200 50

87-3 803

W. C. SILVER, CLERK
DISTRICT COURT

BRENDA S. MATHIS,)
)
 Plaintiff,)
)
 v.) NO. 83-C-21-B
)
 LENDER SERVICE INCORPORATED,)
)
 Defendant.)

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

This case in which the plaintiff alleges employment discrimination by reason of improper termination due to pregnancy came on for trial to the Court sitting without a jury on September 27, 1983. After hearing the evidence presented, considering the arguments of counsel, and the applicable legal authorities, the Court enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The plaintiff is a resident of Tulsa County, Oklahoma and her employment with the defendant was entered into and carried out in Tulsa County, Oklahoma.

2. The plaintiff was continually employed from the 11th day of February, 1981, to the 12th day of April, 1982, by the defendant as a loan assumption processor or in the area of setting up loans.

3. The plaintiff was terminated as an employee of the defendant on April 12, 1982.

4. Over the approximately fourteen months of employment, the plaintiff went from a starting salary of \$750.00 per month, after two raises, to that of \$900.00 per month. The plaintiff was recognized as a good, capable employee.

5. In the time frame of March and early April 1982, the plaintiff was experiencing what was originally improperly diagnosed as a urinary tract infection. However, it was subsequently determined the plaintiff was pregnant.

6. As a result of having been an employee for the defendant in excess of one year, the plaintiff had accumulated certain employment benefits entitling her to vacations, and up to ninety days sick leave in the event of a serious illness. The plaintiff had accumulated approximately sixty-five hours of sick leave as of April 12, 1982.

7. On April 12, 1982 the plaintiff had a conference with her superior and corporate officer, Mr. Gene Rutherford of the defendant, and stated because of physical illness she desired to take an indefinite leave of absence. Mr. Rutherford advised her company policy would not permit an indefinite leave of absence as it was necessary to have a specific date when the plaintiff might return to work. The plaintiff was terminated on April 12, 1982 because the plaintiff and the defendant could not reach an accord concerning the plaintiff's request for an extended leave for an indefinite period for what was then conceived to be a urinary tract infection.

8. On November 29, 1982 the plaintiff gave birth to a child. Although the plaintiff was approximately two months pregnant mid-April 1982, her termination by the defendant was not as a result of the plaintiff's pregnancy or a requested maternity leave.

9. The defendant has a policy of granting liberal maternity leave which had previously been honored and granted to other female employees.

10. The defendant did not discriminate against the plaintiff and terminate her in April 1982 for reasons involving her pregnancy or maternity leave.

CONCLUSIONS OF LAW

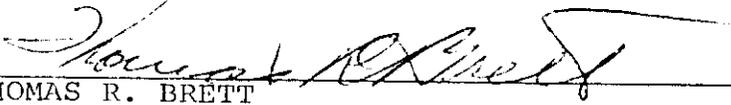
1. The Court has jurisdiction over the parties and the subject matter of this action.

2. Any Finding of Fact which might be properly characterized a Conclusion of Law is incorporated herein.

3. The plaintiff has failed to sustain her burden of proof that the defendant dismissed her because she was pregnant, in violation of Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000e et seq.).

4. The defendant is entitled to a judgment in keeping with these Findings of Fact and Conclusions of Law.

ENTERED this 3rd day of October, 1983.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

Alex Thulin, Jr.,

Plaintiff,

vs.

Central & Southwest
Corporation, a foreign
corporation; Insurance
Company of North America,
a foreign corporation; and
First National Bank In
Dallas, a Texas corporation,

Defendants.

Case No. 82-C-292-E

FILED

OCT 13 1983

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

JUDGMENT

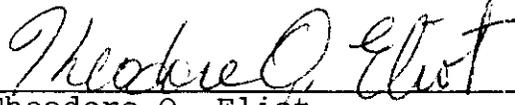
Now on this the 14th day of September, 1983, there came on for hearing the Application of the Defendant, Insurance Company of North America, for an award of attorneys fees in the amount of Nine Hundred Thirty-two Dollars and 69/100 (\$932.69) herein. Upon review of the Court file, and argument of counsel, the Court finds that said Defendant should be awarded fees in said amount based upon the provisions of 36 O.S. § 3629 (1981), and further that that statute notwithstanding, an exception to the American rule in the awarding of attorneys fees is warranted in this case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendant, Insurance Company of North America be, and it is hereby, awarded judgment ^{as costs} against the Plaintiff, Alex Thulin, Jr., in the sum of Nine Hundred Thirty-two Dollars and 69/100 (\$932.69).

THOMAS O. ELLISON

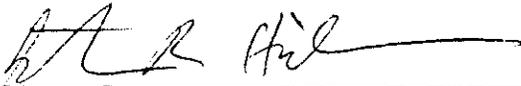
Judge of the District Court

APPROVED AS TO FORM:



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