

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 31 1984

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
BILLY L. WETHERINGTON,)	
)	
Defendant.	)	CIVIL ACTION NO. 84-C-169-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy Nesbitt Blevins, 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 31st day of May, 1984.

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney

Nancy Nesbitt Blevins

NANCY NESBITT BLEVINS
Assistant United States Attorney
460 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 31st day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Billy L. Wetherington, Route 1, Box 125, Ramona, Oklahoma 74061.

Nancy Nesbitt Blevins
Assistant United States Attorney

Entered

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

FILED

MAY 31 1984

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

IN RE:)
)
 KENNETH E. TUREAUD a/k/a)
 KENNETH TUREAUD d/b/a SAKET)
 PETROLEUM COMPANY a/k/a)
 KENNETH E. TUREAUD d/b/a)
 KESAT a/k/a SAKET PETROLEUM)
 COMPANY,)
)
 Debtor,)
)
 REUBEN DAVIS,)
)
 Appellant,)
)
 v.)
)
 R. DOBIE LANGENKAMP,)
)
 Appellee.)

Bankruptcy No. 82-01269

Case No. 83-C-432-B

O R D E R

This matter comes before the Court on appeal by Reuben Davis of the bankruptcy court's ruling concerning compensation for his services as attorney to debtor, Kenneth E. Tureaud. The trustee of debtor's estate, R. Dobie Langenkamp, has responded to the appeal. For the reasons set forth below, the appeal is denied.

SUMMARY OF FACTS

Appellant is former attorney for the debtor, Kenneth E. Tureaud. On March 31, 1983, he withdrew as counsel for Tureaud. On April 5, 1983, he filed an application for allowance of compensation and reimbursement of expenses for services from October 22, 1982, through March 31, 1983. Appellant requested compensation of \$26,495.00. A hearing on the application was held

April 27, 1983, before the Honorable William E. Rutledge, United States Bankruptcy Judge. At the hearing, the judge indicated he found the \$26,495.00 fee request to be reasonable and commensurate with the experience and skill of counsel. However, he stated he was unable at the time to determine the extent of benefit appellant had rendered to the estate in his services for Tureaud. Judge Rutledge stated:

"I think the jury is still out on just what effect these services have been to the case and what benefit they may have been in these proceedings.

* * *

"I would prefer to consider this--it's not made as an interim application, or application for an interim fee since you relate, Mr. Davis, you're probably not going to perform any services in the future for Mr. Tureaud, but in my view, as I said before, the jury is still out as to whether the results obtained would merit the full compensation you have sought here. As an application and measure of fee once determined can be adjusted in accordance with the results I would prefer, and I think it would be in your interest if I would rule here without prejudice to your right to renew this application at some time in the future when the situation may be more readily determined.

"I do know there was some benefit to the estate that you accomplished in getting certain records made available to the Trustee. It hasn't been determined yet whether that's a complete disclosure of all records. There was a benefit rendered I think by you, as local counsel here, in getting to certain present aspects of the administration of the case..."

On May 10, 1983, Judge Rutledge entered an order granting an interim allowance of fees in the amount of \$15,000, plus out-of-pocket expenses. The order stated: "This order is

intended to be without prejudice to the applicant to reapply for the remainder of the fees requested in his application."

Appellant filed notice of appeal to the United States District Court on May 17, 1983. He contends the bankruptcy judge abused his discretion in denying a substantial part of appellant's fee request. Appellee contends the judge properly applied relevant criteria for evaluating the attorney fee request and did not abuse his discretion in making only a partial, interim award of fees.

APPLICABLE LAW

Under 11 U.S.C. §330, attorneys fees are allowable for a debtor's attorney as follows:

"(1) reasonable compensation for actual, necessary services rendered by such trustee, examiner, professional person, or attorney as the case may be, and by any paraprofessional persons employed by such trustee, professional person, or attorney, as the case may be, based on the time, the nature, the extent and the value of such services, and the cost of comparable services other than in a case under this title; and

"(2) reimbursement of actual, necessary expenses."

In addition, under the Tenth Circuit Court of Appeals' ruling in The Matter of Permian Anchor Services, Inc., 649 F.2d 763 (1981), the following factors set forth in Johnson v. Georgia Highway Express, Inc., 488 F.2d 714 (5th Cir. 1974), must be considered:

- 1) Time and labor required;
- 2) Novelty and difficulty of the questions;

- 3) Skill requisite to perform the legal service properly;
- 4) Preclusion of other employment by the attorney due to acceptance of the case;
- 5) Customary fee;
- 6) Whether the fee is fixed or contingent;
- 7) Time limitations imposed by the client or other circumstances;
- 8) Amount involved and results obtained;
- 9) Experience, reputation and ability of the attorneys;
- 10) Undesirability of the case;
- 11) Nature and length of the professional relationship with the client;
- 12) Awards in similar cases.

Under the criterion of 11 U.S.C. §330 and Johnson, supra, the court must consider the value to the debtor's estate of the services rendered by counsel. Appellant contends since the Court held the services were of some benefit to the estate, it abused its discretion by refusing to award the full fee requested and arbitrarily setting \$15,000 as the interim fee allowed.

Rule 8013 of the Rules of Bankruptcy Procedure provides:

"On an appeal the district court or bankruptcy appellate panel may affirm, modify, or reverse a bankruptcy court's judgment or order, or decree or remand with instructions for further proceedings. Findings of fact shall not be set aside unless clearly erroneous, and due regard shall be given to the opportunity of the bankruptcy court to judge of the credibility of the witnesses."

See also United States v. United States Gypsum Company, 333 U.S. 364, 394-95 (1948); In re McGinnis, 586 F.2d 162, 164 (10th Cir. 1978); Stim v. Simon, 284 F.2d 58, 60 (2nd Cir. 1960); In re Sheehan, 350 F.Supp. 907, 910 (W.D.Mo. 1972).

The Court has reviewed the evidence presented and concludes the decision of the bankruptcy judge was not clearly erroneous. Although the judge stated at the hearing he believed appellant's service had benefited the estate, he further stated it was unclear at the time just what benefits had been rendered. The order granting an interim award of fees specifically stated appellant has the right to make application for additional fees. Appellant has not, to the knowledge of this Court, availed himself of this right to date.

The Court concludes the ruling of the bankruptcy judge was not clearly erroneous and the judge did not abuse his discretion in making a partial, interim award of attorneys fees. Therefore, the appeal must be denied. The judgment of the bankruptcy court is hereby affirmed.

ENTERED this 30th day of May, 1984.

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

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

FILED
MAY 31 1984

19y

THE NORTHERN TRUST COMPANY,)
an Illinois Banking Associ-)
tion,)
)
Plaintiff,)
)
vs.)
)
RALPH W. JACKSON, ARTHUR R.)
POOL, and JERALD M. SCHUMAN,)
individually,)
)
Defendants.)

W. C. SILVER, CLERK
DISTRICT COURT

Case No. 82-C-1130-*dB*

ORDER OF DISMISSAL

The Court, having considered the Plaintiff's notice of intention to dismiss the above-styled matter, pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, finds that this action should be dismissed.

IT IS THEREFORE ORDERED that this action be, and the same hereby is, dismissed.

IT IS SO ORDERED this 31 day of May, 1984.

Thomas R. Brett
THOMAS R. BRETT, United States
District Judge

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

Entered

FILED

MAY 31 1984

JACK G. SWEET, CLERK
U.S. DISTRICT COURT

MAURICE O. BASKETT and)
wife, ELLA BASKETT,)
)
Plaintiffs)
)
vs.)
)
DANIEL BARNETT and LAKESIDE)
USED CARS, a partnership of)
JOHN DODD and JIM HOOSER,)
and JOHN DODD and JIM HOOSER,)
Individually,)
)
Defendants,)
)
and)
)
VALLEY INDUSTRIES, INC.,)
)
Additional Defendant)

No. 81-C-79-B

ORDER OF DISMISSAL

On this 30th day of May, 1984, the above matter comes on for hearing upon the written Application of the parties for a Dismissal With Prejudice of the Complaint and all causes of action.

The Court having examined said Application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint with prejudice to any future action, and the Court being fully advised in the premises finds that said Complaint should be dismissed pursuant to said Application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiffs filed herein against the Defendants and each of them, be and the

same hereby are dismissed with prejudice to any future action.

S/ THOMAS R. BRETT

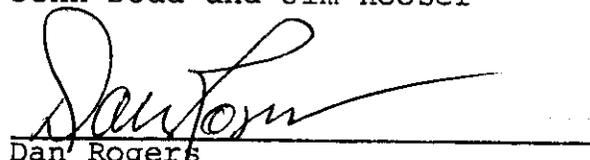
UNITED STATES DISTRICT JUDGE



John Schaffer
Attorney for Plaintiffs



Donald G. Hopkins
Attorney for Defendants,
John Dodd and Jim Hooser



Dan Rogers
Attorney for Valley Industries

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

FILED

MAY 31 1984

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

FRANK GOULD, as Administrative
Manager of the CENTRAL PENSION
FUND OF THE INTERNATIONAL UNION
OF OPERATING ENGINEERS AND
PARTICIPATING EMPLOYERS,

Plaintiff,

vs.

TULSA EXCAVATION, INC.,

Defendant.

Civil Action
No. 84-C-308 EV

JOURNAL ENTRY OF DEFAULT JUDGMENT
AGAINST DEFENDANT

On this 31st day of May, 1984, the above-
styled cause comes on before me, the undersigned Judge of the
District Court for the Northern District of Oklahoma, pursuant
to plaintiff's Application for Default Judgment Against Defen-
dant. Plaintiff alleges that defendant is in default because
of its failure to answer the summons duly and properly served
upon it within the statutory time limits to answer.

After examining the court file herein, hearing the
evidence, taking the proof and being fully advised in the prem-
ises, the Court finds as follows.

The Court finds that this action arises under the
Employee Retirement Income Security Act of 1974 as amended
(29 U.S.C. §§1132 and 1145).

The Court finds that the plaintiff administers the Central Pension Fund of the International Union of Operating Engineers and Participating Employers ("Central Pension Fund") pursuant to the terms and conditions of the Agreement and Declaration of Trust pertaining thereto and that a true and accurate copy of this agreement is attached to plaintiff's Complaint as Exhibit 1.

The Court finds that the Central Pension Fund has been established in part pursuant to collective bargaining agreements entered into between the International Union of Operating Engineers, Local Union No. 627, AFL-CIO, and employers, individually or by their employer associations, who employ individuals represented by said union. The Court finds that the Central Pension Fund is required to be maintained and administered in accordance with the provisions of the Labor-Management Relations Act of 1947 and other applicable state and federal laws.

The Court finds that the defendant is an employer engaged in an industry affecting commerce who has agreed to be bound by certain collective bargaining agreements negotiated with the aforementioned union. The Court finds that a true and accurate copy of the most current collective bargaining agreement between the defendant and the aforementioned local union is attached to plaintiff's Complaint as Exhibit 2.

The Court finds that the defendant has agreed to be and is bound by all the terms and provisions of the Agreement and Declaration of Trust governing the Central Pension Fund.

The Court finds that by virtue of the provisions of the collective bargaining agreement referred to in plaintiff's Complaint, the defendant agreed to submit contributions to the Central Pension Fund administered by the plaintiff on behalf of each individual employed by the defendant and who is represented by the aforementioned local union.

The Court finds that the contributions are required to be submitted no later than the end of the month following the month in which an employee upon whom contributions are required to be submitted to the Fund performs work for the defendant.

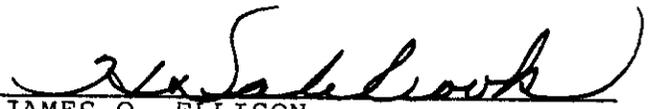
The Court finds that the defendant, in making contributions for the months of November, 1980; January, 1981 through and including July, 1981; September, 1981 through and including September, 1982; December, 1982; as well as January and February, 1983, failed to make the same in a timely manner as required by the terms of the collective bargaining agreement and Agreement and Declaration of Trust.

The Court finds that as a result of defendant's actions, the Central Pension Fund assessed the defendant in the sum of \$6,083.61 as and for liquidated damages and lost interest

income, all as authorized in the Agreement and Declaration of Trust.

The Court finds that the plaintiff has repeatedly demanded of the Defendant the amounts assessed as liquidated damages and lost interest income and that the defendant has refused and continues to refuse to pay the same.

IT IS THEREFORE ORDERED AND ADJUDGED that plaintiff is entitled to judgment against the defendant in the principal sum of \$6,083.61 and to its costs.

for 
JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

MAY 31 1984

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

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

PATSY R. WALLACE,)	
)	
Plaintiff,)	
)	
vs.	)	No. 83-C-1030-C
)	
UNITED STATES POSTAL SERVICE,)	
ET AL.,)	
)	
Defendants.)	

O R D E R

Now before the Court for its consideration is the motion of all remaining defendants to dismiss, filed on May 15, 1984. The Court has no record of a response to this motion from the plaintiff. Rule 14(a) of the local Rules of the United States District Court for the Northern District of Oklahoma provides as follows:

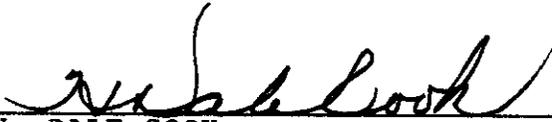
(a) Briefs. Each motion, application and objection filed shall set out the specific point or points upon which the motion is brought and shall be accompanied by a concise brief. Memoranda in opposition to such motion and objection shall be filed within ten (10) days after the filing of the motion or 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, since no response has been received to date herein, in accordance with Rule 14(a), the failure to comply constitutes a confession of the motion to dismiss.

Accordingly, it is the Order of the Court that the motion of all remaining defendants to dismiss should be and hereby is granted.

It is the further Order of the Court that the instant action is dismissed in all respects.

It is so Ordered this 31 day of May, 1984.



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

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

MAY 31 1984

JACK C. SIVER, U.S. DISTRICT COURT

MONUMENT WELL SERVICING, INC.,)
)
Plaintiff,)
)
vs.)
)
PENNACO RESOURCES CORPORATION,)
)
Defendant.)

No. 82-C-864-E ✓

ADMINISTRATIVE CLOSING ORDER

The Defendant, Pennaco Resources Corporation, having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within thirty (30) days of a final adjudication of the bankruptcy proceedings the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

It is so ORDERED this 31 day of May, 1984.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

11

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

MAY 31 1984

U.S. DISTRICT COURT

GLENN D. BRADFORD,)
)
 Plaintiff,)
)
 vs.)
)
 KEYSTONE STEEL FABRICATION)
 INC., an Oklahoma Corporation,)
 SMALLING, INC., CHARLES)
 SMALLING, an Individual and)
 CHARLES A. MARTIN, an Indivi-)
 dual,)
)
 Defendants.)

No. 82-C-274-E

ADMINISTRATIVE CLOSING ORDER

The Defendant, Keystone Steel Fabrication, Inc., having filed its petition in bankruptcy and the above captioned case having been removed to the United States Bankruptcy Court for the Western District of Oklahoma, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within thirty (30) days of a final adjudication of the bankruptcy proceedings the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

It is so ORDERED this 31 day of May, 1984.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

18

Entered

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA | L E C

CAL-MUSKOGEE OIL & GAS LTD. 1,)
California limited partnership,)
and CAL-MUSKOGEE OIL & GAS)
LTD. 2, a California limited)
partnership,)
Plaintiffs,)
vs.)
PACIFICA ENERGIES, LTD., an)
Oklahoma Corporation, and)
JIMMY D. MOORE,)
Defendants.)

MAY 31 1984

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

No. 81-C-311-E ✓

ADMINISTRATIVE CLOSING ORDER

The Defendant, Pacifica Energies, LTD., having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within thirty (30) days of a final adjudication of the bankruptcy proceedings the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

It is so ORDERED this 31 day of May, 1984.

for *James O. Ellison*
JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

25

Entered

FILED

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

MAY 3 1984

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

TIMOTHY SCOTT GOODMAN,)
)
Plaintiff,)
)
v.)
)
BOB WALLS CHEVROLET AND)
OLDSMOBILE, et al.,)
)
Defendant.)

CASE NO.: 83-C-354-E

STIPULATION OF DISMISSAL

COME NOW the Plaintiff, Timothy Scott Goodman, and shows this Court that the above captioned matter has been settled by compromise. The Plaintiff shows this Court that in exchange for a General Release of all claims, the Defendant, Hunter Mixon pays in settlement of this matter SEVEN HUNDRED AND NO/100 DOLLARS (\$700.00). The Plaintiff further shows this Court that in return for a General Release, the Defendant, Bob Walls Chevrolet and Oldsmobile, returned certain personal property to the Plaintiff, Timothy Scott Goodman and paid the Plaintiff a sum of TWO HUNDRED SEVENTY NINE AND NO/100 DOLLARS (\$279.00).

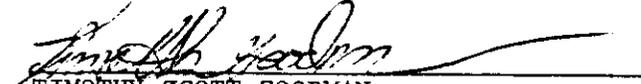
The above mentioned settlement constitutes a good, fair, and complete settlement of this Plaintiff's claims and this Plaintiff therefore requests this Court to dismiss this case with prejudice.

WHEREFORE, the Plaintiff respectfully requests that this Court enter an Order dismissing this case with prejudice.

STATE OF OKLAHOMA)
)
COUNTY OF Muskogee) ss:

I, Timothy Scott Goodman, of lawful age, being first duly sworn upon oath, depose and state that I am the Plaintiff herein and I have read

the above and foregoing Stipulation of Dismissal and the information contained therein is true and correct to the best of my knowledge and belief.

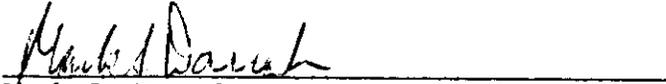

TIMOTHY SCOTT GOODMAN

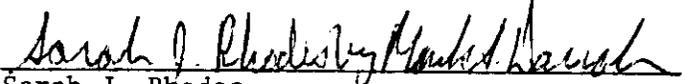
Subscribed and sworn to before me this 29th day of May, 1984.


NOTARY PUBLIC

MY COMMISSION EXPIRES: 7-1-85

KNIGHT, WAGNER, STUART, WILKERSON & LIEBER


Mark S. Darrah
233 West 11th Street
Tulsa, Oklahoma 74119
(918) 584-6457
Attorney for Defendant, Bob Walls Chevrolet


Sarah J. Rhodes
428 N.W. 5th Street
P. O. Box 1937
Oklahoma City, Oklahoma 73101
Attorney for Defendant, Hunter Mixon

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

MAY 31 1984

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

MICHAEL H. STRAIT AND LINDA J.)
STRAIT, Husband and Wife,)
)
Plaintiffs,)
)
vs.)
)
INA UNDERWRITERS INSURANCE CO.,)
a California Corporation)
doing business in Oklahoma,)
)
Defendant.)

No. 83-C-593-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 31 day of May, 1984.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

20

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

MAY 31 1984

LITTON INDUSTRIES CREDIT CORPORATION,
Plaintiff,
vs.
LARRY GRAVES,
Defendant.

Jack C. Silver,
U. S. DISTRICT CLERK
No. 83-C-905-E

ADMINISTRATIVE CLOSING ORDER

The Defendant, Larry Graves, having filed his petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within thirty (30) days of a final adjudication of the bankruptcy proceedings the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

It is so ORDERED this 31 day of May, 1984.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

1

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

1984

MAY 31 1984

CLERK OF DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ROBERT L. CONWAY,)
)
Defendant.)

CIVIL ACTION NO. 83-C-960-E

NOTICE OF DISMISSAL

COMES NOW the Plaintiff United States of America, by Layn R. Phillips, 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 with prejudice.

Dated this 31st day of May, 1984.

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney
[Signature]

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

CERTIFICATE OF SERVICE

This is to certify that on the 31st day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Robert L. Conway, 1804 N. Hickory Place, Broken Arrow, Oklahoma 74012.

[Signature]
Assistant United States Attorney

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

FILED
MAY 31 1984

OKLAHOMA ALLIED TELEPHONE)
COMPANY,)
)
Plaintiff,)
)
vs.)
)
OKLAHOMA TELEPHONE)
DIRECTORIES, INC.,)
)
Defendant.)

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

No. 82-C-282-C

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 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.

IT IS SO ORDERED this 31 day of May, 1984.



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

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

FILED

MAY 31 1984

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

ORAL HEALTH PRODUCTS, INC.)
)
)
)
Plaintiff(s),)
)
vs.)
)
)
CARLSON TOOL & MACHINE CO.)
)
)
Defendant(s).)

No. 83-C-79-C

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 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 31st day of May, 1984.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

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

FILED
MAY 29 1984
CLERK
U.S. DISTRICT COURT

LOUISE NATION SMITH,)
)
 Plaintiff,)
)
 vs.)
)
 SAFEWAY STORES, INC.,)
 a Maryland corporation,)
)
 Defendant.)

No. 83-C-686-C

FILED

MAY 29 1984

J U D G M E N T

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

Judgment is hereby entered in favor of plaintiff Louise Nation Smith and against defendant Safeway Stores, Inc. in the amount of \$10,000.00.

It is so Ordered this 29th day of May, 1984.


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

Entered

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

F I L E D
MAY 30 1984

INTERNATIONAL BROTHERHOOD OF)
ELECTRICAL WORKERS, LOCAL UNION)
NO. 1002,)
)
Plaintiff,)
)
vs.)
)
PUBLIC SERVICE COMPANY)
OF OKLAHOMA,)
)
Defendant.)

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

No. 84-C-82-E

ORDER OF DISMISSAL WITHOUT PREJUDICE

COMES NOW before me, the undersigned Judge, the Joint Application for Dismissal of the Plaintiff and Defendant requesting that the above-captioned matter be dismissed without prejudice. The court having been fully advised, finds that the application should be granted and the above-captioned case be dismissed without prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the above-captioned matter be and the same is hereby dismissed without prejudice to filing another action.

Done this 30 day of May, 1984.

S/H. DALE COOK *for* JAMES O. ELWOOD
UNITED STATES DISTRICT JUDGE

LAW OFFICES
UNGERMAN,
CONNER &
LITTLE

MIDWAY BLDG.
2727 EAST 21 ST.
SUITE 400

P. O. BOX 2099
TULSA, OKLAHOMA
74101

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

MAY 29 1984

SHANNON ALBERT JACKSON, a minor,
by and through his mother and next
friend, Mary L. Jackson,

Plaintiff,

vs.

SOMEX LTD., a New York corporation;
CRAWFORD & RUSSELL, INC., a
Delaware corporation; WILLIAMS
BROTHERS PROCESS SERVICES, INC., a
Delaware corporation; GODSEY-
EARLOUGHER, division of Williams
Brothers Engineering Company, a
Delaware corporation; and WILLIAMS
BROTHERS ENGINEERING COMPANY, a
Delaware corporation,

Defendants.

Jack C. Silver,
U. S. DISTRICT COURT

No. 83-C-656-C ✓

STIPULATION OF DISMISSAL

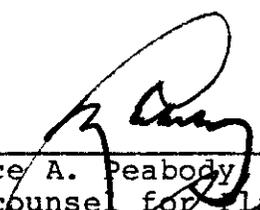
COMES NOW the Plaintiff by and through his attorneys of record, together with the attorneys of record of all parties who have appeared in the above referenced cause, and pursuant to Rule 41 (a)(1)(ii) enter their stipulation of dismissal pursuant thereto, dismissing the above referenced cause and stipulate that said dismissal is without prejudice to the refiling of said cause in any Court of the United States or of any state.

IT IS FURTHER stipulated that said dismissal is predicated upon the Statement/affidavit of Jurisdiction filed herein by Defendants, Williams Brothers Process Services, Inc. and Williams Brothers Engineering Company, showing the principal place of business of said corporations to be Tulsa, Oklahoma, thereby divesting this Court of jurisdiction pursuant to Title 28 §1332.

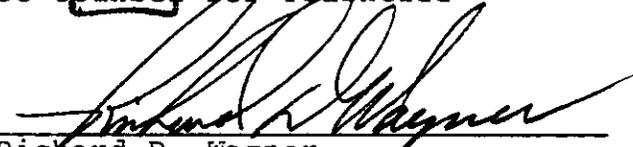
IT IS FURTHER stipulated that the costs of the above referenced cause shall be borne by the party incurring the same as they relate to this United States District Court action.



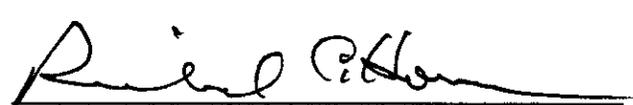
Charles E. Daniel,
Co-counsel for Plaintiff



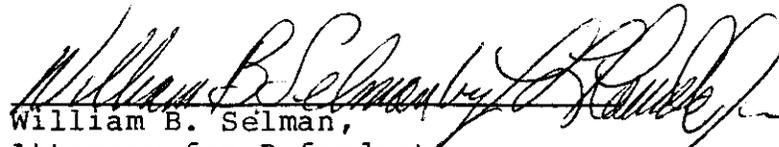
Bruce A. Peabody
Co-counsel for Plaintiff



Richard D. Wagner,
Attorney for Defendant,
Crawford & Russell, Inc.



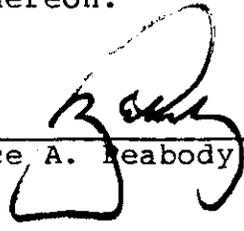
Richard C. Honn,
Attorney for Defendants,
Williams Brothers Process
Services, Inc., Williams
Brothers Engineering Company,
and Godsey-Earlougher, division
of Williams Brother Engineering
Company



William B. Selman,
Attorney for Defendant,
Somex, Ltd.

CERTIFICATE OF MAILING

I, Bruce A. Peabody, do hereby certify that on this 23rd
day of MAY, 1984, I mailed a true and correct copy
of the above and foregoing Stipulation of Dismissal to Richard
D. Wagner, attorney for Defendant, Crawford & Russell, Inc.;
Richard C. Honn, attorney for Defendants Williams Brothers
Process Services, Inc., Williams Brothers Engineering Company,
and Godsey-Earlougher, division of Williams Brothers Engineering
Company; and William B. Selman, attorney for Defendant; Somex,
Ltd., with proper postage prepaid thereon.



Bruce A. Peabody

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 29 1984

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

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

GRACIE L. ALFORD; and)
REX DYE,)

Defendants.)

CIVIL ACTION NO. 84-C-151-B

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 29th day
of May, 1984. The Plaintiff appears by Layn R.
Phillips, United States Attorney for the Northern District of
Oklahoma, through Nancy Nesbitt Blevins, Assistant United States
Attorney; and the Defendants, Gracie L. Alford and Rex Dye,
appear not, but make default.

The Court being fully advised and having examined the
file herein finds that Defendant, Gracie L. Alford, was served
with Summons and Complaint on March 28, 1984; and the Defendant,
Rex Dye, was served with Summons and Complaint on March 2, 1984.

It appears that the Defendants, Gracie L. Alford and
Rex Dye have failed to answer and their default has been entered
by the Clerk of this Court.

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

The East 7.34 feet of Lot 3 and all of Lots A and T in Block 2, and the West 12.66 feet of Lot 1 in Block 9, J. R. Rogers Addition to the City of Nowata, Oklahoma.

That as security for the payment of the above described note, the Defendant, Gracie L. Alford executed and delivered to the United States of America, acting through the Farmers Home Administration, a real estate mortgage dated March 5, 1982, covering the above described property. Said mortgage was recorded in Book 533, Page 649, in the records of Nowata County, Oklahoma.

The Court further finds that the Promissory Note referred to above is subject to an Interest Credit Agreement executed and delivered by the Defendant Gracie L. Alford to the United States of America, acting through the Farmers Home Administration on March 5, 1982.

The Court further finds that Defendant, Gracie L. Alford made default under the terms of the aforesaid promissory note, mortgage, and interest credit agreement by reason of her failure to make monthly installments due thereon, which default has continued and that by reason thereof the Defendant, Gracie L. Alford is indebted to the Plaintiff in the sum of \$32,339.63, plus accrued interest of \$304.20 as of July 21, 1983, plus interest thereafter at the rate of \$.8860 per day until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendant, Rex Dye, has a lien on the property which is the subject of this action by virtue of a Judgment in the amount of \$200.00 entered in Case No.

SC-83-53, Nowata County, Oklahoma. However, said lien is inferior to the interest of the Plaintiff, United States of America.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendant, Gracie L. Alford in the principal amount of \$32,339.63, plus accrued interest of \$304.20 as of July 21, 1983, plus interest thereafter at the rate of \$.8860 per day, until judgment, plus interest thereafter at the current legal rate of 11.74 percent per annum until paid, plus the costs of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of the Defendant, Gracie L. Alford, to satisfy the money judgment of the Plaintiff herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the 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 payment of the judgment lien of the Defendant,
Rex Dye.

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, 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.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant United States Attorney

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

FILED

GENERAL DISCOUNT CORPORATION,)
a corporation,)

Plaintiff,)

v.)

WOLF'S MANUFACTURING COMPANY,)
an Oklahoma corporation,)
OIL COUNTRY MACHINE TOOLS,)
INC., an Oklahoma corporation,)
ORVIL W. WOLF, an individual,)
and ORVIL E. WOLF, an)
individual,)

Defendants.)

No. 83-C-616-C

MAY 29 1984

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

J U D G M E N T

Now on this 29 day of May, 1984, there comes on for trial the above-captioned action. The plaintiff appears and is represented by its counsel, Max C. Tuepker of Mock, Schwabe, Waldo, Elder, Reeves & Bryant. The defendants Wolf's Manufacturing Company and Orvil W. Wolf (also known as Orvel W. Wolf) appear and are represented by their counsel, Fred Pottorf of Works, Lentz & Pottorf. The defendant Orvil E. Wolf (also known as Orvel E. Wolf) appears and is represented by his counsel, John M. Gerkin of Gerkin & Williams.

Thereafter, this Court considered the evidence presented by the parties, the stipulations of the parties, having reviewed the Court file and otherwise being fully informed in the premises therein, and upon due consideration, finds that the

parties have agreed that judgment should be entered against the defendants as set forth more specifically hereinafter and which agreement and judgment the Court hereby approves and orders.

IT IS THEREFORE FOUND, ORDERED, ADJUDGED AND DECREED as follows:

1. Defendant, Oil Country Machine Tools, Inc., having previously surrendered possession of the equipment which is the subject of this lawsuit to plaintiff, General Discount Corporation, pursuant to the Order for Delivery entered herein on September 2, 1983, such possession by said defendant having been solely for the purpose of storage pursuant to agreement with defendant Wolf's Manufacturing Company, said defendant no longer has any interest in this litigation and shall be dismissed without costs.

2. Plaintiff, General Discount Corporation, should be and hereby is awarded money judgment against Wolf's Manufacturing Company and Orvil W. Wolf, jointly and severally, for principal and interest through May 9, 1984, in the total amount of \$411,035.68, with interest thereafter at the rate of \$107.46 per day until the date hereof, together with interest from and after the date hereof, until paid, at the rate of 11.74% per annum, by reason of General Discount Corporation's First Count and the personal guaranty of Orvil W. Wolf of the obligations of Wolf's Manufacturing Company to plaintiff, General Discount Corporation.

3. Plaintiff, General Discount Corporation, should be and hereby is awarded money judgment against Wolf's Manufacturing Company and Orvil W. Wolf, jointly and severally, for principal and interest through May 9, 1984, in the total amount of \$168,244.10, with interest thereafter at the rate of \$56.60 per day until the date hereof, together with interest from and after the date hereof, until paid, at the rate of 11.74% per annum, by reason of General Discount Corporation's Second Count and the personal guaranty of Orvil W. Wolf of the obligations of Wolf's Manufacturing Company to plaintiff, General Discount Corporation.

4. Plaintiff, General Discount Corporation, should be and hereby is awarded money judgment against Wolf's Manufacturing Company and Orvil W. Wolf, jointly and severally, for principal and interest through May 9, 1984, in the total amount of \$101,649.67, with interest thereafter at the rate of \$28.10 per day until the date hereof, together with interest from and after the date hereof, until paid, at the rate of 11.74% per annum, by reason of General Discount Corporation's Third Count and the personal guaranty of Orvil W. Wolf of the obligations of Wolf's Manufacturing Company to plaintiff, General Discount Corporation.

5. Plaintiff, General Discount Corporation, should be and hereby is awarded money judgment against Wolf's Manufacturing Company and Orvil W. Wolf, jointly and severally, for principal

and interest through May 9, 1984, in the total amount of \$54,803.64, with interest thereafter at the rate of \$18.33 per day until the date hereof, together with interest from and after the date hereof, until paid, at the rate of ~~11.74~~% per annum, by reason of General Discount Corporation's Fourth Count and the personal guaranty of Orvil W. Wolf of the obligations of Wolf's Manufacturing Company to plaintiff, General Discount Corporation.

6. Plaintiff General Discount Corporation should be and hereby is awarded a money judgment against Orvil E. Wolf by reason of General Discount Corporation's Fifth Count and the personal guaranty of Orvil E. Wolf of the obligations of Wolf's Manufacturing Company to plaintiff, General Discount Corporation, jointly and severally with defendants Wolf's Manufacturing Company and Orvil W. Wolf, in the same total amounts as awarded against defendant Wolf's Manufacturing Company in paragraphs 2 through 5 above.

7. Plaintiff General Discount Corporation should be and hereby is awarded its reasonable attorney's fees in the amount of \$10,000.00, together with costs in the amount of \$60.00, and costs accruing.

8. Plaintiff General Discount Corporation should be and hereby is awarded judgment against the defendants for the possession of the non-released First Count Collateral, Second

Count Collateral, Third Count Collateral, and Fourth Count Collateral, all as described more fully in the Amended Complaint on file herein.

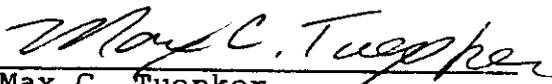
9. The Court further determines that General Discount Corporation has a valid and perfected security interest in all of the non-released First Count Collateral, Second Count Collateral, Third Count Collateral, and Fourth Count Collateral, all as described more fully in the Amended Complaint on file herein; and General Discount Corporation should be and hereby is permitted to enforce its security interest in and to all of said Collateral in compliance with its security agreements, the Uniform Commercial Code, and other applicable law.

For all of the above, let execution issue.


H. Dale Cook,
United States District Judge

APPROVED:

MOCK, SCHWABE, WALDO, ELDER,
REEVES & BRYANT
A Professional Corporation

By: 
Max C. Tuepker

Third Floor - 100 Park Avenue
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-5500

ATTORNEY FOR PLAINTIFF,
GENERAL DISCOUNT CORPORATION

WORKS, LENTZ & POTTORF, INC.

By: Fred A. Pottorf
Fred A. Pottorf

201 W. 5th Street
Suite 101
Tulsa, Oklahoma 74103
Telephone: (918) 582-3191

ATTORNEYS FOR DEFENDANTS,
WOLF'S MANUFACTURING COMPANY
AND ORVIL W. WOLF

GERKIN & WILLIAMS

By: John M. Gerkin
John M. Gerkin

P.O. Box 691
Jenks, Oklahoma 74037
Telephone: (918) 299-4454

ATTORNEYS FOR DEFENDANT,
ORVIL E. WOLF

Entered

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. C. SHAW, CLERK
DISTRICT COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
ROCKY G. BAILEY,)	
)	
Defendant.	)	CIVIL ACTION NO. 84-C-372-B

AGREED JUDGMENT

This matter comes on for consideration this 28th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Rocky G. Bailey, appearing pro se.

The Court, being ^{Rocky G. Bailey} fully advised and having examined the file herein, finds that the Defendant, Rocky G. Bailey, was served with Summons and Complaint. ^{Rocky G. Bailey} 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 \$864.00, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from August 15, 1983, and \$.68 per month effective January 1, 1984, until judgment, plus interest thereafter at the legal rate from the date of judgment until paid, plus the costs of this action.

Rocky G. Bailey

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Rocky G. Bailey, in the amount of \$864.00, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from August 15, 1983, and \$.68 per month effective January 1, 1984, until judgment, plus interest thereafter at the current legal rate of 11.74 percent from the date of judgment until paid, plus the costs of this action.

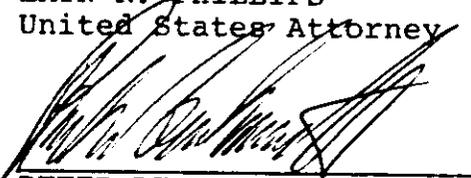
S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


PETER BERNHARDT
Assistant U.S. Attorney


ROCKY G. BAILEY

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 29 1984

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 EDWARD M. RODGERS,)
)
 Defendant.)

CIVIL ACTION NO. 83-C-1000-B

DEFAULT JUDGMENT

This matter comes on for consideration this _____ day
of _____, 1984, the Plaintiff appearing by Layn R.
Phillips, United States Attorney for the Northern District of
Oklahoma, through Nancy Nesbitt Blevins, Assistant United States
Attorney, and the Defendant, Edward M. Rodgers, appearing not.

The Court being fully advised and having examined the
file herein finds that Defendant, Edward M. Rodgers, was served
with Summons and Complaint on April 19, 1984. 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 the Defendant,
Edward M. Rodgers, in the amount of \$555.00 (less the amount of
\$375.00 which has been paid), plus interest at the current legal
rate of 11.74 percent from the date of judgment until paid,
plus the costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

Entered

FILED

MAY 29 1984

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
LESTER L. LIDDY,)	
)	
Defendant.	)	CIVIL ACTION NO. 84-C-219-B

AGREED JUDGMENT

This matter comes on for consideration this 28th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendant, Lester L. Liddy, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Lester L. Liddy, acknowledged receipt of Summons and Complaint on April 27, 1984. The Defendant filed his Answer on May 8, 1984, but 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 \$389.67 (less the amount of \$50.00 which has been paid), plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from November 11, 1983, until judgment, plus interest thereafter at the legal rate from the date of judgment until paid, plus the costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Lester L. Liddy, in the amount of \$389.67 (less the amount of \$50.00 which has been paid), plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from November 11, 1983, until judgment, plus interest thereafter at the current legal rate of 11.74 percent from the date of judgment until paid, plus the costs of this action.

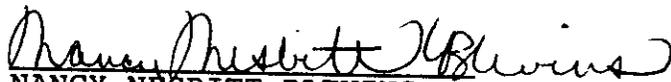
S/ THOMAS R. BRETT

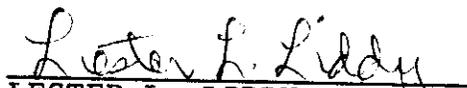
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant U.S. Attorney


LESTER L. LIDDY

Entered

FILED

MAY 29 1984

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
DANIEL W. ROUSH,)	
)	
Defendant.	)	CIVIL ACTION NO. 82-C-712-B

ORDER GRANTING MOTION TO TRANSFER

This case comes on before the Court on this 28 day of May, 1984, upon the Motion of the Plaintiff, United States of America, by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, for a transfer of the action to the United States District Court for the District of Oregon.

Upon examination of the Motion submitted by the United States of America and for good cause shown the Court finds that this case should be transferred to the United States District Court for the District of Oregon.

IT IS THEREFORE ORDERED that this case is transferred to the United States District Court for the District of Oregon.

S/ THOMAS R. BRETT

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

FILED
MAY 29 1981

T.S.I., LTD., an Oklahoma corporation,

Plaintiff,

v.

THE WESTERN UNION TELEGRAPH COMPANY, a New York corporation,

Defendant.

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

NO. C-83-173-B

O R D E R

This matter comes before the Court on defendant's motion to transfer. Plaintiff has objected to the motion, and a hearing has been held. For the reasons set forth below, defendant's motion is granted.

SUMMARY OF FACTS

By contracts of May 29, 1981 and October 19, 1981, Western Union ("WU") agreed to sell and T.S.I., Ltd. ("TSI") agreed to buy two transponders on WU's Westar V communications satellite. The parties also entered into a contract May 11, 1981, under which WU gave TSI two separate options to purchase transponders on the WU Westar VI satellite. A dispute arose between the parties and on February 9, 1982, WU filed suit against TSI in the United States District Court in New Jersey (Civil Action No. 82-389), seeking all past due sums on the option contract and the two transponder sale contracts. On February 26, 1982, TSI filed suit against WU in Tulsa County District Court. The suit was

removed to federal court. On April 5, 1982, WU moved to transfer the suit to federal court in New Jersey. Meanwhile, TSI had filed a motion to dismiss for lack of in personam jurisdiction in the suit in the New Jersey federal court. After an adverse ruling on the motion to dismiss, TSI withdrew its objection to transfer of the Oklahoma case to New Jersey and consented thereto.

The TSI suit was transferred to New Jersey federal court (Civil Action No. 82-2254), and the two cases were consolidated for trial before the Honorable Herbert J. Stern on August 12, 1982. A status conference was held, pretrial conference was set for December 21, 1982 and trial was set for January 4, 1983. However, the case was settled before it reached trial. On December 8, 1982, following notice from counsel, the New Jersey court entered an administrative dismissal order which stated in pertinent part: "...this action is hereby dismissed, without costs and without prejudice to the right, upon good cause shown within 60 days, to reopen the action if the settlement is not consummated." Thereafter, on December 13, 1982, the parties filed a joint stipulation which stated: "The matters in difference in the above-entitled actions having been amicably adjusted by and between the parties, it is hereby stipulated and agreed that [the cases] are hereby dismissed, with prejudice, and without costs against either party."

The settlement was not consummated and on January 20, 1983 TSI filed suit against WU in Tulsa County, Oklahoma District Court alleging breach of the settlement agreement. WU removed

the case to federal court. On August 3, 1983, TSI filed an amended complaint. It asserted five claims--all but one of which addressed alleged breaches of the contracts which had been the subject of the original lawsuits. The other claim (No. 3) seeks relief only for breach of the settlement agreement. On August 5, a second amended complaint was filed in which six claims were asserted. Again, all claims but one involve the original contracts.¹

On February 23, 1984, WU moved to transfer this action to the United States District Court in New Jersey under 28 U.S.C. §1404(a).

MOTION TO TRANSFER

Plaintiff objects to the motion to transfer on the grounds the motion was not timely filed. Plaintiff points to the 13-month lapse between the time suit was filed in Tulsa County District Court and the motion to transfer made. However, the Court notes the original complaint focused on the settlement agreement and sought relief for alleged breach of the agreement. Only when the amended complaint and second amended complaint were filed in August 1983 was defendant fully apprised of the nature and scope of the action. The Court finds under the circumstances, the delay in filing the motion to transfer does not defeat movant's right. Lowry v. Chicago, Rock Island & Pacific Railroad Co. v. Hugh Breeding, Inc., 232 F.2d 584 (10th

¹ This resurrection of the original New Jersey action was not commenced within the 60 day invitation of the administrative dismissal without prejudice of the New Jersey Court; and is therefore suggestive of forum shopping.

Cir. 1956), cert. den., 355 U.S. 880 (1957); Northwest Animal Hospital, Inc. v. Earnhardt, 452 F.Supp. 191 (W.D.Okla. 1977).

28 U.S.C. §1404(a) provides:

"For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought."

A motion to transfer is directed to the discretion of the district court. Ladson v. Kibble, 307 F.Supp. 11, 15 (S.D.N.Y. 1969). The burden is on the party moving for transfer to establish that the case should be transferred. Ford Motor Co. v. Ryan, 182 F.2d 329, 330 (2nd Cir. 1950); ROC, Inc. v. Progress Drilling, Inc., 481 F.Supp. 147, 151-52 (W.D.Okla. 1979).

After reviewing the record, the Court is convinced a key issue in this case will be the effect of the December 8, 1982, order of administrative dismissal by the New Jersey Court and the subsequent stipulation of dismissal by the parties. Defendant WU contends plaintiff's claims for relief under the original contracts are barred by the stipulation, which dismissed the action with prejudice. However, plaintiff contends the administrative dismissal without prejudice closed the case, thereby rendering the later-filed stipulation of dismissal with prejudice moot. Plaintiff argues that the New Jersey suit was dismissed without prejudice; therefore, it is entitled to seek relief on the original contracts in dispute, as well as on the settlement agreement.

Five of plaintiff's six claims seek relief for breaches of the underlying, original contracts. Thus, the issue of whether

these claims are barred by proceedings in the New Jersey federal court is critical to the case. In order to resolve this issue, the trial court will be required to interpret the scope and effect of the administrative closing order filed in the New Jersey federal court. This Court believes as a matter of comity from its past assumption of venue and jurisdiction, the New Jersey court should be permitted to pass upon the effect of its administrative dismissal without prejudice and the subsequent filed stipulation of dismissal with prejudice.² Therefore, the Court finds this case should, in the interest of justice, be transferred to the United States District Court for the District of New Jersey. See Bertnick v. Home Federal Savings and Loan Ass'n., 337 F.Supp. 968, 971 (W.D.Va. 1972); Smithkline Corporation v. Sterling Drug, Inc., 406 F.Supp. 52, 55 (D.Del. 1975).

Defendant's motion to transfer is sustained. The Court hereby orders this case be transferred to the United States District Court for the District of New Jersey.

ENTERED this 29th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

² The December 8, 1983 administrative dismissal without prejudice is a docket control device employed by some trial courts, when a not yet consummated in writing settlement is announced by the parties. No specific authority concerning its preclusive effect on subsequent filings has been found.

Entered

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

FILED
JUN 20 1984

CHARLES F. ROBERSON,)
)
 Plaintiff,)
 vs.)
)
 ROBERT FULTON, in his official capacity)
 as Director of Human Services, Oklahoma)
 Department of Human Services; et al.,)
)
 Defendants.)

JOHN C. SHAWEN, CLERK
DISTRICT COURT

CIV. No. 83-C-533-B

ORDER

Upon the stipulation of the parties, the above entitled matter is dismissed with prejudice to refileing, and the "Settlement Agreement" of the parties previously filed herein is hereby ordered enforced as an Order of this Court.

It is so ordered this 27th day of May, 1984.

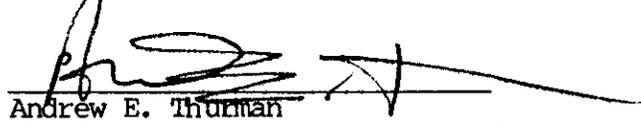
S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

Approved:


Louis W. Bullock
Attorney for Plaintiff


Roger Stuart
Attorney for Defendants
Robert Fulton and Herschell E. Daney


Andrew E. Thurman
Attorney for Defendant L.E. Rader

Entered

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

FILED
MAY 29 1994

SELECT INSURANCE COMPANY,)
a foreign corporation,)
)
Plaintiff,)
)
vs.)
)
TAMMIE REED, a minor, JAMES REED,)
BETTY REED; TAMMY BOCK, a minor,)
MICHAEL BOCK and JANE DOE BOCK,)
)
Defendants.)

JACK BUSCHEN, CLERK
U.S. DISTRICT COURT

NO. 83-C-914-E

STIPULATION OF DISMISSAL

COMES NOW the plaintiff, Select Insurance Company, by and through its attorney of record, Stephen C. Wilkerson, and the defendants, Tammie Reed, a minor, James Reed and Betty Reed, by and through their attorney of record, Roger Williams, and hereby agree that this matter can be and is dismissed without prejudice against the defendants, Tammie Reed, a minor, James Reed and Betty Reed, only. The plaintiff, specifically, herein preserves its action against the defendants, Tammy Bock, a minor, Michael Bock and Jane Doe Bock.

Stephen C. Wilkerson

Stephen C. Wilkerson, Attorney for Plaintiff

Roger Williams

Roger Williams, Attorney for Defendant Reed

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

MICHAEL C. BOWERS,)

Defendant.)

CIVIL ACTION NO. 84-C-123-B

FILED
MAY 29 1984
JACK C. SILVER, CLERK
U.S. DISTRICT COURT

DEFAULT JUDGMENT

This matter comes on for consideration this 29 day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Michael C. Bowers, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Michael C. Bowers, acknowledged receipt of Summons and Complaint on April 27, 1984. 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 the Defendant, Michael C. Bowers, in the amount of \$507.97, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from August 18, 1983, until judgment, plus interest thereafter at the current legal rate of 11.74 percent from the date of judgment until paid, plus the costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 20.90 ACRES OF LAND, MORE OR)
 LESS, SITUATE IN TULSA COUNTY,)
 STATE OF OKLAHOMA, AND THE)
 CITY OF TULSA, OKLAHOMA, A)
 MUNICIPAL CORPORATION, et al.,)
)
 Defendants.)

FILED

MAY 29 1984

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

CIVIL ACTION NO. 80-C-588-E ✓

J U D G M E N T

This matter comes on for consideration of the Stipulation as to Just Compensation and Revestment, filed herein by the Plaintiff and certain Defendants. Having carefully considered such stipulation and the court record in this matter, and being fully advised in the premises, the court finds that:

1. This judgment applies to all property included in the complaint and the amendment thereto filed in this case.

2. This action was commenced by the filing of a complaint in condemnation and a declaration of taking by the United States on October 9, 1980, involving 20.90 acres of land at the Tulsa International Airport. On May 23, 1984, the Plaintiff filed herein an amendment to the declaration of taking and an amendment to the complaint.

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

4. Service of process has been perfected personally as provided by Rule 71(a) of the Federal Rules of Civil Procedure, on all parties defendant in this case.

5. By Order filed November 13, 1981, the Court denied Defendants' motions to vacate or modify order for surrender of possession of the condemnees' property. By Order filed May 26, 1982, the Court ordered that the Clerk of the Court disburse from the Registry of the Court, the sum of \$286,550.00, which had been deposited as estimated compensation for the taking of the estates described in the complaint and the declaration of taking. By Order filed January 11, 1983, the Court granted the parties request for an extension of time to pursue settlement negotiations.

6. The Defendants named below, as owners of the subject property, are the only Defendants asserting any interest in such property. All other Defendants having either disclaimed or defaulted, the named Defendants, as of the date of taking, were the owners of the subject property, and as such, are entitled to receive the just compensation awarded by this judgment.

7. Both the Plaintiff, United States of America, and the Defendant owners, have executed the aforesaid Stipulation as to Just Compensation and Revestment, and on May 23, 1984, such stipulation was filed in this case. Such stipulation appears to be proper in all respects and should be approved by this Court.

It is therefore ORDERED that:

1. The Stipulation as to Just Compensation and Revestment, executed by the parties on May 22, 1984, and filed herein on May 23, 1984, is approved by the Court and adopted as a basis for settlement of this case.

2. Paragraph 2 of such stipulation revested title in the former owners, of the estates taken in Tracts Nos. A-114E-1, A-114E-2, A-114E-3, A-118E-1, A-118E-2, A-118E-3, and A-118E-4, as such tracts and estates are described in the complaint and the amendment thereto filed in this action. Such revestment of title is specifically confirmed by the Court, and the United States is no longer possessed of any interest in the tracts described in this paragraph.

3. The United States of America has the right, power and authority to condemn for public use the tracts designated as Tracts Nos. A-117-1, and A-117-2, as such tracts are particularly described in the complaint, as amended, filed herein, and by virtue of filing of the aforesaid declaration of taking and amendment thereto, the fee simple title in such tracts was condemned and vested in the United States of America as of October 9, 1980.

4. The sum of \$286,550.00, constitutes just compensation to the Defendants for the condemnation of Tract No. A-117-1 and Tract No. A-117-2, as such tracts are described in the complaint, as amended, and the declaration of taking, as amended, filed in this case.

5. On the date of taking in this case, the owners of Tracts Nos. A-117-1 and A-117-2, as such tracts are described in the complaint, as amended, filed herein, were the Defendants named as follows:

A. The City of Tulsa, Oklahoma, a municipal corporation, and

B. Tulsa Airports Improvement Trust.

The right to receive the just compensation awarded by this judgment was vested, on the date of taking, in such named Defendants and such compensation has been disbursed in full to such Defendant owners by the Clerk of this Court.


UNITED STATES DISTRICT JUDGE

APPROVED:

James C. Ellison


J. RICHARD STUDENNY
Attorney for Defendants


HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 19 1984

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES A. TANNER,

Defendant.

CIVIL ACTION NO. 84-C-198-E

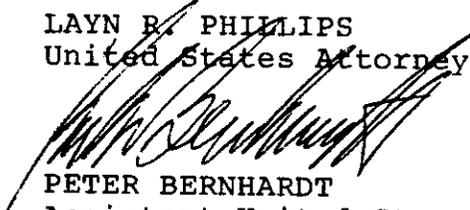
NOTICE OF DISMISSAL

COMES NOW the Plaintiff United States of America, by Layn R. Phillips, 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 29th day of May, 1984.

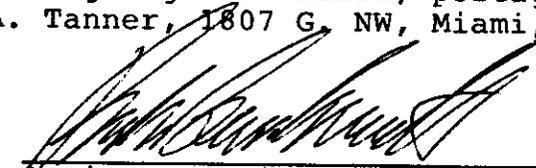
UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


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

CERTIFICATE OF SERVICE

This is to certify that on the 29th day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Charles A. Tanner, 1807 G. NW, Miami, Oklahoma 74354.


Assistant United States Attorney

Entered

FILED

MAY 25 1984

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

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

COMBOTRONICS, INC.,)
)
Plaintiff,)
)
vs.)
)
THE HOME INDEMNITY COMPANY,)
)
Defendant.)

No. 83-C-358-B

Notice of DISMISSAL

COMES NOW the Plaintiff and herewith dismisses the
above styled and numbered cause with prejudice.

STAINER AND STAINER

BY: *Randolph H. Stainer*
Randolph H. Stainer
320 S. Boston, Suite 1018
Tulsa, Oklahoma 74103
918/584-6404

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

CLERK'S OFFICE

UNITED STATES COURT HOUSE

TULSA, OKLAHOMA 74103

JACK C. SILVER
CLERK

(918) 581-7796
(FTS) 736-7796

May 25, 1984

TO: ALL COUNSEL OF RECORD

RE: 84-C-373-C
In re: Heston Oil Company

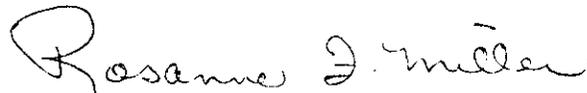
Gentlemen:

This is to advise you that Chief Judge H. Dale Cook entered the following Minute Order this date in the above case:

"IT IS ORDERED that appellant's application for leave to appeal under 28 U.S.C., §1334(b) is hereby denied."

Very truly yours,

JACK C. SILVER, CLERK



Deputy

rfm

cc: Bankruptcy Court (83-00173)

Entered

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

FILED

MAY 25 1984

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

ROBERT THOMPSON,
Plaintiff,
vs.
BLUE CIRCLE, INC.,
Defendant.

No. 84-C-79

O R D E R

NOW on this 25th day of May, 1984, plaintiff's Motion to Dismiss comes on before this Court. After review of the premises, the Court finds that said motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff's Motion to Dismiss be granted and that plaintiff's second cause of action is dismissed with prejudice to refiling.

~~BY DALE COOK~~

~~BY JAMES O. ELLISON~~

.....
UNITED STATES DISTRICT JUDGE

Entered

FILED

MAY 24 1984

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

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

SAMUEL D. WILLIAMS,
Plaintiff,
vs.
HILLCREST MEDICAL CENTER,
Defendant.

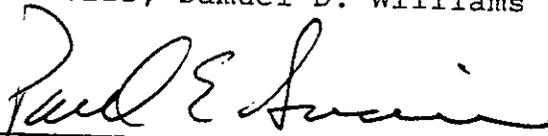
Case No. 83-C-1049-B

DISMISSAL WITH PREJUDICE

COMES NOW, the Plaintiff, Samuel D. Williams, and the Defendant, Hillcrest Medical Center, and informs the Court that said parties have reached a settlement in the above-entitled cause of action and the Plaintiff hereby dismisses his complaint against the Defendant with prejudice.



Van N. Eden, Attorney for the Plaintiff, Samuel D. Williams



Paul E. Swain, Attorney for the Defendant, Hillcrest Medical Center

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE 24 1984
NORTHERN DISTRICT OF OKLAHOMA

THE BOVAIRD SUPPLY COMPANY,)
)
 Plaintiff)
)
 vs.)
)
 HAROLD S. MYERS, MYERS, LTD. and)
 MACA DRILLING COMPANY,)
)
 Defendants.)

JOHN S. SILVER, CLERK
U.S. DISTRICT COURT

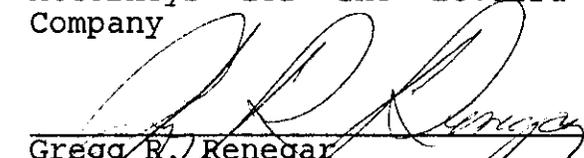
Case No. 84-C-31-BT

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to F.R.C.P. 41(a)(1), the parties stipulate that Plaintiff dismisses this action with prejudice to refiling the claims asserted herein and that all parties pay their own costs and attorney's fees.



DAVID B. MCKINNEY
Of Boesche, McDermott & Eskridge
Attorneys for The Bovaird Supply
Company



Gregg R. Renegar
Of Kornfeld Franklin & Phillips
Attorneys for Myers, Ltd., MACA
Drilling Company, and Harold S.
Myers,

Boesche, McDermott, & Eskridge
320 South Boston Building
Tulsa, Oklahoma
(918-523-0177)

Entered

FILED

MAY 23 1984

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

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

KARL M. KNOERNSCHILD,)
)
 Plaintiff,)
)
 v.)
)
 BOARD OF COUNTY COMMISSIONERS)
 OF WAGONER COUNTY, STATE OF)
 OKLAHOMA, et al.,)
)
 Defendants,)

No. 81-C-547-E ✓

JOURNAL ENTRY OF JUDGMENT

COMES THIS MATTER before me the undersigned Judge on this the 30th day of March, 1984, at 9:00 o'clock a.m. pursuant to regular setting. Plaintiff was present personally by and through his attorney of record, Wesley Johnson. Defendant City of Broken Arrow, and individual Defendants Holt, Ross and Davis were present by and through their attorneys of record, Michael R. Vanderburg and John Stuart. All other Defendants appeared not.

The Court therefore finds the pending motion of Defendant Gilbert should be and is hereby dismissed for failure to prosecute.

The Plaintiff thereupon presented his motions and having fully heard arguments of both counsel, the Court is fully advised and finds that the motions of Plaintiff pending herein should be and are hereby denied.

The Court then heard pending motions of Defendant, City of Broken Arrow, and Defendants Holt, Ross and Davis; having heard arguments of counsel, the Court is fully advised of the premises. The Court hereby rules that the granting of the request for

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attorney fees might be a factor which would inhibit the access of civil rights complainants to the Court and, although recognizing that there is some merit to the Defendants' position, the Court rules that for reasons of public policy favoring access to the Courts, Defendants' request for attorney fees is hereby denied. The Court further rules that following hearing by the Court Clerk and appeal to the District Court, that the documents filed in support of the statement of costs are in substantial compliance with Court rules, were timely filed, and neither the administration of the Court nor the Plaintiff have been harmed by any technical defects therein; the Defendants City of Broken Arrow, Ross, Holt and Davis are hereby entitled to and are granted a judgment against the Plaintiff Karl M. Knoernschild in the amount of \$1,007.91 as costs of this action.



Judge

APPROVED AS TO FORM AND CONTENT:



Wesley Johnson



Michael R. Vanderburg

Entered

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

FILED

JUL 23 1984

CLARK RESOURCES CORPORATION, an)
Oklahoma Corporation,)
)
Plaintiff,)
vs.)
)
MID-CONTINENT SUPPLY CO., a)
Texas Corporation,)
)
Defendant.)

DALE COOK, CLERK
DISTRICT COURT

NO. 83-C-584-C

ORDER

NOW ON this 23 day of May, 1984, comes on to be heard the Stipulation of the parties that the above-captioned action may be dismissed with prejudice. The Court, being well advised in the premises, finds that the Stipulation of the parties should be accepted and this action is dismissed with prejudice to the filing of another.

s/H. DALE COOK

Judge of the United States District Court

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

Entered

FILED

MAY 23 1984

NO. 82-C-872-B
CLERK
OF DISTRICT COURT

MIDCOAST AVIATION SERVICES, INC.,)
)
Plaintiff,)
)
v.)
)
DALCO PETROLEUM CORPORATION,)
RESOURCES DIVERSIFIED, INC.,)
LOUIS PORTER and DARRELL W. ZANG,)
)
Defendants.)

JUDGMENT

Pursuant to the Court's order sustaining plaintiff's motion for summary judgment against Resources Diversified, entered this date, the Court hereby enters judgment in favor of Midcoast Aviation Services, Inc., and against Resources Diversified, Inc., in the amount of \$34,330.91, with costs assessed against defendant Resources Diversified, Inc.

ENTERED this 23rd day of May, 1984.

Thomas R. Brett

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

FILED
MAY 23 1984

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

U.S. BANKRUPTCY CLERK
NORTHERN DISTRICT OF OKLAHOMA

IN RE:)	
)	
NORTHWEST EXPLORATION COMPANY,	)	Bankruptcy No. 82-01534
)	
Debtor.)	
_____	)	84-C-281-C

ORDER OF DISMISSAL

Pursuant to Bankruptcy Rule 8001(c)(2), it appearing that Richland Resources Corporation, appellant, and the other parties to this appeal having properly filed a Notice of Dismissal,

This appeal filed by Richland Resources Corporation in this Court on March 29, 1984, is hereby dismissed.

DATED this 23 day of May, 1984.

s/H. DALE COOK

Entered

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

MAY 23 1984

DAVID D. SHYER, CLERK
U.S. DISTRICT COURT

DAVID EUGENE KATES,)
)
 Petitioner,)
)
 v.)
)
 W.J. ESTELLE, JR.,)
 et al.,)
)
 Respondents.)

NO. 83-C-426-BT

O R D E R

Petitioner has moved this Court to dismiss his petition for writ of habeas corpus. Petitioner states that "due to the petitioner's present custody he is unable to research any state caselaw, as there is none available in the law libraries of T.D.C., nor OKLAHOMA STATUTES, nor the judicial procedure of the State of Oklahoma." Petitioner states that further litigation of the matter would be "fruitless" as he is not equipped to prosecute the matter.

IT IS THEREFORE ORDERED that petitioner's motion to withdraw without prejudice is sustained. This matter is dismissed without prejudice.

ENTERED this 23rd day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

JUDGMENT ON JURY VERDICT

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

NELSON A. HUERTA & YNES HUERTA

CIVIL ACTION
FILE NO.

83-C-827-C

vs.

INA UNDERWRITERS INSURANCE CO.

FILED
MAY 29 1984
CLERK OF COURT
NORTHERN DISTRICT OF OKLAHOMA

This action came on for trial before the Court and a jury, Honorable Robert S. Rizley

Magistrate
, United States District Judge, presiding.

The issues having been duly tried and the jury having duly rendered its verdict, it is ordered and adjudged that the jury finds in favor of the Plaintiffs, Nelson Huerta & Ynes Huerta in the amount of \$26,750.00 and against the Defendant.

Dated at Tulsa, Oklahoma
of May, 19 84

, this 23rd day


Clerk of Court

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

FILED
MAY 23 1984

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

[Handwritten signature]

STACY ELLEN ENGLAND, a minor,)
by and through DONNA K.)
ENGLAND, her parent and next)
friend, Plaintiff,)
v.)
DAYTON-HUDSON CORP.,)
d/b/a TARGET STORES,)
Defendant.)

No. 83-C-488-C

ORDER

This matter came on for hearing on May 17, 1984, for confirmation of a settlement agreement and for the purpose of conserving monies obtained for and on behalf of the minor, Stacy Ellen England.

Based upon the testimony of Donna K. England as parent and next friend of Stacy Ellen England, a minor, and the testimony of Stacy Ellen England the Court determined that a settlement in the amount of \$25,000 is a fair and equitable settlement in this action and was knowingly entered into by all parties.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the following allowable expenses of \$11,031.50 shall be deducted prior to the balance of \$13,968.60 being deposited in an interest bearing account at The First National Bank of Chelsea, Chelsea, Oklahoma, for the use and benefit of Stacy Ellen England, a minor.

The allowable expenses are:

Reba Markham, Court Reporter	\$ 480.00
Filing costs	60.00
Frank L. Peterson, Court reporter	37.50
Attorney fees	9,769.00
Medical expenses	685.00
	<u>\$11,031.50</u>

Further, that the balance of \$13,968.50 shall be deposited pursuant to Title 12 O.S. §83 and said withdrawals of monies from such account shall be solely pursuant to order of the Court.

IT IS SO ORDERED this 23rd day of May,
1984.



H. DALE COOK, U.S. DISTRICT JUDGE

Entered

FILED

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

MAY 23 1984

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

DAWN O'KEEFE,)
)
Plaintiff,)
)
v.)
)
WORLD WIDE INNS, INC.)
d/b/a QUALITY INNS OF TULSA,)
)
Defendant.)

No. 83-C-999-E

ORDER

Upon consideration of the joint application of the Plaintiff and the Defendant to dismiss this action with prejudice, the Court finds that the same should be granted.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED, that this action is dismissed with prejudice with costs assessed to Plaintiff.

S/ JAMES O. ELLISON

James O. Ellison, Judge
United States District Court

Entered

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

FILED

MAY 23 1984

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

MARK MAYERS, on behalf of)
himself and as class)
representative on behalf of)
others similarly situated,)
)
Plaintiff,)
)
v.)
)
M. J. REYNOLDS, an individual,)
)
Defendant.)

No. 84-C-243-E

ORDER

This matter having come on before the Court on the Plaintiff's Application For Approval Of The Court To Dismiss Class Action, as required by Federal Rule of Civil Procedure 23(e), and the Court being fully advised of the premises and facts, and having found that no prejudice will result from Plaintiff's voluntarily dismissal with prejudice of this action, it is

ORDERED, ADJUDGED and DECREED that the Plaintiff be granted and hereby is granted permission to voluntarily dismiss with prejudice this action against the Defendant, and it is further

ORDERED, ADJUDGED and DECREED that the above-styled action is dismissed with prejudice.

Dated this 2nd day of May, 1984.

S/ JAMES O. ELLISON
United States District Judge

Entered

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

OKLAHOMA DRILLING CORPORATION,)
an Oklahoma corporation,)
)
Plaintiff,)
)
vs.)
)
HARRY ALAN KOPPEL,)
an individual,)
)
Defendant.)

No. 82-C-630-C

FILED
MAY 22 1984
Jack C. Silver, Clerk
U. S. DISTRICT COURT

ORDER

On May 18, 1984, this action came before the Court for a scheduled Pretrial Conference. Pending before the Court was Plaintiff's Motion to Set Aside Summary Judgment which action was entertained by the Court and argument was presented by both counsel for the plaintiff and the defendant.

Upon oral motion by counsel for the plaintiff, the Court entertained plaintiff's Motion to Dismiss this action without prejudice on the grounds that the plaintiff corporation's stock has been purchased and is currently under new management and in-house counsel will be utilized in the future.

The defendant, by and through his counsel, asserted that he had no objection to allowing plaintiff to dismiss this action. However, the defendant made application for Assessment of Attorney Fees for the defense of this action.

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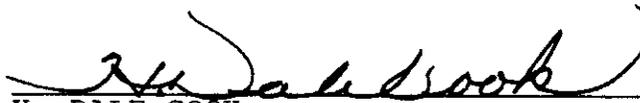
The Court being fully advised in the premises orders as follows:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Summary Judgment heretofore entered on April 18, 1984, is hereby set aside and vacated.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the plaintiff's Motion to Dismiss this action without prejudice shall be allowed and is hereby entered.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant's Application for Assessment of Attorney Fees is hereby denied.

It is so Ordered this 22nd day of May, 1984.


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

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

B. J. THOMAS, a minor, by and)
through his guardian, Norvel Ray)
Thomas, Jr., and Norvel Ray Thomas,)
Jr., personal representative of the)
Estates of Plaintiff(s),)
Christine and Allen Dale Thomas,)
vs.)

STATIONER'S DISTRIBUTING COMPANY,)
CROWN ZELLERBACH CORP., AND)
FARMERS INSURANCE COMPANY, INC.)

Defendant(s).)

No. 82-C-753-C

F I L E D
IN OPEN COURT

MAY 22 1984

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

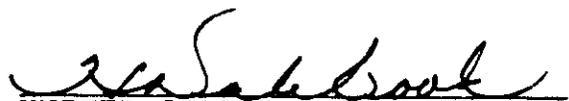
JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

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 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 22 day of May, 1984.


UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 FIFTEEN THOUSAND, TWO HUNDRED)
 AND FIFTY DOLLARS (\$15,250.00))
 IN UNITED STATES CURRENCY, and)
 ONE, ONE OUNCE FINE GOLD SOUTH)
 AFRICAN KRUGERRAND,)
)
 Defendants.)

FILED

MAY 22 1984

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

CIVIL ACTION NO. 83-C-243-C

J U D G M E N T

THIS CAUSE, having come before this Court upon Plaintiff's Application and this Court being fully advised and having examined the file herein finds that the United States Marshal for this District seized property defendants Thirteen Thousand, Two Hundred and Eight Dollars and Sixteen One Hundredths (\$13,208.16) and One, One Ounce Fine Gold South African Krugerrand on December 21, 1983, pursuant to Warrant for Arrest issued by this Court.

The Court further finds that possible claimant David Gene Bradshaw was served with process on February 13, 1984.

The Court further finds that Mary Crenshaw Smith filed a claim herein on April 18, 1984, for the property defendant One, One Ounce Fine Gold South African Krugerrand.

The Court further finds that no other person has intervened as claimant and answered the Complaint as required by Supplemental Rule C(6) as to defendant property Thirteen Thousand

Two Hundred and Eight Dollars and Sixteen One Hundredths (\$13,208.16) in United States Currency and One, One Ounce Fine Gold South African Krugerrand, and that the time within which to file a claim or otherwise more has expired and has not been extended.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the defendant property, Thirteen Thousand, Two Hundred and Eight Dollars and Sixteen One Hundredths (\$13,208.16) in United States Currency is hereby forfeited to the United States of America for the causes propounded in the Complaint herein, and it is further

ORDERED, ADJUDGED, AND DECREED that Mary Crenshaw Smith is entitled to recover the defendant property, One, One Ounce Fine Gold South African Krugerrand in full satisfaction of any and all claims of whatsoever nature against said property defendants, and it is further

ORDERED that the Marshal for the Northern District of Oklahoma be and is hereby directed to issue a check made payable to the U.S. Department of Justice in the amount of Thirteen Thousand, Two Hundred and Eight Dollars and Sixteen One Hundredths (\$13,208.16) and deliver it to the United States Attorney, Tulsa, Oklahoma, or his duly authorized representative, for disposition according to law and to give full possession and control of said defendant property, One, One Ounce Fine Gold South African Krugerrand, to Mary Crenshaw Smith, 600 "J" Street, Apartment 215, Martinez, California 94553.

DATED this 22 day of May, 1984.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAY 21 1984
DEK. A. SILVER, CLERK
DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JAMES M. McCLAIN,) Civil Action No. 80-C-254-C
)
Defendant.)

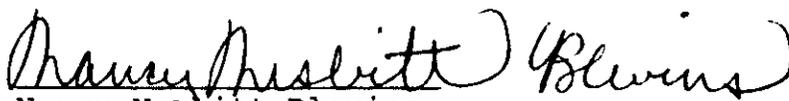
ORDER and Judgment

AND NOW on this 3rd day of May, 1984 the above entitled cause comes on for trial. The Plaintiff herein appearing by Nancy Nesbitt Blevins. Defendant appearing in person represented by his counsel, John M. Crockett. The Court upon hearing the evidence hereby finds in favor of the Defendant.

s/H. DALE COOK

JUDGE

APPROVED AS TO FORM:


Nancy Nesbitt Blevins
Attorney for Plaintiff


John M. Crockett
Attorney for Defendant

Entered

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

FILED

MAY 21 1984

DECK C. SILVER, CLERK
DISTRICT COURT

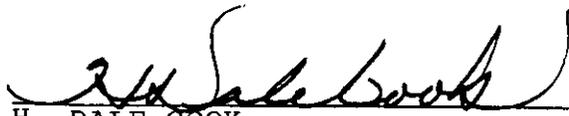
MARK ALEXANDER,)
)
Plaintiff,)
)
vs.)
)
AMERICAN INDIAN ENERGY, INC.,)
)
Defendant,)
)
vs.)
)
AMERICAN INDIAN OIL & GAS, INC.,)
)
Third Party Defendant.)

No. 83-C-182-C

J U D G M E N T

It is Ordered, Adjudged and Decreed that the third party defendant, American Indian Oil & Gas Company, be granted summary judgment in its favor against defendant, American Indian Energy, Inc.; that defendant take nothing from third party defendant; that defendant's third party complaint be dismissed with prejudice; that third party defendant recover of said defendant the sum of \$3,513.63 for a reasonable attorney fee as provided by law; and that third party defendant recover its costs of action from defendant.

It is so Ordered this 21 day of May, 1984.


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

34

Entered
FILED
MAY 21 1984
W. C. SILVER, CLERK
DISTRICT COURT

HOME-STAKE PRODUCTION COMPANY,)
)
Plaintiff,)
)
v.)
)
NICHOLAS J. BECKS and RAFAEL)
TUDELA,)
)
Defendants.)

NO. 78-C-422-B

ADMINISTRATIVE CLOSING ORDER

At a status conference on October 6, 1981, the parties agreed proceedings in this matter should be stayed pending appeal to the Tenth Circuit Court of Appeals of a related case, MDL-153. Therefore, it is ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within sixty days of a final adjudication of the related matter, MDL-153, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 21st day of May, 1984.

Thomas R. Brett

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED
MAY 21 1984

THE F & M BANK AND TRUST COMPANY,

Plaintiff,

v.

ROBERT F. PATNODE, A.J. NEIPORT,
ROBERT L. RISLEY, GEORGE RUNDLE,
G.H. NIEPORT, PHILLIP LINDSLEY
and RONALD R. HEUMANN,

Defendants.

W. G. SILVER, CLERK
DISTRICT COURT
No. 78-C-322-BT

ADMINISTRATIVE CLOSING ORDER

On September 18, 1978, this matter was stayed by order of Judge H. Dale Cook due to the bankruptcy of Lake Country Associates, an Oklahoma limited partnership. Defendants are the limited partners of Lake Country Associates. It is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 21ST day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

511 100

JUL 21 1984

UNION INVESTMENTS, INC.,)
a Utah corporation,)
)
Plaintiff,)
)
vs.)
)
GEORGE SHARP, an individual,)
)
Defendant.)

WILLIAM W. SILVER, CLERK
DISTRICT COURT

No. 82-C-845-BT

ORDER OF DISMISSAL WITH PREJUDICE

On joint stipulation of the parties, and for good cause shown, the Plaintiff's Amended Complaint against the Defendant and all causes of action asserted thereunder are hereby dismissed with prejudice to future filing.

AND IT IS SO ORDERED.

S/ THOMAS R. BRETT

Thomas R. Brett, United States
District Judge

APPROVED AS TO FORM:

Arthur R. Angel
Arthur R. Angel, Attorney
for Plaintiff

John R. Woodard III
John R. Woodard III,
Attorney for Defendant

William Leiter
William Leiter
Attorney for Defendant

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAY 21 1984

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ELIZABETH ANN BEAN,)
)
 Defendant.)

CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION NO. 83-C-578-B

DEFAULT JUDGMENT

This matter comes on for consideration this 21st day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Elizabeth Ann Bean, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Elizabeth Ann Bean, acknowledged receipt of Summons and Complaint on December 21, 1983. The Defendant filed a motion for transfer or for stay of proceedings on January 30, 1984, but has filed a withdrawal of motions for transfer or stay and statement of no further defense on May 9, 1984. 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 the Defendant, Elizabeth Ann Bean, in the amount of \$78,157.85, plus accrued interest of \$14,294.95 from April 30, 1981, to April 4, 1983, plus interest continuing thereafter at the rate of \$20.62 per day from April 4, 1983, until judgment, plus interest thereafter at

the current legal rate of 11.74 percent from the date of judgment until paid, plus the costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

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

FILED

MAY 21 1984

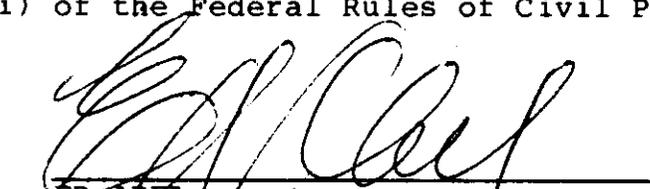
Jack C. Silver, Clerk
U. S. DISTRICT COURT

JONNA PHILLIPS, mother and)
surviving next of kin of JASON)
LYNN PHILLIPS, Deceased,)
)
Plaintiff,)
)
vs.)
)
DICK L. GLICK, M.D.; C. THOMAS)
THOMPSON, M.D.; SURGICAL)
ASSOCIATES, INC., a)
corporation; ST. FRANCES)
HOSPITAL, INC., a corporation;)
and LARRY J. D'ANGELO, M.D.,)
)
Defendants.)

No. 83-C-528-C

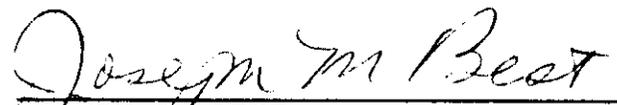
STIPULATION OF DISMISSAL

COME NOW all parties having appeared in the above captioned action and stipulate in writing to dismissal of C. Thomas Thompson, M.D. and Surgical Associates, Inc. from this action pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.


ED ABEL

ABEL, MUSSER, SOKOLOSKY & CLARK
514 Park/Harvey Center
Oklahoma City, Oklahoma 73102
(405) 239-7046

ATTORNEY FOR PLAINTIFF


JOSEPH M. BEST

300 Oil Capital Building
502 South Main
Tulsa, Oklahoma 74103

ATTORNEY FOR DEFENDANTS GLICK,
THOMPSON, D'ANGELO AND SURGICAL
ASSOCIATES, INC.



DERYL GOTCHER and ALFRED K.
MORLAN
201 West Fifth, Suite 400
Tulsa, Oklahoma 74103

ATTORNEYS FOR ST. FRANCES
HOSPITAL, INC.

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

Entered

FILED
MAY 21 1984

G.L. BARTLETT,)
)
 Plaintiff,)
)
 v.)
)
 ALL NIGHT ENTERTAINMENT,)
 a partnership consisting)
 of G. SCOTT HUROWITZ and)
 TONY KAYE,)
)
 Defendant.)

NO. 83-C-540-B
MICK C. SILVER, CLERK
U.S. DISTRICT COURT

ADMINISTRATIVE CLOSING ORDER

This action was filed June 23, 1983. Since that time, the parties have taken no action in the case and the Court has been advised the case has settled. However, no settlement papers have been filed. Therefore, pursuant to F.R.Civ.P. 41(b), this matter is hereby dismissed without prejudice, for failure to prosecute.

ENTERED this 21st day of May, 1984.

Thomas R. Brett

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

FILED

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

MAY 16 1984

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

ROSIE M. ALLEN,)
)
Plaintiff,)
)
vs.)
)
BRYAN INDUSTRIES, INC., an)
Oklahoma corporation a/k/a)
BRYAN INFANT'S WEAR CO., and)
ETHEL SHED,)
)
Defendants.)

No. 82-C-1109-E

ORDER OF DISMISSAL

Came on for consideration this 17th day of May, 1984, the Joint Stipulation for Dismissal filed by the attorneys for plaintiff and defendants herein, and for good cause shown,

IT IS THEREFORE ORDERED that this matter be dismissed with prejudice, with each party to pay their own attorney's fees and costs.

S/ JAMES O. ELLISON

United States District Judge

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 18 1984

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
WENDELL M. CROUSE,)
)
Defendant.)

CIVIL ACTION NO. 83-C-781-E

NOTICE OF DISMISSAL

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

Dated this 17th day of May, 1984.

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney

Nancy Nesbitt Blevins

NANCY NESBITT BLEVINS
Assistant United States Attorney
460 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 18th day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Wendell M. Crouse, P. O. Box 9303, Tulsa, Oklahoma 74157.

Nancy Nesbitt Blevins
Assistant United States Attorney

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

JESSE EDWARD MILLION,)
)
 Plaintiff,)
)
 vs.)
)
 NIAGARA MACHINE AND TOOL WORKS,)
 a New York corporation,)
)
 Defendant.)

Case No. 83-C-852-C

WILLIAM D. GILVER, CLERK
DISTRICT COURT

ORDER OF DISMISSAL WITHOUT PREJUDICE

Now on this 17th day of May, 1984, the above entitled cause comes on before me, the undersigned Judge, upon the Joint Application of the parties pursuant to Federal Rule of Civil Procedure 41(a) for an Order of Dismissal Without Prejudice as to the Defendant, NIAGARA MACHINE AND TOOL WORKS. For good cause shown, the Court orders as follows:

IT IS ORDERED, ADJUDGED AND DECREED by this Court that the above entitled cause is dismissed without prejudice against the Defendant, NIAGARA MACHINE AND TOOL WORKS.

s/H. DALE COOK

U. S. DISTRICT JUDGE

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

FILED

MAY 17 1984

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

LERIN EXPLORATION, INC., and)
RAMSEY DRILLING PROGRAM,)
Plaintiffs,)
vs.)
B. J. HUGHES, INC.,)
Defendant.)

83-C-60-E
83-C-149-E
Consolidated

JUDGMENT

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

IT IS ORDERED AND ADJUDGED that the plaintiffs Lerin Exploration, Inc. and Ramsey Drilling Program take nothing, that the claims of the plaintiffs be dismissed on the merits, that the defendant B. J. Hughes, Inc. recover from the plaintiffs the sum of \$2,600.76 on its counterclaim with interest at the rate provided by law, and that the defendant recover its costs of action.

Dated this 17th day of May, 1984.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

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

FILED

MAY 17 1984

CLERK
DISTRICT COURT

HOUSTON GENERAL INSURANCE CO.,)
a foreign corporation,)
)
Plaintiff,)
)
v.)
)
SOUTHLAND MOTOR INNS CORPORATION)
OF OKLAHOMA d/b/a SHERATON INN-)
SKYLINE EAST HOTEL, et al.,)
)
Defendants.)

No. 81-C-101-C ✓

ORDER

On this ¹⁷ day of May, 1984, there comes on for hearing the motion of defendant Sheraton Inns, Inc., a Delaware corporation, to dismiss its cross-claim against defendants Southland Motor Inns Corporation of Oklahoma d/b/a Sheraton Inn-Skyline East Hotel and Ramon L. King; and the Court, being advised in the premises, finds that said motion should be and is hereby granted.

IT IS ORDERED that the cross-claim of defendant Sheraton Inns, Inc. against defendants Southland Motor Inns Corporation of Oklahoma d/b/a Sheraton Inn-Skyline East Hotel and Ramon L. King is dismissed with prejudice and without cost to any party.

W. Salebrook
United States District Judge

84

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

FILED

MAY 17 1984

BUCK C. SILVER, CLERK
DISTRICT COURT

VERNON L. JONES,)
)
 Plaintiff,)
)
 v.)
)
 ETHICON, INC.,)
)
 Defendant.)

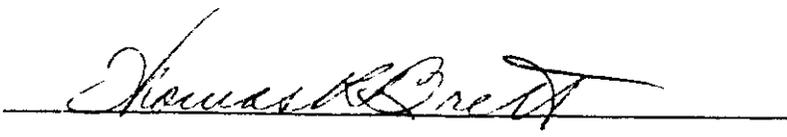
No. 81-C-902-BT ✓

ADMINISTRATIVE CLOSING ORDER

On January 20, 1983, this matter was stayed pending the outcome of a related matter in Tulsa County District Court. It is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within 60 days of a final adjudication of the related matter in Tulsa County District Court, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 17th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

FILED
MAY 17 1984
JACK C. SILVERMAN
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 URCO ENERGY, INC.,)
)
 Defendant.)

Civil Action No. 84-C-95-C

JUDGMENT

On this 17th day of May, 1984, this cause comes on to be heard on the complaint of the plaintiff, defendant's Answer and a confession of judgment made by counsel for the defendant in chambers on May 3, 1984, in the amount of \$8,900, plus interest and plaintiff's costs.

Having examined the pleadings and received defendant's confession of judgment, the court finds and concludes:

1. That the Court has jurisdiction of the parties and the subject matter.
2. That this suit is for collection of civil penalties from the defendant under the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. § 1201 et seq.
3. Following the issuance of Notices of Violation Nos. 79-4-5-7 and 80-4-9-24, and Cessation Order No. 79-4-5-2 against the defendant pursuant to 30 U.S.C. § 1271(a)(3), the Secretary of the Interior sent to defendant proposed assessments of civil penalties on July 31, 1979, October 15, 1980 and August 24, 1979, respectively.

H

4. Defendant has failed to pay the amount of the proposed assessments of civil penalties or deposit in escrow the amount of the proposed assessments. The defendant, pursuant to 30 U.S.C. § 1268(c), has waived all legal rights to contest the existence of the violations or the amount of the civil penalties in this proceeding.

5. On September 16, 1980 and December 8, 1980, the Office of Surface Mining Reclamation and Enforcement, United States Department of the Interior, acting on behalf of the Secretary of the Interior, issued final orders requiring that penalties in the amount of \$1,3000.00, \$6,000.00 and \$1,600.00 be paid for the violations.

6. Since defendant has not followed all the necessary steps for contesting the amount of the penalties and has not made the payments, the United States had no further administrative remedy.

7. That the defendant is liable to the plaintiff, United States of America, in the sum of \$8,900.00 plus the legal rate of interest from this date forward, and its costs herein expended.

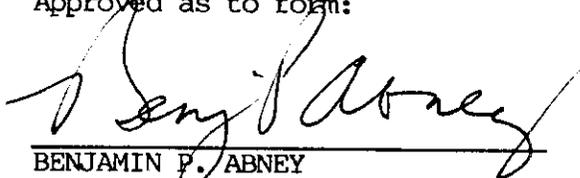
IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff recover and have judgment against the defendant, Urco Energy, Inc., in the sum of \$8,900.00 together with interest at the rate of 11.74% from the date of this judgment until paid, and costs herein laid out and expended.

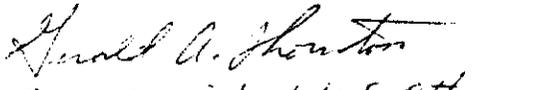
The Court finds that the Office of Financing, Bureau of the Public Debt, United States Department of the Treasury, certified, in accordance with the request of the Director of the Administrative Office of the United States Court for compliance with Section 302 of the Federal Courts Improvement Act of 1982, Public Law No. 970164, signed April 2, 1982, and effective October 1, 1982,

that the Treasury's 52 week bill auction of May ___, 1984, resulted in an investment rate (equivalent coupon-issue yield) of ~~11.74~~% for the average accepted auction price.


H. DALE COOK
U.S. DISTRICT JUDGE

Approved as to form:


BENJAMIN P. ABNEY
COUNSEL FOR THE DEFENDANT


Special Assistant U.S. Attorney

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

FILED
MAY 17 1984

MARK C. SILVER, CLERK
DISTRICT COURT

BOBBIE E. MORSE,)
)
 Plaintiff,)
)
 v.)
)
 ETHICON, INC.,)
)
 Defendant.)

No. 82-C-15-BT 4

ADMINISTRATIVE CLOSING ORDER

On January 20, 1983, this matter was stayed pending the outcome of a related matter in Tulsa County District Court. It is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within 60 days of a final adjudication of the related matter in Tulsa County District Court, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 17th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED
MAY 17 1984
TOM C. SILVER, CLERK
U.S. DISTRICT COURT

ATCHISON, TOPEKA & SANTA FE)
RAILWAY COMPANY,)
)
Plaintiff,)
)
v.)
)
RADCO PROCESS HEATERS, INC.,)
)
Defendant.)

No. 82-C-1120-BT

ADMINISTRATIVE CLOSING ORDER

On August 12, 1983, this matter was stayed pending a final determination of the parties' request for a declaratory order before the Interstate Commerce Commission. It is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within 60 days of a final adjudication by the Interstate Commerce Commission, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 17th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

Entered

FILED

MAY 17 1984 19

W. C. SILVER, CLERK
DISTRICT COURT

PHILLIP L. McDANIEL,)
)
 Plaintiff,)
)
 v.)
)
 RICKY PAUL ALLEN,)
)
 Defendant.)

No. 83-C-975-BT ✓

O R D E R

Plaintiff filed his complaint herein on November 28, 1983.
No action has been taken by plaintiff since that date.

IT IS THEREFORE ORDERED this matter is dismissed without
prejudice for failure to prosecute.

ENTERED this 17th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 17 1984

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JOHNNY A. SANDERS,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-199-B

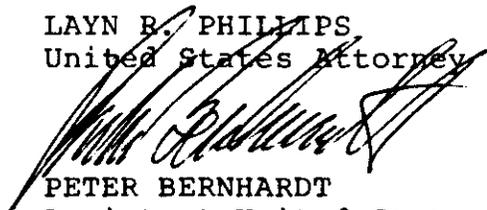
NOTICE OF DISMISSAL

COMES NOW the Plaintiff United States of America, by Layn R. Phillips, 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 17th day of May, 1984.

UNITED STATES OF AMERICA

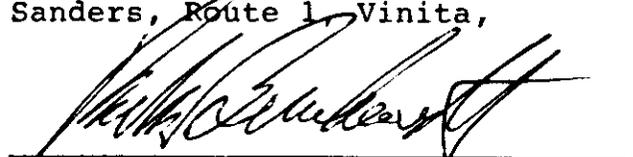
LAYN R. PHILLIPS
United States Attorney



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

CERTIFICATE OF SERVICE

This is to certify that on the 17th day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Johnny A. Sanders, Route 1, Vinita, Oklahoma.


Assistant United States Attorney

Entered

FILED

MAY 17 1984

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

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

LERIN EXPLORATION, INC., and)	
RAMSEY DRILLING PROGRAM,)	
Plaintiffs,)	
vs.	)	83-C-60-E ✓
	)	83-C-149-E
B. J. HUGHES, INC.,	)	Consolidated
Defendant.)	

JUDGMENT

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

IT IS ORDERED AND ADJUDGED that the plaintiffs Lerin Exploration, Inc. and Ramsey Drilling Program take nothing, that the claims of the plaintiffs be dismissed on the merits, that the defendant B. J. Hughes, Inc. recover from the plaintiffs the sum of \$2,600.76 on its counterclaim with interest at the rate provided by law, and that the defendant recover its costs of action.

Dated this 17th day of May, 1984.



 JAMES O. ELLISON
 UNITED STATES DISTRICT JUDGE

FILED

MAY 17 1984

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JUDY M. JAMES,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-129-E

AGREED JUDGMENT

This matter comes on for consideration this 15TH day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Judy M. James, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Judy M. James, was served with Summons and Complaint on April 20, 1984. The Defendant has not filed her Answer but in lieu thereof has agreed that she is indebted to the Plaintiff in the amount alleged in the Complaint and that judgment may accordingly be entered against her in the amount of \$482.60, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from July 29, 1983, until judgment, plus interest thereafter at the legal rate from the date of judgment until paid, plus the costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Judy M. James, in the amount of \$482.60, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from July 29, 1983, until judgment, plus interest thereafter at the current legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


PETER BERNHARDT
Assistant U.S. Attorney


VIRGIL VANDUSEN
Attorney for Judy M. James


JUDY M. JAMES

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LINDA J. BOHANNON,)
)
 Defendant.)

MAY 17 1984

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

CIVIL ACTION NO. 84-C-179-E

DEFAULT JUDGMENT

This matter comes on for consideration this 17th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Linda J. Bohannon, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Linda J. Bohannon, was served with Summons and Complaint on April 11, 1984. 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 the Defendant, Linda J. Bohannon, in the amount of \$4,751.65, plus interest accruing thereon at the rate of \$.96 per day from December 13, 1983, until judgment, plus interest thereafter at the current

legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

Entered

FILED

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

MAY 17 1984

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

GREG MOEN and KIMBERLY MOEN,)	
)	
Plaintiffs,)	
)	
vs.	)	Case No. 84-C-19E
)	
TEXAS PACIFIC CORPORATION,)	
a foreign corporation, and)	
SPANISH GARDENS APTS., LTD.,)	
a foreign limited partnership,)	
)	
Defendants.)	

ORDER OF DISMISSAL

NOW on this 15th day of May, 1984, the Court has for consideration, the parties' Joint Stipulation of Dismissal, filed pursuant to Rule 41(A)(1), Federal Rules of Civil Procedure.

The Court finds that the plaintiffs' cause of action, and the defendants' cause of action, should be dismissed with prejudice.

IT IS SO ORDERED.

S/ JAMES C. SILVER

JUDGE OF THE DISTRICT COURT

Entered

FILED

MAY 17 1984

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

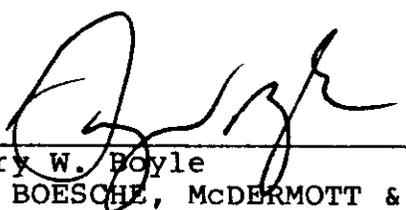
IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

McMICHAEL CONCRETE CO.,)
)
 Plaintiff,)
)
 vs.)
)
 ENGINEERING SERVICE AND)
 EQUIPMENT, INC., AND THE)
 VINCE HAGAN COMPANY,)
)
 Defendants.)

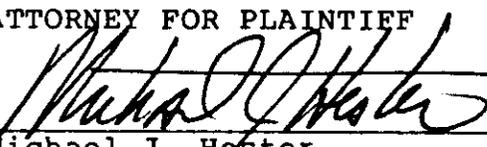
No. 83-C-264-B

JOINT STIPULATION FOR DISMISSAL

COME NOW the Plaintiff and the Defendants through their undersigned counsel of record and stipulate that all parties' claims in this matter may be dismissed with prejudice.



Gary W. Boyle
of BOESCHE, McDERMOTT & ESKRIDGE
320 S. Boston, Suite 1300
Tulsa, Oklahoma 74103
(918) 583-1777

ATTORNEY FOR PLAINTIFF


Michael J. Hester
HESTER, ROBERTS & GARDNER
P. O. Box 2148
Ardmore, Oklahoma 73402

ATTORNEY FOR DEFENDANTS

Entered

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA MAY 16 1994

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

LEAR PETROLEUM EXPLORATION, INC.,)
a Delaware Corporation,)

Plaintiff,)

v.)

Case No. 83-C-484-E ✓

NORTHWEST EXPLORATION COMPANY, an)
Oklahoma Corporation; COQUINA OIL)
CORPORATION, a Nevada Corporation;)
and UNION BANK AND TRUST COMPANY,)
an Oklahoma Banking Corporation,)

Defendants.)

STIPULATION OF DISMISSAL

COME NOW, all parties who have entered appearance in this action by and through their respective attorneys of record and stipulate that this action is hereby dismissed [pursuant to Rule 41(a)(1)(ii)]. It is further stipulated that this dismissal is with prejudice as to claims made by the Lear Petroleum Exploration, Inc. against Coquina Oil Corporation and Union Bank and Trust Company. This stipulated dismissal arises out of a Settlement Agreement executed by and between the parties. Such Settlement Agreement is attached hereto and marked as Exhibit "A".

LEAR PETROLEUM EXPLORATION, INC.

By John N. Barnes
Counsel of Record

21

COQUINA OIL CORPORATION

By *Judith F. Thompson*
Counsel of Record

UNION BANK AND TRUST COMPANY

By *Pamela Bolt on behalf of*
Counsel of Record *Eagleton, Bill Wilson,*
Jones, Blaney & Pringle; Kenneth S. Jones,
NORTHWEST EXPLORATION COMPANY *Counsel &*
Record

By *Buss*
Counsel of Record

EXHIBIT "A"

The "Settlement Agreement" is a document containing twelve (12) pages (including: (i) the written agreement; (ii) four signature pages; (iii) four acknowledgment pages; and (iv) a two page order of the bankruptcy judge).

SETTLEMENT AGREEMENT

THIS AGREEMENT is made and entered into this 20th day of April, 1984, by and between LEAR PETROLEUM EXPLORATION, INC. ("Lear"), NORTHWEST EXPLORATION COMPANY, DEBTOR-IN-POSSESSION ("Northwest"), COQUINA OIL CORPORATION ("Coquina") and UNION BANK AND TRUST COMPANY ("Union").

WHEREAS, the parties to this Settlement Agreement are now involved in litigation pending in the United States District Court for the Northern District of Oklahoma styled: Lear Petroleum Exploration, Inc. v. Northwest Exploration Company; Coquina Oil Corporation; and Union Bank and Trust Company, Case No. 83-C-484-E;

WHEREAS, in said action, Lear, as well operator, seeks to recover operating expenses arising from the drilling and operation of the Baker #1-1 well, located in Section One (1), Township Eleven (11) North, Range Twenty-six (26) West, Roger Mills County, State of Oklahoma; and

WHEREAS, the parties desire to settle said litigation.

THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and subject to an Order being entered by the Bankruptcy Court approving this settlement as a condition precedent to all parties' performance hereunder, the parties agree as follows:

1. Coquina does hereby agree to pay Lear the sum of \$162,712.60 upon the execution of this Settlement Agreement, in full payment and complete settlement of any and all claims, actions or causes of action that Lear or Northwest asserted or could have asserted against Coquina: (a) in the above-captioned case; (b) with respect to expenses arising from the drilling and operation of the Baker #1-1 well, or (c) arising out of the Participation Agreement entered into by Northwest and Coquina on December 15, 1981, regarding the Baker #1-1 well.

2. Coquina further does hereby agree to pay Lear the sum of \$5,200.00 upon the execution of this Settlement Agreement, in full payment and complete settlement of any and all operating expenses owed prior to January 1, 1984 by Santa Fe Energy Corporation with respect to the Baker #1-1 well, and in full payment and complete settlement of any and all claims, actions or causes of action that Lear or Northwest could have asserted against Santa Fe Energy Company based on operating costs incurred with respect to the Baker #1-1 well prior to January 1, 1984.

3. The payments herein are not to be construed as an admission of liability on the part of Coquina or Santa Fe Energy Company, by whom any liability is expressly denied.

4. Upon the execution of this Settlement Agreement by all parties hereto, Lear agrees to dismiss with prejudice the litigation described above as against Coquina and Union Bank and Trust Company. The action will be dismissed without prejudice as to Northwest for the reason that Lear continues to claim monies are owed by Northwest and others on the Baker #1-1 well. However, Lear does acknowledge that funds received under this Settlement Agreement shall apply against the amount owed by Northwest to Lear on the Baker #1-1 well. All parties shall bear their own costs and attorneys fees.

5. Nothing contained herein constitutes a waiver of, or affects in any manner, any rights or claims of the parties to this Settlement Agreement that may arise out of any joint interest audit conducted with respect to the drilling and operation of the Baker #1-1 well. Any sums that such an audit establishes are owing will be paid directly by the party owing said sums to the party entitled to receive the same and not through Northwest or any other conduit.

6. Lear hereby acknowledges receipt and sufficiency of the amounts paid by Coquina and, except as provided in paragraph 5 above, Lear and Northwest do hereby release and forever discharge Coquina, its agents, servants, employees, representatives, successors and assigns and subsidiaries, parent companies or sister companies from any and all claims, actions, causes of action, debts, damages, costs, expenses, demands, and liabilities whatsoever, both in law and in equity, which Lear or Northwest ever had, now have, or which Lear or Northwest shall or may have against Coquina arising out of the drilling and operation of the Baker #1-1 well, or the Participation Agreement entered into by Northwest and Coquina on December 15, 1981, regarding the Baker #1-1 well.

7. Except as provided in paragraph 5 above, Lear and Northwest do hereby release and forever discharge Santa Fe Energy Company, its agents, servants, employees, representatives, successors and assigns and subsidiaries, parent companies or sister companies from any and all claims, actions, causes of action, debts, damages, costs, expenses, demands, and liabilities whatsoever, both in law and in equity, which Lear or Northwest ever had, now have, or which Lear or Northwest shall or may have against Santa Fe Energy Company, arising out of the drilling and operation of the Baker #1-1 well, prior to January 1, 1984.

8. The parties hereto declare and represent that no promise, inducement or agreement not herein expressed has been made, that each party has read and understands this Settlement Agreement and that this Settlement Agreement contains the parties' entire agreement. Further, this instrument may be

executed in separate counterparts, no one of which needs to be executed by all parties hereto. The executed counterparts shall be binding upon all parties at such time as all parties have executed same. All counterparts may be then combined to create one consolidated instrument.

IN WITNESS WHEREOF, the undersigned have executed this instrument effective as of the latest date shown by the acknowledgments hereto.

PLAINTIFF

LEAR PETROLEUM EXPLORATION, INC.

Attest:

M. L. ...
Asst. Secretary

By *A. M. ...*
Title: President

DEFENDANT

NORTHWEST EXPLORATION, DEBTOR-IN-POSSESSION, BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA CASE NO. 82-01534

Attest:

Secretary

By _____

DEFENDANT

COQUINA OIL CORPORATION

Attest:

Secretary

By _____

DEFENDANT

UNION BANK AND TRUST COMPANY

Attest:

Cashier

By _____

executed in separate counterparts, no one of which needs to be executed by all parties hereto. The executed counterparts shall be binding upon all parties at such time as all parties have executed same. All counterparts may be then combined to create one consolidated instrument.

IN WITNESS WHEREOF, the undersigned have executed this instrument effective as of the latest date shown by the acknowledgments hereto.

PLAINTIFF

LEAR PETROLEUM EXPLORATION, INC.

Attest:

Secretary

By _____
Title: _____

DEFENDANT

NORTHWEST EXPLORATION, DEBTOR-IN-POSSESSION, BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA CASE NO. 82-01534

Attest:

C Cheryl Estep

Secretary

By *McLaneth - Pres*

DEFENDANT

COQUINA OIL CORPORATION

Attest:

Secretary

By _____

DEFENDANT

UNION BANK AND TRUST COMPANY

Attest:

Cashier

By _____

executed in separate counterparts, no one of which needs to be executed by all parties hereto. The executed counterparts shall be binding upon all parties at such time as all parties have executed same. All counterparts may be then combined to create one consolidated instrument.

IN WITNESS WHEREOF, the undersigned have executed this instrument effective as of the latest date shown by the acknowledgments hereto.

PLAINTIFF

LEAR PETROLEUM EXPLORATION, INC.

Attest:

Secretary

By _____
Title: _____

DEFENDANT

NORTHWEST EXPLORATION, DEBTOR-IN-POSSESSION, BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA CASE NO. 82-01534

Attest:

Secretary

By _____

DEFENDANT

COQUINA OIL CORPORATION

Attest:

Secretary

By Donna C. Rutch

DEFENDANT

UNION BANK AND TRUST COMPANY

Attest:

Cashier

By _____

executed in separate counterparts, no one of which needs to be executed by all parties hereto. The executed counterparts shall be binding upon all parties at such time as all parties have executed same. All counterparts may be then combined to create one consolidated instrument.

IN WITNESS WHEREOF, the undersigned have executed this instrument effective as of the latest date shown by the acknowledgments hereto.

PLAINTIFF

LEAR PETROLEUM EXPLORATION, INC.

Attest:

Secretary

By _____
Title: _____

DEFENDANT

NORTHWEST EXPLORATION, DEBTOR-IN-POSSESSION, BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA CASE NO. 82-01534

Attest:

Secretary

By _____

DEFENDANT

COQUINA OIL CORPORATION

Attest:

Secretary

By _____

DEFENDANT

UNION BANK AND TRUST COMPANY

Attest:

R. B. Bainbridge, Jr.
Cashier

By Charles K. Holland, U.P.

STATE OF TEXAS)
) ss.
COUNTY OF DALLAS)

On this 20th day of April, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared J. T. Williams, on behalf of LEAR PETROLEUM EXPLORATION, INC., to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its _____ President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires:

December 11, 1984

Linda W. Taylor
Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

On this _____ day of _____, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared _____, on behalf of NORTHWEST EXPLORATION COMPANY, Debtor-In-Possession, Bankruptcy Court for Northern District of Oklahoma, Case No. 82--1534, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its _____ President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires:

Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On this _____ day of _____, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared _____, on behalf of LEAR PETROLEUM EXPLORATION, INC., to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its _____ President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____ Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

On this 14th day of May, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared Marv (M.E.) Barrett, on behalf of NORTHWEST EXPLORATION COMPANY, Debtor-In-Possession, Bankruptcy Court for Northern District of Oklahoma, Case No. 82--1534, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its _____ President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____
February 15, 1986

Ruth Ingram
Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On this 15th day of May, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared Duane C. Rustal, on behalf of COQUINA OIL CORPORATION, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its Vice President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires:

April 17, 1986

Carol A. Walker
Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared _____, on behalf of UNION BANK AND TRUST COMPANY, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its _____ President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires:

Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On this _____ day of _____, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared _____, on behalf of COQUINA OIL CORPORATION, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its _____ President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____

Notary Public

STATE OF OKLAHOMA)
) ss.
COUNTY OF Oklahoma)

On this 20 day of April, 1984, before me, the undersigned, a Notary Public in and for the county and state aforesaid, personally appeared Charles K. Holland, on behalf of UNION BANK AND TRUST COMPANY, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its Vice President and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____

7-16-87

Janet Schofield

Notary Public

FILED

APR 23 1984

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

DOROTHY A. EVANS, CLERK
U. S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

IN RE:)
NORTHWEST EXPLORATION COMPANY,) Case No. 82-01534
Debtor.)

ORDER APPROVING SETTLEMENT

The Court, upon Application of the Debtor-in-Possession, hereby approves the settlement of Lear Petroleum Exploration, Inc. vs. Northwest Exploration Co., et al, Case No. 83-C-484-E, presently pending in the United States District Court for the Northern District of Oklahoma, on the terms and conditions stated in the Application, and the execution by the Debtor of the Settlement Agreement attached to said Application.

The Court further finds that no notice of said Application is necessary, the Creditors' Committee and Working Interest Owners' Committee having indicated their approval of the proposed settlement by their respective undersigned counsel.

Entered this 23rd day of ~~March~~^{April}, 1984.

Wesley D. Wilson
United States Bankruptcy Judge

Approved:

151 Burk E. Bishop
Burk E. Bishop
Boesche, McDermott & Eskridge
320 South Boston, Suite 1300
Tulsa, Oklahoma 74103
Counsel for Debtor



Thomas E. English
Gable & Gotwals
20th Floor, Fourth National Bank
Tulsa, Oklahoma 74119
Counsel for Committee of Unsecured Creditors



Andrew R. Turner
Conner & Winters
2400 First National Tower
Tulsa, Oklahoma 74103
Counsel for Committee of Working Interest Owners

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Entered

JUNIOR C. CLOUSE, ZETTA LOU)
CLOUSE, and MELANIE CLOUSE, by)
and through her father and next)
friend, JUNIOR C. CLOUSE,)
Plaintiffs,)
vs.)
CRAIG ALAN WITHROW and BERYL)
G. MITCHELL,)
Defendants.)

Case No. 83-C-939-B

OK. J. OWEN, CLERK
DISTRICT COURT

ORDER OF DISMISSAL

On this 16th day of May, 1984, upon the written Application of the parties for a Dismissal without Prejudice of the Defendant, BERYL G. MITCHELL only, the Court having examined said Application, and the Court being fully advised in the premises, finds that said Complaint should be dismissed as to BERYL G. MITCHELL only, pursuant to said Application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiffs filed herein against the Defendant, BERYL G. MITCHELL only be, and the same are, dismissed without prejudice.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

Glenn R. Beustring
GLENN R. BEUSTRING, Attorney
for Plaintiffs

John Howard Lieber
JOHN HOWARD LIEBER, Attorney
for Defendants

Entered

FILED

MAY 19 1984

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA
W. G. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DONALD E. VOYLES,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-225-B

AGREED JUDGMENT

This matter comes on for consideration this 16th day
of May, 1984, the Plaintiff appearing by Layn R.
Phillips, United States Attorney for the Northern District of
Oklahoma, through Nancy Nesbitt Blevins, Assistant United States
Attorney, and the Defendant, Donald E. Voyles, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Donald E. Voyles,
was served with Summons and Complaint. 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 \$238.43, plus interest at the rate of 15.05 percent per
annum and administrative costs of \$.61 per month from August 12,
1983, until judgment, plus interest thereafter at the legal rate
from the date of judgment until paid, plus the costs of this
action.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Donald E. Voyles, in the amount of \$238.43, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from August 12, 1983, until judgment, plus interest thereafter at the current legal rate of 11.74 percent from the date of judgment until paid, plus the costs of this action.


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant U.S. Attorney


DONALD E. VOYLES

Entered

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

FILED

MAY 16 1984

19

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

INTERNATIONAL ENERGY RESOURCES, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 ANCOR EXPLORATION CO., et al,)
)
 Defendants.)

82-C-684-BT

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 19 84.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

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

FILED
MAY 15 1984
TOM C. SILVER, CLERK
DISTRICT COURT

FRANCES EARLENE BRADFORD)
and JIM O. BRADFORD,)
)
Plaintiffs,)
)
vs.)
)
BERRY PERSHING THOMPSON,)
)
Defendant.)

165-B und.
Case No. 83-C-521-B

83-C-521-B ✓

ORDER

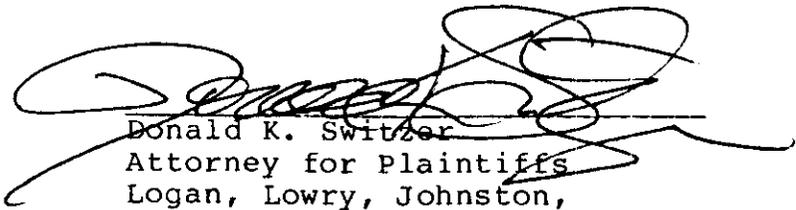
NOW, on this the 16th day of May, 1984, this cause comes on before the Court upon: (i) Application For Dismissal as filed by Plaintiffs Frances Earlene Bradford and Jim O. Bradford, and (ii) Application For Dismissal of the Defendant Berry Pershing Thompson, and it appearing to the Court that this cause has been settled and compromised and that all claims and disputes in controversy have been resolved; and the Court being well-advised in the premises, does hereby ORDER, that this case be and hereby is DISMISSED WITH PREJUDICE.

The Clerk shall tax costs to the Defendant Berry Pershing Thompson.

Thomas A. Brest
UNITED STATES DISTRICT JUDGE

127
122

APPROVED AS TO FORM:



Donald K. Switzer
Attorney for Plaintiffs
Logan, Lowry, Johnston,
Switzer, West & Wyatt
P. O. Box 558
Vinita, Oklahoma 74301



James K. Secret, II
Attorney for Defendant
Secret & Hill
Suite 102
American Federal Building
1515 East 71st Street
Tulsa, Oklahoma 74136

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAY 16 1983

FILED

MAY 20 1983

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

U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

WILL F. DECKER, and)

BETTY JO DECKER, et al.,)

Defendants.)

CIVIL ACTION NO. 82-C-327-B -CONS.

82-C-859-B

STIPULATION OF DISMISSAL

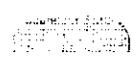
COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and Frank Kardos on behalf of the Defendants Decker, and Stephen Smith, Esquire, on behalf of Third-Party Defendant American Exchange Bank of Henryetta, Oklahoma, and hereby stipulate:

That in consideration of the \$10,000.00 paid by the

~~Defendants~~
~~the United States of America.~~ the United States hereby dismisses with prejudice the above-styled case and further releases all claims against John Decker and Norma Decker who are also personal guarantors of the Promissory Note which is the subject matter of this action. John Decker and Norma Decker were unnamed in this action due to previous review by the Small Business Administration.

The Defendants and Third-Party Plaintiffs as further consideration hereby dismiss with prejudice their action against

Handwritten mark

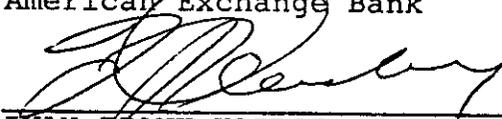


Third-Party Defendant American Exchange Bank of Henryetta,
Oklahoma. The parties further agree and hereby stipulate that
each of them will bear their own attorneys' fees and costs.

APPROVED AS TO FORM AND SUBSTANCE:



STEPHEN SMITH
American Exchange Bank



IVAN FRANK KARDOS
Attorney for the Deckers



PHILARD L. ROUNDS, JR.
Assistant United States Attorney
UNITED STATES OF AMERICA

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

FILED

MAY 15 1984

W. G. SNEYD, CLERK
DISTRICT COURT

THE B. F. GOODRICH COMPANY,)
a New York Corporation,)
)
Plaintiff,)
)
vs.)
)
MANLEY TRUCK LINE, INC., a)
Missouri corporation; HAYES)
MOTOR FREIGHT, INC., an)
Oklahoma corporation; L &)
L MOTOR FREIGHT, INC., and)
VALMONT EQUIPMENT CO., an)
Oklahoma corporation,)
)
Defendants.)

No. 82-C-1211C

O R D E R

Now on this 15 day of May, 1984, Defendant L & L Motor Freight, Inc.'s Application for Default Judgment against Hayes Motor Freight, Inc. came on before this Court. After review of the premises, this Court finds that:

1. Defendant L & L Motor Freight, Inc. has filed a Cross Complaint herein for indemnity against Defendant Hayes Motor Freight, Inc.
2. Defendant Hayes Motor Freight, Inc. was served by serving the Oklahoma Secretary of State as the service agent for Hayes Motor Freight, Inc. on April 13, 1984.
3. Defendant Hayes Motor Freight, Inc. has wholly failed to plead or answer in this case.

4. The time for pleading or answering has expired.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that L & L Motor Freight, Inc.'s Application for Default Judgment is hereby granted, and judgment is entered for L & L Motor Freight, Inc. and against Hayes Motor Freight, Inc. This action shall proceed as between Plaintiff and Defendants Manley Truck Lines, Inc. and L & L Motor Freight, Inc. without regard to the default herein entered.

(Signed) H. Dale Cook

United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
MAY 15 1984
CLERK
DISTRICT COURT

L & B ENTERPRISES, JR.,)
)
 Plaintiff,)
)
 vs.)
)
 KENNETH KENYON, d/b/a)
 Kenyon & Sons Construction,)
 et al.,)
)
 Defendants.)

CIVIL ACTION NO. 83-C-523-C ✓

O R D E R

Good cause having been shown, it is hereby ORDERED, .
ADJUDGED AND DECREED that the Cross-Petition of the United States
as against defendants, Ricky D. and Lana K. Wilkerson
of America/ is hereby dismissed without prejudice.

Dated this 15 day of May, 1984.

R. J. Sale
UNITED STATES DISTRICT JUDGE

E. Ellison

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

ORAL ROBERTS UNIVERSITY,)
)
 Plaintiff,)

-vs-)

AMTRON CORPORATION)
)
 Defendant/Third)
 Party Plaintiff,)

-vs-)

HY-PAC, INC., a subsidiary of)
 Standard Applied Engineering,)
 Inc., a California Corporation,)
)
 Third Party)
 Defendant,)

and)

MICHAEL LOSKUTOFF d/b/a)
 HY-PAC, HYBRID PACKAGING)
 TECHNOLOGY, INC., GREATER)
 CIRCUITS SERVICE, INC., and)
 GENERAL CIRCUITS SERVICE,)
 INC.; HY-PAC, INC., a)
 California Corporation)
)
 Additional Third)
 Party Defendants.)

FILED

MAY 15 1984

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

82-C-1028-E

ORDER OF DISMISSAL

This matter comes on for hearing on the stipulation of Dismissal filed jointly herein by the Third Party Plaintiff and all Third Party Defendants. The Court finds, and it is hereby ordered, that the Third Party Complaint filed by Amtron Corporation herein should be and is hereby dismissed with prejudice as to all Third Party Defendants and additional Third Party Defendants.

S/ JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

RDG:BS/pj
Z117-3
4/10/84

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ORAL ROBERTS UNIVERSITY,)
)
 Plaintiff,)
)
 -vs-)
)
 AMTRON CORPORATION)
)
 Defendant/Third)
 Party Plaintiff,)
)
 -vs-)
)
 HY-PAC, INC., a subsidiary of)
 Standard Applied Engineering,)
 Inc., a California Corporation,)
)
 Third Party)
 Defendant,)
)
 and)
)
 MICHAEL LOSKUTOFF d/b/a)
 HY-PAC, HYBRID PACKAGING)
 TECHNOLOGY, INC., GREATER)
 CIRCUITS SERVICE, INC., and)
 GENERAL CIRCUITS SERVICE,)
 INC.; HY-PAC, INC., a)
 California Corporation)
)
 Additional Third)
 Party Defendants.)

FILED

MAY 15 1984

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

82-C-1028-E ✓

ORDER OF DISMISSAL

This matter comes on for hearing on the stipulation of Dismissal filed jointly herein by the Third Party Plaintiff and all Third Party Defendants. The Court finds, and it is hereby ordered, that the Third Party Complaint filed by Amtron Corporation herein should be and is hereby dismissed with prejudice as to all Third Party Defendants and additional Third Party Defendants.

James W. ...
UNITED STATES DISTRICT JUDGE

RDG:BS/pj
Z117-3
4/10/84

217

Entered

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

FILED
MAY 15 1984

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

GARY PENNINGTON,)
)
 Plaintiff)
)
 v.)
)
 LEWIS B. AMBLER, et al.,)
)
 Defendants.)

No. 82-C-757-B

O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed April 30, 1984 on the various motions to dismiss and/or for summary judgment of Defendants John G. Lanning, Lester Rogers, Cherrie Miller, now Collingsworth, Glen Coddling, James A. Laughlin and Lewis B. Ambler. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues presented by the plaintiff, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

It is Ordered that Defendants' various motions to dismiss or for summary judgment are sustained.

Dated this 15th day of May, 1984.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

MID STATES CONSTRUCTION OF)
 DERBY, INC.,)
)
 Plaintiff,)
)
 v.)
)
 FEDERAL INSURANCE COMPANY)
 CHUBB GROUP OF INSURANCE)
 COMPANIES; and UTILITY)
 CONTRACTORS, INC.,)
)
 Defendants.)

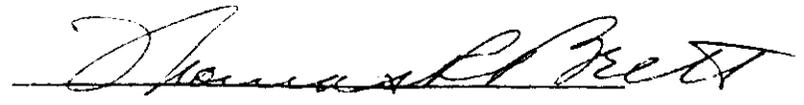
MAY 15 1984
 JACK O. SILVER, CLERK
 U.S. DISTRICT COURT
 No. 83-C-214-BT

O R D E R

This matter was filed on March 3, 1983. On March 8, 1984, the matter was set for status conference. However, plaintiff's counsel phoned the Court and advised that the case would be dismissed by March 30, 1984. Plaintiff's counsel has failed to dismiss the case.

IT IS THEREFORE ORDERED the matter is dismissed without prejudice for failure to prosecute.

ENTERED this 15th day of May, 1984.



THOMAS R. BRETT
 UNITED STATES DISTRICT JUDGE

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

Entered

FILED

HYDRA SERVICE AND ENGINEERING,)
a partnership,)
)
Plaintiff,)
)
v.)
)
NEWPORT HYDRAULICS, INC., a)
California corporation,)
)
Defendant.)

MAY 15 1984

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

NO. 83-C-495-B

ORDER

At a status conference March 8, 1984, counsel for plaintiff informed the Court a notice of dismissal without prejudice would be filed by March 16, 1984. No such notice was ever filed. Therefore, pursuant to F.R.Civ.P. 41(b), this action is hereby dismissed for failure of the plaintiff to prosecute.

ENTERED this 15th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED

MAY 15 1984

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

CHRYSLER CREDIT CORPORATION,)
)
 Plaintiff,)
)
 vs.)
)
 ABBOTT CHRYSLER CENTER, INC.)
 and LOREN C. ABBOTT,)
)
 Defendants.)

No. 84-C-385-B ✓

NOTICE OF DISMISSAL

Notice is hereby given of the Dismissal of the above-
style action with prejudice.

CHRYSLER CREDIT CORPORATION

By James H. Ferris
James H. Ferris
MOYERS, MARTIN, CONWAY, SANTEE & IMEL
320 South Boston, Suite 920
Tulsa, Oklahoma 74103
(918) 582-5281

CERTIFICATE OF MAILING

I, James H. Ferris, do hereby certify that on this 14th day of May, 1984, a true and correct copy of the above and foregoing Notice of Dismissal was mailed, proper postage prepaid thereon, to: Richard James, WALLACE & OWENS, 21 South Main St., P. O. Box 1168, Miami, Oklahoma 74355.

James H. Ferris
James H. Ferris

Judgment rendered this date, May 15th, 1983.


Clerk.

Entered

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

JMK INSURANCE ASSOCIATION, LTD.,
a corporation, and JOSEPH A.
HEATH, an individual,

Plaintiffs,

-vs-

PATRICK O. WADDEL, an individual,
GENE C. BUZZARD, an individual,
MORGAN K. POWELL, an individual,
EUGENE P. de VERGES, an individual,
MARTHA J. RUPP, an individual,
RICHARD T. SONBERG, an individual,
SONBERG AND WADDELL, INC., a
professional corporation, SONBERG,
WADDELL AND BUZZARD, INC., a
professional corporation, and
WADDEL AND BUZZARD, INC., a
professional corporation,

Defendants.

FILED
MAY 15, 1984
JACK C. Silver, Clerk

No. 83-C-257-E

ORDER

NOW on this 15th day of ~~April~~ ^{May}, 1984, comes on for hearing before the undersigned, the Joint Stipulation of Dismissal with Prejudice filed herein. The Court finds that the claims of the plaintiffs against the defendants and the counterclaims of the defendants as against the plaintiffs, should be dismissed with prejudice as to refileing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the actions of the respective parties in the above captioned action be, and the same are hereby dismissed with prejudice as to future filing.

DATED this 15th day of ~~April~~ ^{May}, 1984.

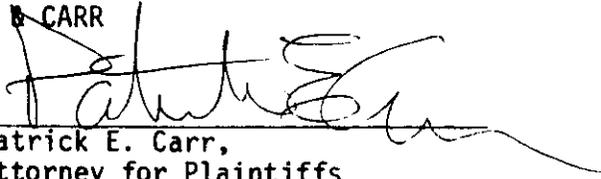
S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

CARR & CARR

By:


Patrick E. Carr,
Attorney for Plaintiffs

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

By:


Deryl L. Gotcher
J. Keith Butler
Attorneys for Defendants

Entered

FILED

MAY 14 1984

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

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

CLARK RESOURCES, INC.)
)
Plaintiff,)
)
vs.)
)
READD SUPPLY COMPANY, a Texas)
corporation; MARWIL, d/b/a CAL METAL,)
a California partnership;)
CAL-METAL CORPORATION, a California)
corporation; MIKE WILKINSON,)
individually and as a partner of)
Marwil; KAISER PIPE & CASING, INC.,)
a Nevada corporation,)
)
Defendants.)

No. 83-C-844-E ✓

O R D E R

NOW before the Court for its consideration are the Special Appearance and Motion to Quash Summons filed by Marwil, d/b/a Cal Metal, a California partnership, on April 10, 1984, and a Special Appearance, Motion to Quash Summons and Motion to Dismiss for Lack of Jurisdiction filed by Defendant Mike Wilkinson on April 10, 1984. The Court has no record of a response to these motions from plaintiff. 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 or 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 plaintiff has failed to comply with Local Rule 14(a) and no responsive pleading has been filed to date herein, the Court concludes that plaintiff has waived any objection to said motion^s and has confessed the matters contained therein.

Accordingly, it is the order of the Court that the Special Appearance and Motion to Quash Summons of Marwil, d/b/a Cal Metal, a California partnership, should be and hereby is sustained.

It is further the order of the Court that the Special Appearance, Motion to Quash Summons and Motion to Dismiss for Lack of Jurisdiction by Defendant Mike Wilkinson, should be and hereby is sustained and Mike Wilkinson is hereby dismissed as a defendant in this action.

IT IS ORDERED this 11th day of May, 1984.



JAMES O. ELLISON, Judge
U. S. District Court

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

FILED

APR 16 1984

WILLIAM C. STONER, CLERK
U.S. DISTRICT COURT

WILLIAM C. STONER and
MARY LOU STONER,

Plaintiffs,

vs.

UNITED AIR LINES, INC.,
Defendnat.

)
)
)
)
)
)
)
)
)
)
)

No. 83-C-19-C

ORDER

For good cause shown, it is ORDERED that the Dismissal of
Mary Lou Stoner filed herein is approved.

W. H. Dale Cook
DISTRICT JUDGE

Entitled

FILED

MAY 14 1984

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

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

FABRICATION DYNAMICS, INC.,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)

CIVIL NO. 82-C-589-E

STIPULATION ^{of} FOR DISMISSAL

IT IS HEREBY STIPULATED AND AGREED that the complaint
in the above-entitled case be dismissed with prejudice,
each party to bear its respective costs, including any
possible attorneys' fees or other expenses of litigation.

James A. Hogue, Sr.

JAMES A. HOGUE, SR.
3200 University Tower
1722 South Carson
Tulsa, Oklahoma 74101
Attorney for plaintiff

Glenn L. Archer, Jr.

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

Entered
FILED
MAY 14 1984
J
JAMES C. SILVER, CLERK
DISTRICT COURT

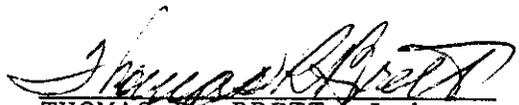
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHER DISTRICT OF OKLAHOMA

RUBY BRUMLEY, ADMINISTRATRIX of the)
Estate of HARLEY BAKER, deceased,)
)
Plaintiff,)
)
v.)
)
FRANK THURMAN, Individually and as)
Tulsa County Sheriff, et al.,)
)
Defendants.)

No. 84-C-52-B ✓

ORDER OF DISMISSAL

After careful consideration of the dismissal by
by agreement notice of Jack Prescott as a defendant in the
above named case, it is therefore ORDERED that Jack Pres-
cott be dismissed as a defendant.


THOMAS R. BRETT, Judge
United States District
Court

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

FILED

MAY 14 1984

WILLIAM C. SILVER, CLERK
DISTRICT COURT

FIRST BANK OF GROVE

Plaintiff(s),

vs.

No. 82-C-1074-C

DERYL A. BORDERS, III & SHARON
M. BORDERS

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 19 84.

W. H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

MAY 14 1984

MARK S. SIMON, CLERK
U.S. DISTRICT COURT

EAGLE PRODUCTION & DRILLING
SERVICES, INC.

Plaintiff(s),

vs.

No. 82-C-733-C

PINION OIL CO., INC.; D.E. PINION
& SEAMUS PINION

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendants having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 1984.

(S) H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

MAY 14 1984

CLERK
COURT

EXCHANGE NATIONAL BANK

Plaintiff(s),

vs.

No. 82-C-650-C

DR. WILLIAM MALONE

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 1984.

(13) H. Dale Cook
UNITED STATES DISTRICT JUDGE

C-22
5/84 *proposed.*

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

FILED

MAY 16 1984

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

HINDERLITER ENERGY EQUIPMENT CORP.

Plaintiff(s),

vs.

No. 82-C-620-C

DRECO, INC..

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 1984.

W. H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

MAY 14 1984

JOHN D. SUMNER, CLERK
DISTRICT COURT

DYCO PETROLEUM CORP.

Plaintiff(s),

vs.

No. 82-C-614-C

PINION OIL CO., INC.

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 1984.

B. H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

FILED

MAY 14 1984

CLERK OF DISTRICT COURT

JANICE LILLIAN ROBERTS

Plaintiff(s),

vs.

No. 82-C-578-C

SAMBO'S RESTAURANTS, INC.

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 19 84.

131 H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

FILED

MAY 16 1984

CHAMPLIN PETROLEUM CO.

Plaintiff(s),

vs.

No. 82-C-147-C

THOMPSON OIL CO. OF TULSA &
THOMAS J. THOMPSON

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendants having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 1984.

131 H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

MAY 16 1984

CLERK OF DISTRICT COURT

GAS COMPRESSOR SERVICES, INC.

Plaintiff(s),

vs.

No. 80-C-380-C

ENERGY RESOURCE CORPORATION

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendants having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 19 84.

151 H. Dale Cook
UNITED STATES DISTRICT JUDGE

Entered

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

MAY 14 1984

DORELLA L. WILSON and JOHN
R. WILSON, husband and wife,

Plaintiffs,

vs.

R. DUNCAN WALLACE, M.D.,
an Individual,

Defendant.

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

Case No. 84-C-61-E

ORDER

NOW on this 11th day of May, 1984, upon the
Motion of the Defendant to dismiss the action of the Plaintiffs,
Dorella L. Wilson and John R. Wilson, husband and wife, against
the within named Defendant, R. Duncan Wallace, M.D., and pursuant
to the Federal Rules of Civil Procedure, Rule 41, IT IS HEREBY
ORDERED, ADJUDGED AND DECREED that this cause against the within
named Defendant be, and herein is, dismissed.

IT IS SO ORDERED.

W. G. GILSON

JUDGE OF THE DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

FILED
MAY 16 1984

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

WESTINGHOUSE CREDIT CORP.

Plaintiff(s),

vs.

No. 83-C-850-C

WARREN H. ADAMS

Defendant(s).

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceedings being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 11th day of May, 19 84.

W. H. Dale Cook
UNITED STATES DISTRICT JUDGE

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

Entered

FILED

MAY 14 1984

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

ROBERT E. COTNER,)
)
 Plaintiff,)
)
 v.)
)
 TULSA COUNTY SHERIFF, et al.,)
)
 Defendants.)

NO. 80-C-401-B
and
NO. 80-C-433-B

ORDER

This matter comes before the Court on plaintiff's motion to stay the above-captioned cases. Plaintiff asserts he is unable to properly prosecute the pending matters while confined in a correctional institute and therefore seeks a 12-month stay of proceedings.

Based upon plaintiff's motion and his admissions of present inability to proceed, the Court hereby orders these cases dismissed without prejudice for failure to prosecute, pursuant to F.R.Civ.P. 41.

ENTERED this 15th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

Entered

ROBERT E. COTNER,)
)
 Plaintiff,)
)
 v.)
)
 TULSA COUNTY SHERIFF, et al.,)
)
 Defendants.)

NO. 80-C-401-B
and
NO. 80-C-433-B

FILED
MAY 14 1984
MARK C. CHAMBERLAIN, CLERK
U.S. DISTRICT COURT

ORDER

This matter comes before the Court on plaintiff's motion to stay the above-captioned cases. Plaintiff asserts he is unable to properly prosecute the pending matters while confined in a correctional institute and therefore seeks a 12-month stay of proceedings.

Based upon plaintiff's motion and his admissions of present inability to proceed, the Court hereby orders these cases dismissed without prejudice for failure to prosecute, pursuant to F.R.Civ.P. 41.

ENTERED this 15th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

RENNAE SEALS,)
)
 Plaintiff,)
)
 vs.)
)
 POLICE DEPARTMENT OF)
 THE CITY OF TULSA,)
)
 SHERIFF'S OFFICE OF)
 TULSA COUNTY,)
)
 DISTRICT ATTORNEY'S OFFICE)
 FOR TULSA COUNTY,)
)
 Defendants.)

No. 84-C-407-B

DISMISSAL OF DEFENDANT POLICE DEPARTMENT
OF THE CITY OF TULSA

COMES NOW the plaintiff, pursuant to Fed. R. Civ.
P. 41(a)(1)(i), and dismisses with prejudice the Complaint
against the Police Department of the City of Tulsa.

THOMAS E. SALISBURY
Attorney for Plaintiff
P.O. Box 519
Sand Springs, OK 74063
(918) 599-9155

DORIS FOGELSONG
Attorney for Plaintiff
Suite 202, 202 W. 8th St.
Tulsa, OK 74119
(918) 585-3548

Certificate of Delivery

I hereby certify that on the 11th day of May, 1984,
at _____ o'clock, _____ .m., I personally delivered to
Imogene Harris, Attorney for the Defendant Police Department of
the City of Tulsa, Oklahoma, a true and correct copy of the
foregoing Dismissal with Prejudice.

Thomas E. Salisbury

Entered

FILED

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

MAY 11 1984

WAYNE KIDD,)
)
 Plaintiff,)
)
 v.)
)
 TIM WEST, et al.,)
)
 Defendants.)

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

No. 83-C-1012-B

O R D E R

Before the Court for consideration is the motion to dismiss this action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and 28 U.S.C. §1915(d) for failure to state a claim upon which relief can be granted and for the filing of a frivolous complaint. The petitioner has responded to the defendants' motion to dismiss. For the reasons set forth below, the Court finds the defendants' motion to dismiss should be sustained.

Plaintiff alleges that recent change in the classification system of the Department of Corrections deprived him of due process and violated the ex post facto clause of the United States Constitution. On August 10, 1983, plaintiff was initially classified at the Lexington Assessment and Reception Center as a medium-security inmate with a score of three points.¹ On

¹ It appears, however, that plaintiff mistakenly believes a score of three points resulted in a minimum-security classification. The Department of Corrections has submitted a written report to this Court which contains the initial and re-classification point total ranges. A point total of 2-5 results in an initial classification of medium-security.

November 25, 1983, at the Connors Correctional Center, plaintiff was reclassified as a medium-security inmate with a score of nine points. This nine-point reclassification was apparently the result of a four year, eleven month parole revocation from a prior sentence. The system used by the Department of Corrections provides for a medium-security classification whenever the initial point assessment ranges in score from two to five, and whenever the reclassified point assessment ranges in score from eight to twelve.

Two elements are necessary for recovery under 42 U.S.C. §1983. As stated in Adickes v. S. H. Kress Co., 398 U.S. 144, 151 (1970):

"First, the plaintiff must prove that the defendant has deprived him of a right, secured by the 'Constitution and laws' of the United States. Second, the plaintiff must show that the defendants deprived him of this constitutional right 'under color of any statute, ordinance, regulation, custom, or usage, of any state or territory.'"

It is this first element which the Court now addresses.

The United States Supreme Court has held that it will not hold that "any substantial deprivation imposed by prison authorities triggers the procedural protection of the Due Process Clause. . . [especially those] that traditionally have been the business of prison administrators rather than of the federal courts." Meachum v. Fano, 427 U.S. 215, 225 (1975). In this situation, plaintiff has not asserted a protected liberty interest of which he was deprived. "[W]here there are no state laws or prison regulations creating either a right or an

expectation for a prisoner to remain in a particular prison or classification to which he was assigned, no due process hearing is required in conjunction with the transfer." Twyman v. Crisp, 584 F.2d 352, 356 (10th Cir. 1978). The security assessment procedures followed by the Department of Corrections provide for the two-step process: (1) initial classification and (2) reclassification. Plaintiff was not assured that he would be only initially classified and not reclassified upon transfer to Connors Correctional Center. Consequently, plaintiff was not entitled to a due process hearing, nor was he deprived of a protected liberty interest by the lack of a hearing.

Plaintiff also contends that the ex post facto clause of the United States Constitution was violated by this system of security assessment. "[I]t is the effect, not the form of the law that determines whether it is ex post facto." Weaver v. Graham, 450 U.S. 24, 31 (1980). The security agreement system is authorized, but not promulgated, by 57 O.S. §521 (1981), which provides for the classification and assignment to a "facility designated by the Department [of Corrections]," to any person convicted of a felony and sentenced to imprisonment to be served in other than a county jail. The classification system is not a law, but is a set of internal guidelines, for the employees of the Department of Corrections to follow.

In Weaver, the Court stated that a "criminal or penal law . . . must be retrospective, . . . and it must disadvantage the offender affected by it" to be ex post facto. Weaver, 450 U.S.

at 29. The classification system is not ex post facto as applied to plaintiff because it does not impose any penalties for actions not punishable at the time they were committed, nor does it impose harsher penalties than those in force at the time of the crime. See Weaver, 450 U.S. at 28. Oklahoma law provides that upon revocation of parole, "the same shall automatically cancel all accumulated credits for work and good behavior. . . ." 57 O.S. §332.14 (1957). Plaintiff had already been sentenced to the four years, eleven months parole time, so that its revocation did not subject him to any additional penalties of which he could not have been aware. Plaintiff's claim must be dismissed pursuant to Fed.R.Civ.P. 12(b)(6), for failure to state a claim upon which relief can be granted.

The Court concludes that plaintiff has not demonstrated that he has been deprived of a constitutionally protected right -- the first element of a §1983 cause of action. As such, the Court need not decide the second element of the cause of action, that of action taken under color of law.

IT IS THEREFORE ORDERED defendants' motion to dismiss is sustained.

ENTERED this 11th day of May, 1984.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

ROSELAINÉ CONSTRUCTION)
COMPANY, INC.,)
)
Plaintiff,)
)
-vs-)
)
DAVID L. BROWN, d/b/a Brown)
Electric,)
)
Defendant.)

Case No. 84-C-101C **FILED**

MAY 11 1984 *jm*

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

JUDGMENT BY STIPULATION

The above-entitled action came on regularly for status and scheduling conference pursuant to Rule 16, F.R.C.P., before Honorable H. Dale Cook, Chief District Judge, presiding, the parties appearing by Gene C. Howard and Terry L. Weber, attorneys for Plaintiff and by T. Logan Brown, attorney for Defendant, and the issues having been presented to the judge, T. Logan Brown, attorney for Defendant determined, after a discussion of the issues with the Defendant, that Defendant does not have a meritorious defense to Plaintiff's complaint.

Therefore, the parties hereto agree that:

Plaintiff shall have judgment for Nine Thousand Six Hundred Ninety-six and 51/100 Dollars (\$9,696.51), with interest thereon at the rate of fifteen percent (15%) per annum from May 8th, 1984, until paid, together with costs in the sum of Sixty-two Dollars (\$62.00), and a reasonable attorney's fee against the Defendant, who shall be adjudged liable therefor.

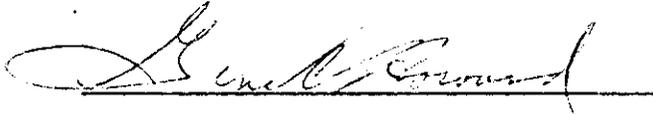
IT IS ORDERED AND ADJUDGED that Plaintiff, Roselaine Construction Company, Inc., recover from Defendant, David L. Brown, d/b/a Brown Electric, the sum of Nine Thousand Six Hundred Ninety-six and 51/100 Dollars (\$9,696.51), with interest thereon at the rate of fifteen percent (15%) per annum from and after the date of this judgment, a reasonable attorney's fee, and costs herein.

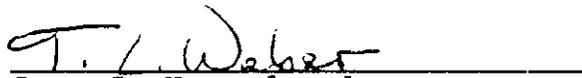
DATED this 8th day of May, 1984.


U. S. DISTRICT JUDGE

APPROVED AS TO FORM:


T. Logan Brown
Brown and Brown
Attorney for Defendant,
David L. Brown, d/b/a
Brown Electric




Gene C. Howard and
Terry L. Weber,
Howard, LaSorsa and Widdows
Attorneys for Plaintiff,
Roselaine Construction Company, Inc.

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

JAMES M. MILLER,
Plaintiff,
vs.
TULSA COUNTY, OKLAHOMA,
DISTRICT COURT, COURT OF
CRIMINAL APPEALS,
Defendant.

No. 83-C-1040-C ✓

FILED

MAY 11 1984 *jm*

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

ORDER

In this action brought pursuant to 42 U.S.C. §1983, the only relief requested by the plaintiff is that he be afforded a copy of the transcript of his guilty plea and sentencing in Case No. CRF 81-137 in the District Court in and for Tulsa County, State of Oklahoma. In a letter filed May 1, 1984, by the plaintiff, the Court is informed that he did receive a certified copy of the transcript requested, as sent by Ross N. Lillard, Clerk of the Oklahoma Court of Criminal Appeals.

It is therefore the Order of this Court that the present action be dismissed, in all respects, as moot. Accordingly, all pending motions are rendered moot.

It is so Ordered this 10th day of May, 1984.

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 11 1984

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LORENE B. CLOUD,)
)
 Defendant.)

CIVIL ACTION NO. 83-C-750-C

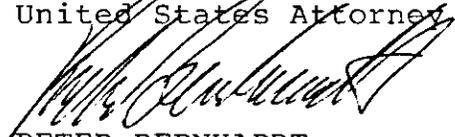
NOTICE OF DISMISSAL

COMES NOW the United States of America by
Layn R. Phillips, United States Attorney for the Northern
District of Oklahoma, Plaintiff herein, 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 11th day of May, 1984.

UNITED STATES OF AMERICA

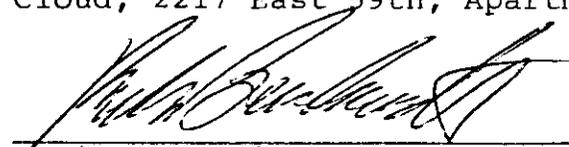
LAYN R. PHILLIPS
United States Attorney



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

CERTIFICATE OF SERVICE

This is to certify that on the 11th day of May, 1984,
a true and correct copy of the foregoing was mailed, postage
prepaid thereon, to: Lorene B. Cloud, 2217 East 59th, Apartment
#703, Tulsa, Oklahoma 74105.



Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

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

MAY 11 1984

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

CIVIL ACTION NO. 84-C-251-C

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Richard D. Deel, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Richard D. Deel, was served with Summons and Complaint on March 27, 1984. 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 the Defendant, Richard D. Deel, in the amount of \$649.00, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from September 19, 1983, and \$.68 per month from January 1, 1984, until judgment, plus interest thereafter at the

current legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 11 1984

W. C. SILVER, CLERK
DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LEE R. CAWVEY, II,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-245-C ✓

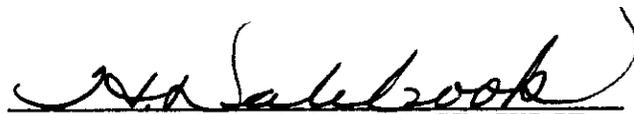
DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Lee R. Cawvey, II, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Lee R. Cawvey, II, was served with Summons and Complaint on April 11, 1984. 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 the Defendant, Lee R. Cawvey, II, in the amount of \$275.00, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from August 17, 1983, until judgment, plus interest

thereafter at the current legal rate of 10.81 percent from
the date of judgment until paid, plus the costs of this action.


UNITED STATES DISTRICT JUDGE

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

I. G. SIMPSON

Plaintiff(s),

vs.

MISSOURI-KANSAS-TEXAS RAILWAY
COMPANY,

Defendant(s).

No. 83-C-574-C ✓

FILED

MAY 11 1984 *pm*

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

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 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 10th day of May, 19 84.

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

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

HAYDEE M. CARLTON,
Plaintiff,

v.

CITIES SERVICE COMPANY,
Defendant.

No. 82-C-1178-C

FILED

MAY 11 1984

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

ORDER OF DISMISSAL

This cause having come before this Court on the Joint Application for Dismissal with Prejudice, and this Court being fully advised in the premises and the parties having stipulated, and the Court having found that the parties have reached a private settlement of the individual claims of Plaintiff and that such claims should be dismissed, it is, therefore,

ORDERED, ADJUDGED and DECREED that the Complaint of Plaintiff, and her causes of action set forth therein, be and hereby are dismissed with prejudice, with each party to bear its own costs.

So Ordered this 10th day of may, 1984.

W. Salebook
U.S. District Judge

Approved As To Form:

Tom V. [Signature]
Attorney for Plaintiff

Mary J. Matthews
Attorney for Defendant

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

ROGER A. HANES,)
)
Plaintiff)
v.)
)
HOWARD C. LONGLEY, District)
Director of Internal Revenue)
Service, and INTERNAL REVENUE)
SERVICE, an Agency of the)
United States Government,)
)
Defendants)
v.)
)
GARY D. RONGEY,)
)
Additional Defendant)
on Counterclaim)

FILED

MAY 11 1984 *rm*

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

CIVIL NO. 83-C-458-C ✓

JUDGMENT

Pursuant to the Findings of Fact and Conclusions of Law filed simultaneously herein, it is the Order of the Court that Judgment is hereby entered in favor of the defendant, United States of America, against plaintiff, Roger A. Hanes, in the amount of \$20,260.19, plus interest from April 25, 1982, and in favor of the defendant, United States of America, against additional defendant on counterclaim, Gary D. Rongey in the amount of \$21,271.17, plus interest from April 19, 1982.

It is so ORDERED this 10th day of May, 1984.

H. Dale Cook
H. DALE COOK

Chief Judge, U. S. District Court

Entered

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 11 1984

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 MICHAEL E. SIMMONDS,)
)
 Defendant.)

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

CIVIL ACTION NO. 84-C-124-E

DEFAULT JUDGMENT

This matter comes on for consideration this 10th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Michael E. Simmonds, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Michael E. Simmonds, was served with Summons and Complaint on February 29, 1984. 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 the Defendant, Michael E. Simmonds, in the amount of \$205.20, plus interest, at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from August 19, 1983, until judgment, plus interest thereafter at the current legal rate of 10.81

percent from the date of judgment until paid, plus the costs of this action.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

Entered

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MAY 11 1984

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DENNIS E. STOWE,)
)
 Defendant.)

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

CIVIL ACTION NO. 84-C-330-E

DEFAULT JUDGMENT

This matter comes on for consideration this 11th day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendant, Dennis E. Stowe, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Dennis E. Stowe, acknowledged receipt of Summons and Complaint on April 12, 1984. 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 the Defendant, Dennis E. Stowe, in the amount of \$208.00, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61

per month from September 6, 1983, and \$.68 per month effective January 1, 1984, until judgment, plus interest thereafter at the current legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

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

MAY 10 1984

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

RENA KING,)
)
 Plaintiff,)
)
 vs.)
)
 KEVIN MILLENDER, DAVE FAULKNER,)
 Tulsa County Sheriff's Office,)
)
 Defendants.)

No. 81-C-340-C

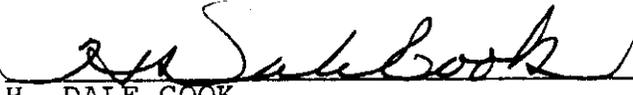
J U D G M E N T

This action came on for trial and determination before the Court, and all issues having been duly determined and decision having been duly rendered,

It is Ordered and Adjudged

that the plaintiff take nothing and that the action be dismissed in all respects.

It is so Ordered this 8th day of May, 1984.


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

Entered

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

VENEZUELA SUN OIL COMPANY,)
a Delaware corporation,)
)
Plaintiff,)
)
v.)
)
GOLDEN OIL COMPANY,)
a Colorado corporation,)
)
Defendant.)

CIVIL ACTION
No. 80-C-699-E

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

MAY 10 1984

FILED

STIPULATION OF DISMISSAL

PURSUANT TO Federal Rules of Civil Procedure, Rule 41(a), Plaintiff, Venezuela Sun Oil Company, a Delaware corporation, and Defendant, Golden Oil Company, a Colorado corporation, stipulate that the above-styled action may be dismissed with prejudice.

PRAY, WALKER, JACKMAN,
WILLIAMSON & MARLAR
By: *John S. Zarbano*
John S. Zarbano
2200 Fourth National Bldg.
Tulsa, OK 74119
(918) 584-4136
Attorney for Plaintiff

CONNER, WINTERS, BALLAINE,
BARRY & MCGOWAN
By: *Katie Colopy*
Katie J. Colopy
2400 First National Tower
Tulsa, OK 74103
(918) 586-5711
Attorney for Defendant

FILED

MAY 14 1984

ORDER

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

PURSUANT TO the above Stipulation, it is so ORDERED.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT COURT
JUDGE JAMES O. ELLISON

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

FILED

LEASE LIGHTS, INC., JACK R.)
SEAY, d/b/a SEAY ELECTRIC)
COMPANY, KNIGHT LIGHTS COMPANY)
INC., AND PROTECTIVE LIGHTING,)
INC.,)

Plaintiffs,)

vs.)

PUBLIC SERVICE COMPANY OF)
OKLAHOMA,)

Defendant.)

No. 77-C-417-E

MAY 10 1984
MAY 10 1984
L. E. Saver, Clerk
U. S. DISTRICT COURT

JUDGMENT

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

The jury having awarded the plaintiff, Lease Lights, Inc. \$209,881.00, IT IS ORDERED AND ADJUDGED that Lease Lights, Inc. recover of the defendant Public Service Company, the sum of \$629,643.00 with interest thereon at the rate of 10.81% from May 10, 1984 as provided by law, and its costs of action including a reasonable attorney's fee.

The jury having awarded the plaintiff, Jack R. Seay, d/b/a Seay Electric Company \$142,829.00, IT IS ORDERED AND ADJUDGED that Jack R. Seay, d/b/a Seay Electric Company recover of the defendant Public Service Company, the sum of \$428,487.00 with interest thereon at the rate of 10.81% from May 10, 1984 as provided by law, and its costs of action including a reasonable

attorney's fee.

The jury having awarded the plaintiff, Knight Lights Company, Inc. \$153,373.00, IT IS ORDERED AND ADJUDGED that Knight Lights Company recover of the defendant Public Service Company, the sum of \$460,119.00 with interest thereon at the rate of 10.81% from May 10, 1984 as provided by law, and its costs of action including a reasonable attorney's fee.

The jury having awarded the plaintiff Protective Lighting, Inc. \$177,680.00, IT IS ORDERED AND ADJUDGED that Protective Lighting, Inc. recover of the defendant Public Service Company, the sum of \$533,040.00 with interest thereon at the rate of 10.81% from May 10, 1984 as provided by law, and its costs of action including a reasonable attorney's fee.

ORDERED this 10th day of May, 1984.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

FILED

MAY 1 1984

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

AETNA CASUALTY AND SURETY)
COMPANY, a Connecticut)
corporation,)

Plaintiff,)

vs.)

No. 84-C-201-C

THEODORE GOEHL and JEAN)
BROWN, d/b/a OKLAHOMA ARMY)
SURPLUS NO. 2, OKLAHOMA)
ARMY SURPLUS, INC., and)
THE FIRST NATIONAL BANK)
AND TRUST COMPANY OF TULSA,)

Defendants.)

JUDGMENT

Pursuant to the Stipulation and Joint Application of plaintiff, Aetna Casualty and Surety Company, defendant Oklahoma Army Surplus, Inc., and defendant First National Bank and Trust Company of Tulsa; and it appearing that defendants Theodore Goehl and Jean Brown, d/b/a Oklahoma Army Surplus No. 2, though duly and properly served with Summons, Complaint, and the cross-claim of Oklahoma Army Surplus, Inc., have failed to appear, move or plead in this cause and are in default:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Aetna Casualty and Surety Company has satisfied all conditions precedent on its part under Business Owners Deluxe Insurance Policy No. 40-BP-935917FCA and has fulfilled all of its obligations thereunder.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Aetna Casualty and Surety Company shall be and is hereby relieved of any and all liability in excess of its contractual limits and coverage under the Business Owners Deluxe Insurance Policy No. 40-BP-935917FCA.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Oklahoma Army Surplus, Inc. has a valid claim in and to the funds tendered, though not actually paid into Court, by Aetna Casualty and Surety Company in this action; that the right, title and interest of Oklahoma Army Surplus, Inc. in and to the entirety of such funds, being the sum of \$50,000.00, is prior and superior to the right or claims of any and all other parties to this action; and that Aetna Casualty and Surety Company shall be and is hereby ordered to forthwith pay to Oklahoma Army Surplus, Inc. the sum of \$50,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendants, Theodore Goehl and Jean Brown, d/b/a Oklahoma Army Surplus No. 2, defendant Oklahoma Army Surplus, Inc., and defendant First National Bank and Trust Company of Tulsa, shall be and are hereby permanently restrained and enjoined from bringing any suit or action, or pursuing any presently pending suit or action, against Aetna Casualty and Surety Company or any of its agents, servants or employees on account of the incident which is described in paragraph III of the plaintiff's Complaint in this cause and which occurred on or about April 7, 1983.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the payment of the sum of \$50,000.00 to Oklahoma Army Surplus, Inc. as directed herein Aetna Casualty and Surety Company shall be relieved of any and all further liability on or under Business Owners Deluxe Insurance Policy No. 40-BP-935917FCA, to the above-named defendants, or any of them, or those claiming under them.

IT IS FURTHER ORDERED that each party to this action shall bear its own costs.

DATED this 3 day of May, 1984.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND
CONTENT:



STEPHEN C. WILKERSON
KNIGHT, WAGNER, STUART,
WILKERSON & LIEBER
233 West Eleventh Street
Tulsa, Oklahoma 74119
(918) 584-6457
Attorneys for Aetna Casualty
and Surety Company



RANDALL E. ROSE
NAYLOR & WILLIAMS, INC.
1701 South Boston Avenue
Tulsa, Oklahoma 74119
(918) 582-8000
Attorneys for The First National
Bank and Trust Company of Tulsa

DAVID L. BRYANT
GABLE & GOTWALS
20th Floor, Fourth National
Bank Building
Tulsa, Oklahoma 74119
(918) 582-9201
Attorneys for Oklahoma Army
Surplus, Inc.

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

CHARLENE SUE MORRIS,)
)
 Plaintiff,)
)
 vs.)
)
 PUBLIC SERVICE COMPANY)
 OF OKLAHOMA, RUTH JACOBS,)
 JEWELL A. HAYES, JOHN D.)
 HARPER, JR., BETSY POWERS,)
 JOHN P. WINTERS, MICHAEL W.)
 FRY, & T. D. (PETE) CHURCHWELL,)
)
 Defendants.)

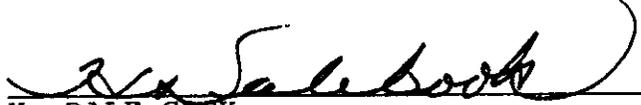
No. 83-C-493-C ✓

FILED
MAY 10 1984 *mm*
Jack C. Silver, Clerk
U. S. DISTRICT COURT

J U D G M E N T

Pursuant to the Order of the Court, filed simultaneously herein, judgment is hereby entered in favor of defendants Public Service Company of Oklahoma, Ruth Jacobs, Jewell A. Hayes, John D. Harper, Jr., Betsy Powers, John P. Winters, Michael W. Fry, and T. D. (Pete) Churchwell, and against plaintiff Charlene Sue Morris.

It is so Ordered this 8th day of May, 1984.


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

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

FILED

MAY 10 1984

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

AETNA CASUALTY AND SURETY)
COMPANY, a Connecticut)
corporation,)
)
Plaintiff,)
)
vs.)
)
THEODORE GOEHL and JEAN)
BROWN, d/b/a OKLAHOMA ARMY)
SURPLUS NO. 2, OKLAHOMA)
ARMY SURPLUS, INC., and)
THE FIRST NATIONAL BANK)
AND TRUST COMPANY OF TULSA,)
)
Defendants.)

No. 84-C-201-C ✓

ORDER FOR ENTRY OF DEFAULT JUDGMENT

The above-named defendants, Theodore Goehl and Jean Brown, d/b/a Oklahoma Army Surplus No. 2, having failed to appear, move, plead or otherwise respond to the cross-claim of defendant Oklahoma Army Surplus, Inc., said defendants' default having been entered by the Clerk, and Oklahoma Army Surplus, Inc. having made application upon affidavit to the Court for an order directing the entry of judgment by default as against defendants Theodore Goehl and Jean Brown, d/b/a Oklahoma Army Surplus No. 2, it is

ORDERED, that judgment by default be entered in this action in favor of the defendant and cross-claimant, Oklahoma Army Surplus, Inc., and against defendants Theodore Goehl and Jean Brown, d/b/a Oklahoma Army Surplus No. 2, for the relief demanded in Oklahoma Army Surplus, Inc.'s cross-claim against said defendants.

DATED this 6 day of May, 1984.


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 1 1984

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
RALPH E. IRVING, JR.,)
)
Defendant.)

CIVIL ACTION NO. 84-C-165-C

ORDER OF DISMISSAL

Now on this 8 day of May, 1984, 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, Ralph E. Irving, Jr., be and is dismissed without prejudice.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

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

FILED

MAY 10 1984 *mm*

AUTO RAMA CORPORATION, ET AL.,)
)
 Plaintiffs,)
)
 vs.)
)
 LAUREL A. STEWART, ET AL.,)
)
 Defendants.)

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

No. 83-C-487-C ✓

ORDER

Now before the Court for its consideration is the motion of defendants to Dismiss for lack of jurisdiction, filed on March 27, 1984. The Court has no record of a response to this motion from plaintiffs by May 3, 1984, the date on which the response was due. 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.

Plaintiffs were given an extension as to Rule 14(a) until May 3, 1984.

Therefore, in that plaintiffs have failed to comply with local Rule 14(a) and no responsive pleading has been filed to date 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 defendants' Motion to Dismiss for lack of jurisdiction should be and hereby is sustained.

It is the further Order of the Court that this action is hereby dismissed in all respects.

It is so Ordered this 8th day of May, 1984.



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

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

MAY 10 1984

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

STANG HYDRONICS, INC., a)
Delaware corporation,)
)
Plaintiff,)
)
vs.)
)
TRIPLE K LEASING, INC., a)
Texas corporation,)
)
Defendant.)

No. 84-C-234 E

JOURNAL ENTRY OF JUDGMENT BY DEFAULT

On the 8th day of May, 1984, the above captioned matter came on for trial on the merits with Plaintiff, Stang Hydronics, Inc., appearing by and through its attorney of record, Charles H. Crain, and Defendant, Triple K Leasing, Inc., appearing not.

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

1. The Plaintiff, Stang Hydronics, Inc. ("Stang"), is a Delaware corporation duly authorized to do business in Oklahoma with its principal place of business in California.
2. Defendant, Triple K Leasing, Inc. ("Triple K"), is a corporation organized and existing under the laws of the State of Texas with its principal place of business in Texas.
3. The amount in controversy exceeds the sum of Ten Thousand Dollars (\$10,000.00), exclusive of interest and costs.
4. Venue and jurisdiction are proper in this Judicial District pursuant to 28 U.S.C. §§1391(a) and 1332(a) (1976).
5. Stang and Triple K entered into written contracts for the rental of certain equipment on May 3, 1983, and June 30,

1983.

6. Stang and Triple K also entered into an oral contract for the rental of certain equipment with said equipment being delivered to Triple K on July 12, 1983, as evidenced by invoice No. 09121, dated July 19, 1983.

7. Stang has fully performed its duties and obligations under the above-referenced contracts.

8. Triple K has neglected and refused to pay the sums due under the above-referenced contracts, although due demand has been made and, as of September 21, 1983, there is a current indebtedness due, owing and delinquent from Triple K to Stang in the amount of Twelve Thousand Five Hundred Twenty-Four Dollars and Seventy-Two Cents (\$12,524.72), exclusive of interest.

9. Under the terms of the above-referenced contracts, Plaintiff is entitled to recover interest on past due accounts at an annual rate of eighteen percent (18%).

10. Stang has been required to retain the services of an attorney to prosecute this action and is entitled to recover herein the costs of this action plus a reasonable attorney's fee.

11. Stang is entitled to an entry of judgment by default pursuant to the Federal Rules of Civil Procedure, Rule 55.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff, Stang Hydronics, Inc., be awarded a default judgment against Defendant, Triple K. Leasing, Inc., in the principal sum of Twelve Thousand Five Hundred Twenty-Four Dollars and Seventy-Two Cents (\$12,524.72) with interest thereon at the rate of eighteen percent (18%) per annum from September 21, 1983, until

date of judgment and interest at a rate of 10.81% thereafter until paid, and for costs of this action and a reasonable attorney's fee to be determined by a later motion.

DATED this 10th day of May, 1984.



JAMES C. ELLISON
UNITED STATES DISTRICT JUDGE

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

CHARLES SEXTON,)
)
 Plaintiff,)
)
 vs.)
)
 LARRY MEACHUM, ET AL.,)
)
 Defendants.)

No. 83-C-539-C ✓

FILED

MAY 10 1984 *rm*

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

ORDER

Now before the Court for its consideration is the motion of defendants to dismiss, plaintiff's complaint, and the Special Report prepared by the Department of Corrections at the direction of the Court, in accordance with Martinez v. Aaron, 570 F.2d 317 (10th Cir. 1978), and Martinez v. Chavez, 574 F.2d 1043 (10th Cir. 1978).

Plaintiff is an inmate at the Joseph Harp Correctional Center in Lexington, Oklahoma. He instituted this action pursuant to 42 U.S.C. Section 1983 seeking declaratory and injunctive relief and monetary damages for alleged violations of his civil rights. In his complaint, plaintiff alleges that while acting as an inmate trusty at the Eastern State Hospital located in Vinita, Oklahoma, he was charged via an institutional misconduct and that he was denied due process and equal protection in the misconduct proceedings. The Special Report indicates that plaintiff was charged with individual disruptive behavior due to his

intoxicated condition while at Eastern State, that he was found guilty of this charge and that he received fifteen days in the disciplinary unit and a loss of 180 earned credits. The Special Report further indicates that upon searching near plaintiff's bed area two empty bottles of Jack Daniels whiskey were found in the bed next to his and, in his locker, a prescription drug called Dilantin was found. Evidently, plaintiff had a prescription for this drug. Plaintiff was informed of the charge against him, he was given a hearing before a disciplinary hearing committee, and he appealed the decision of the committee to the Warden of Conner Correctional Center, defendant West. After the Warden affirmed the decision of the disciplinary committee plaintiff requested a hearing before a hearing examiner. This hearing examiner recommended that the misconduct be reversed and expunged from plaintiff's institutional record, not due to procedural infirmities in the original disciplinary committee hearing, but for purported violations of certain institutional time requirements for forwarding disciplinary reports to the disciplinary procedures review officer and because the Warden failed to act on the report within twenty-four hours. The administrative disciplinary review board did not accept this recommendation, finding that institutional rules were not violated. Plaintiff also filed grievances with the Director of the Oklahoma Department of Corrections, defendant Meachum and with defendant West. The end result of the procedures was that plaintiff's misconduct and punishment were allowed to stand.

In the absence of constitutional abuses, federal courts have adopted a "hands off" policy in matters of prison administration and have left the basic responsibility for the control and management of prisons, including questions of discipline, to the responsible administrative agency. Procunier v. Martinez, 416 U.S. 396, 94 S.Ct. 1800, 40 L.Ed.2d 224 (1974); Jefferson v. Douglas, 493 F.Supp. 13 (W.D.Okla. 1979); Bethea v. Crouse, 417 F.2d 504 (10th Cir. 1969). Such matters are subject to judicial review only when the administrative agency exercises its authority so as to constitute a clear abuse of that authority. This Court will not sit as a reviewing court as to the correctness of a prison disciplinary committee decision in the absence of such clear abuse of authority or capriciousness on the part of prison officials. No such abuse of authority or capriciousness has been shown in this action and the procedures utilized provided plaintiff with adequate due process. See Wolff v. McDonnell, 418 U.S. 539 (1974).

Furthermore, there is no indication in this record that prison officials violated any equal protection right of the plaintiff or that the plaintiff's misconduct or punishment was based on any constitutionally impermissible factor. No racial or other class based discrimination is alleged. Plaintiff's complaint in this regard, as the rest of his complaint, is conclusory and vague. "Constitutional rights allegedly invaded, warranting an award of damages, must be specifically identified. Conclusory allegations are insufficient." Wise v. Bravo, 666 F.2d 1328, 1333 (10th Cir. 1981).

In that plaintiff, apparently, seeks restoration of good time credits his exclusive remedy is by a petition for a writ of habeas corpus. Prieser v. Rodriguez, 411 U.S. 475 (1972). Section 1983 cannot provide the injunctive remedy of decreasing the length of an inmate's term of incarceration. Because the plaintiff has not alleged exhaustion of available state remedies or that state remedies are unavailable to him the Court cannot consider such a claim.

In order to establish a cause of action under Section 1983, plaintiff must allege that defendants have deprived him of a federally protected right and that the person who has deprived him of that right acted under color of state law. Gomez v. Toledo, 446 U.S. 635, 640, 100 S.Ct. 1920, 1923, 64 L.Ed.2d 572, (1980).

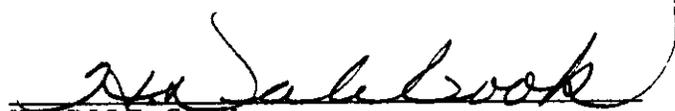
Since a review of the pleadings filed herein does not indicate that the plaintiff has been deprived of rights secured under the U. S. Constitution, plaintiff has no claim cognizable under Section 1983. Baker v. McCollan, 443 U.S. 137, 146-147, 99 S.Ct. 2612, 61 L.Ed.2d 321 (1979).

The Court authorized commencement of this action in forma pauperis under authority of 28 U.S.C. Section 1915. Subsection (d) of that statute permits the dismissal of a case when the court is satisfied that the action is frivolous. Moreover, both the Supreme Court and the Tenth Circuit Court of Appeals have held that federal jurisdiction does not lie where a purported civil rights claim is simply unsubstantial. Hagans v. Lavine,

415 U.S. 528, 536 (1973); Wells v. Ward, 470 F.2d 1185, 1187 (10th Cir. 1972; Smart v. Villar, 547 F.2d 112 (10th Cir. 1976).

In view of its holding that the plaintiff has suffered no deprivation of rights constitutionally protected, the Court concludes that this action is frivolous and that plaintiff's claim is unsubstantial. Accordingly, this action is, in all respects, dismissed.

It is so Ordered this 9th day of May, 1984.


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

Extended

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

FILED

CHARLES E. BARNES,)
)
Plaintiff,)
)
vs.)
)
DON THORNTON FORD COMPANY, an)
Oklahoma corporation; CHARLES)
WHITMORE, d/b/a Charlie's Quality)
Cars "The Walking Man's Friend")
of Tulsa, Oklahoma; and FRANK)
WARD, an individual,)
)
Defendants.)

MAY 9 1984

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

No. 83-C-290-E

ORDER FOR DISMISSAL OF THIRD
PARTY PETITION WITH PREJUDICE

Now on this 9th day of May, 1984, the above styled and numbered cause comes on for hearing upon the joint stipulation for dismissal with prejudice as to the Third Party Petition filed herein, said stipulation by all parties hereto. The Court finds that all matters in controversy between the parties have now been settled and compromise should be approved by the Court, and that the above-styled and numbered cause of action should therefore be dismissed.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the settlement of the above-styled and numbered cause of action be, and the same hereby is, approved, and that said action be, and hereby is, dismissed with prejudice as to future filing.

57 JAMES O. ELLISON
JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

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

MAY 9 1984

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

CHARLES E. BARNES,)
)
 Plaintiff,)
)
 vs.)
)
 DON THORNTON FORD COMPANY, an)
 Oklahoma corporation; CHARLES)
 WHITMORE, d/b/a Charlie's Quality)
 Cars "The Walking Man's Friend")
 of Tulsa, Oklahoma; and FRANK)
 WARD, an individual,)
)
 Defendants.)

No. 83-C-290-E

ORDER OF DISMISSAL WITH PREJUDICE
AS TO THE CROSS-PETITION OF CHARLES WHITMORE

Now on this 9th day of May, 1984, the above styled and numbered cause comes on for hearing upon the joint stipulation for dismissal with prejudice of the Cross-Petition of the defendant Charles Whitmore against the defendant Don Thornton Ford, said stipulation executed by all parties hereto. The Court finds that all matters in controversy between the parties have now been settled and compromise should be approved by the Court, and that the above-styled and numbered cause of action should therefore be dismissed.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the settlement of the above-styled and numbered cause of action be, and the same hereby is, approved, and that said action be, and hereby is, dismissed with prejudice as to future filing.

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

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

THE BOARD OF TRUSTEES OF THE
PLUMBERS & PIPEFITTERS NATIONAL
PENSION FUND,

Plaintiff,

vs.

WALKINGSTICK PLUMBING COMPANY,

Defendant.

No. 83-C-1062-B

FILED
MAY 10 1984
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER OF DISMISSAL

Now on this 9th day of May, 1984, plaintiff's Motion to Dismiss coming on for consideration and counsel for plaintiff 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 same is, hereby dismissed with prejudice to the bringing of another or future action by the plaintiff herein.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 11 1984

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RUDOLPH GRAHAM BABCOCK,)
)
Defendant.)

CIVIL ACTION NO. 83-C-810-C

STIPULATION OF DISMISSAL

Come now the Plaintiff United States of America, by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendant Rudolph Graham Babcock, by his attorney Edward L. Moore, Jr., and hereby stipulate that this matter may be dismissed with prejudice pursuant to Rule 41(a)(1)(ii).


NANCY NESBITT BLEVINS
Assistant United States Attorney


EDWARD L. MOORE, JR.
Attorney for Defendant

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

BURLINGTON NORTHERN RAILROAD)
COMPANY, a corporation,)

Plaintiff,)

vs.)

DEAL PETROLEUM COMPANY,)
a corporation,)

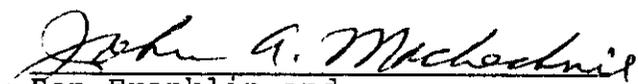
Defendant.)

No. 83-C-971-C

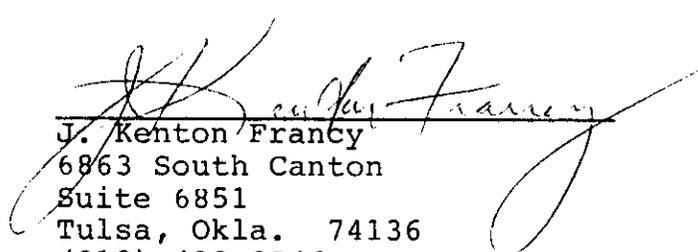
APPLICATION, STIPULATION AND ORDER
FOR DISMISSAL WITH PREJUDICE

APPLICATION AND STIPULATION

Pursuant to Federal Rule of Civil Procedure 41, the parties hereby stipulate that plaintiff dismisses this action with prejudice, with each side to bear its own costs and attorney fees. Therefore, the parties hereby apply for an Order of the Court that this action is dismissed with prejudice, each side to bear its own costs and attorney fees.



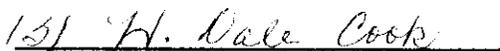
Ben Franklin and
John A. Mackechnie, of
KORNFELD FRANKLIN & PHILLIPS
P.O. Box 26400
Oklahoma City, Okla. 73126
(405) 840-2731
Attorneys for Plaintiff



J. Kenton Francy
6863 South Canton
Suite 6851
Tulsa, Okla. 74136
(918) 492-8246
Attorney for Defendant

ORDER OF DISMISSAL WITH PREJUDICE

For good cause shown in the Application and Stipulation above, this action is hereby dismissed with prejudice, each side to bear its own costs and attorney fees.


H. DALE COOK, Chief Judge

Entered

FILED

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

MAY 9 1984

CHARLES E. BARNES,)
)
 Plaintiff,)
)
 vs.)
)
 DON THORNTON FORD COMPANY, an)
 Oklahoma corporation; CHARLES)
 WHITMORE, d/b/a Charlie's Quality)
 Cars "The Walking Man's Friend")
 of Tulsa, Oklahoma; and FRANK)
 WARD, an individual,)
)
 Defendants.)

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

No. 83-C-290-E

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 9th day of May, 1984, the above styled and numbered cause comes on for hearing upon the joint stipulation for dismissal with prejudice of each of the causes of action of the plaintiff Charles E. Barnes against each of the defendants hereto as executed by all parties hereto. The Court finds that all matters in controversy between the parties have now been settled and compromise should be approved by the Court, and that the above-styled and numbered cause of action should therefore be dismissed.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the settlement of the above-styled and numbered cause of action be, and the same hereby is, approved, and that said action be, and hereby is, dismissed with prejudice as to future filing.

S/ JAMES O. ELLISON

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered
FILED

IN THE UNITED STATES DISTRICT COURT **MAY 9 1984**
FOR THE NORTHERN DISTRICT OF OKLAHOMA

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

BRUNSWICK CORPORATION,)
a Delaware Corporation,)
)
Plaintiff,)
)
vs.)
)
SPINIT REEL COMPANY,)
an Oklahoma corporation,)
and DON MCINTIRE,)
)
Defendants.)

No. 83-C-253-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 Brunswick Corporation recover judgment of the Defendants Spinit Reel Company and Don McIntire and that Plaintiff be awarded its costs of action.

DATED at Tulsa, Oklahoma this 9th day of May, 1984.

James O. Ellison

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

44

Entered

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

FILED

MAY 8 1984

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

JAMES BRADSHAW and)
MARILYN BRADSHAW,)
)
Plaintiffs,)
)
vs.)
)
ST. PAUL INSURANCE COMPANY,)
)
Defendant.)

NO. 80-C-372-E

ORDER OF DISMISSAL

ON this 7th day of May, 1984, 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 compromised settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

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

James C. Silver
JUDGE, DISTRICT COURT OF THE UNITED STATES,
NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:

BRUCE W. GAMBILL,

Bruce W. Gambill
Attorney for the Plaintiffs,

RICHARD D. WAGNER,

Richard D. Wagner
Attorney for the Defendant.

Entitled

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

FILED

ORAL ROBERTS UNIVERSITY)
)
 Plaintiff,)
)
 vs.)
)
 AMTRON CORPORATION)
)
 Defendant/Third)
 Party Plaintiff,)
)
 vs.)
)
 HY-PAC, INC., a subsidiary of)
 Standard Applied Engineering,)
 Inc., a California)
 Corporation,)
)
 Third Party)
 Defendant,)
)
 and)
)
 MICHAEL LOSKUTOFF d/b/a)
 HY-PAC, HYBRID PACKAGING)
 TECHNOLOGY, INC., GREATER)
 CIRCUITS SERVICE, INC., and)
 GENERAL CIRCUITS SERVICE,)
 INC.; HY-PAC, INC., a)
 California Corporation)
)
 Additional Third)
 Party Defendants.)

MAY 8 1984

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

No. 82-C-1028-E

ORDER OF DISMISSAL WITH PREJUDICE

On this 7th day of April, 1984, the claims set forth herein by Oral Roberts University (ORU) against Amtron Corporation (AMTRON) in the above entitled cause hereby are dismissed with prejudice to the bringing of any future action

thereon in accordance with the Stipulation for Dismissal filed herein by said parties.

S/ JAMES O. ELLISON

United States District Judge

Entered

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

FILED

MAY 8 1984

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

AUSTIN ELMER EARLEY,)
)
Plaintiff,)
)
vs.)
)
EVERETT BURROWS d/b/a BURROWS)
BROTHERS CONSTRUCTION COMPANY,)
a/k/a BURROWS CONSTRUCTION)
COMPANY and BURROWS HEAVEY)
EQUIPMENT COMPANY and BURROWS)
BROTHERS CONSTRUCTION COMPANY,)
a corporation, and BURROWS HEAVEY)
EQUIPMENT COMPANY, a corporation,)
)
Defendants.)

NO. 83-C-353-E ✓

ORDER OF DISMISSAL

ON this 7th day of May, 1984, 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 compromised settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

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

James O. Allison
JUDGE, DISTRICT COURT OF THE UNITED STATES,
NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:

CLYDE STIPE,

Clyde Stipe
Attorney for the Plaintiff,

ALFRED B. KNIGHT
Alfred B. Knight
Attorney for the Defendants

160

Entered

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

MAY 8 1984

SCOTT WALKER,
Plaintiff,
vs.
LEE C. MOORE CORPORATION,
A Pennsylvania Corporation,
Defendant.

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

CASE NO. 83-C-633-E

ORDER OF DISMISSAL

NOW on this 7th day of April, 1984, the above styled and numbered cause comes on for hearing on the joint Stipulation of Dismissal and the Court finds that the same should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the joint Stipulation of Dismissal on file herein be, and the same is hereby granted thereby dismissing the above styled and numbered cause with prejudice.

S/ JAMES O. ELLISON

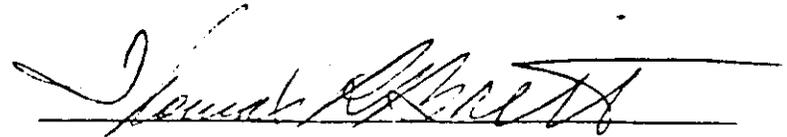
JUDGE JAMES O. ELLISON
UNITED STATES DISTRICT COURT JUDGE

United States because the federal agent lacked sufficient probable cause to make the arrest. Movant argues that "until recently, he had never been aware of this Constitutional violation of his rights" and that the issue has heretofore failed to raise the issue only because of the incompetence of retained counsel.

It is the established rule that an illegal arrest or detention does not void a subsequent conviction. Gerstein v. Pugh, 420 U.S. 103, 119 (1975); Capes v. Oklahoma, 412 F.Supp. 1111 (W.D.Okla. 1975). Accordingly, the validity of an arrest is not grounds for collateral attack in a proceeding under 28 U.S.C. §2255. Runge v. U.S., 427 F.2d 122, 127 (10th Cir. 1970); U.S. v. Adams, 422 F.2d 515, 517 (10th Cir. 1970); Hayes v. U.S., 419 F.2d 1364 (10th Cir. 1969); Morton v. U.S., 351 F.2d 457 (10th Cir. 1965); Moreland v. U.S., 347 F.2d 376 (10th Cir. 1965); Roddy v. U.S., 196 F.2d 9 (10th Cir. 1961); Capes v. Oklahoma, 412 F.Supp. 1111 (W.D.Okla. 1975). Movant's attempt to vacate pursuant to §2255 is without legal merit and must be denied.

The motion for appointment of counsel and request for production of documents are hereby moot and need not be addressed.

IT IS SO ORDERED this 6th day of May, 1985.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

FILED

MAY - 7 1984

MARTIN LUTHER REED,)
)
 Petitioner,)
)
 vs.)
)
 DAVID C. MILLER,)
)
 Respondent.)

No. 83-C-933-E

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

ORDER

The Court has before it the motion of the Respondent to dismiss the Petition for Writ of Habeas Corpus. In support of his motion, Respondent cites Rule 9 of the Rules governing Section 2254 cases in the United States District Courts. Rule 9 states in pertinent part:

Delayed or successive petitions:

...
(b) Successive Petitions. A second or successive petition may be dismissed if the judge finds that it fails to allege new or different grounds for relief and the prior determination was on the merits or, if new and different grounds are alleged, the judge finds that the failure of the petitioner to assert those grounds in a prior petition constituted an abuse of the writ.

The Petitioner alleges three grounds for habeas corpus relief herein:

1. His conviction was obtained in violation of Jackson v. Virginia, 99 S.Ct. 2781 (1979), and In re Winship, 397 U.S. 358 (1970).
2. A Jackson v. Virginia and In re Winship due process violation occurred at his jury trial; and that his

resulting punishment was cruel and unusual punishment in violation of the 8th Amendment (Petitioner was given a sentence of 34 years after trial. A co-defendant was given a sentence of 15 years.)

3. [Same as ground two.] Due process violations pursuant to Jackson v. Virginia and In re Winship.

Prior to the filing of this petition, Petitioner filed another application for writ of habeas corpus in this Court, case number 81-C-386-B. In that petition, he raised the following five grounds for relief:

1. The evidence adduced at trial was insufficient to support a conviction;
2. The sentence imposed upon the conviction was cruel and unusual in violation of the 8th Amendment;
3. The conviction was unconstitutional under the 5th and 6th Amendments guarantying a fair trial and due process of law as a result of unlawful and unconstitutional treatment while a pre-trial detainee in the Tulsa County Jail;
4. The sentence imposed upon the conviction was unconstitutional in violation of the 8th and 14th Amendments and Article VII of the United States Constitution as, at the time of sentencing, the entire Oklahoma prison system had been ruled to be unconstitutional; and

5. Incarceration in the Oklahoma prison system violates Petitioner's 13th and 14th Amendment rights in that the Oklahoma prison system's failure to pay prison laborers the prevailing federal minimum wage denies Petitioner the privileges and immunities to which he is entitled and constitutes involuntary servitude.

An Order of Dismissal was entered March 4, 1982. The Court ruled that Petitioner had raised no factual issues that required an evidentiary hearing pursuant to Rule 8(a), 28 U.S.C. following § 2254 and Townsend v. Sain, 372 U.S. 293 (1962).

The Court found grounds 3, 4 and 5 insufficient to state a claim for relief in that Petitioner had stated no facts in support of the conclusory allegations. The Court also noted that Petitioner had failed to raise these same grounds in the post-conviction proceedings adjudicated in the Oklahoma state courts. Although Petitioner had failed to exhaust his state remedies in regard to grounds 3, 4 and 5 the Court went on to determine the sufficiency of grounds 1 and 2 on the merits. To this end, the Court reviewed the record of the state proceedings below. The Court ruled that the prisoner is not entitled to a writ on the basis that a sentence imposed constitutes cruel and unusual punishment where the sentence is within the limits prescribed by law and is imposed after a fair trial, citing United States ex rel Sluder v. Brantley, 454 F.2d 1266 (7th Cir. 1972), and Holmes v. Israel, 453 F.Supp. 864 (E.D. Wis. 1978),

aff'd 618 F.2d 111 (7th Cir. 1980).

In addressing Petitioner's first ground for relief the Court reviewed the entire record and the evidence presented to determine whether, under Jackson v. Virginia, viewing the evidence in the light most favorable to the prosecution, "... any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt." Jackson, supra at page 319. The Court found that the evidence was more than sufficient to support a finding of guilt beyond a reasonable doubt and denied the petition for writ of habeas corpus.

Subsequent to that order, the Tenth Circuit Court of Appeals remanded the Court's order on the authority of Rose v. Lundy, 455 U.S. 509, 102 S.Ct. 1198 (1982), which prevents a determination of the merits in a habeas corpus petition when unexhausted claims are asserted. The record shows that a hearing was conducted on September 8, 1982, at which time Petitioner was given the option of resubmitting a petition containing only the exhausted claims or of attempting to exhaust the remaining claims. Petitioner chose to dismiss the unexhausted claims and to have claims one and two addressed on the merits by the Court. The Court by Order of September 8, 1982 dismissed the petition for writ of habeas corpus referring to the Court's previous Order.

Rule 9 permits the dismissal of a second or successive petition if the judge finds that it fails to allege new or different grounds for relief and the prior determination was on

the merits. Although the doctrine of res judicata is not strictly applicable in a habeas corpus action, the Court may deny an application for a writ without a hearing under appropriate circumstances. See Salinger v. Loisel, 265 U.S. 242, 44 S.Ct. 519 (1924). The Court is not required to allow a petitioner to relitigate issues that were previously addressed on the merits unless new and different grounds for relief are alleged which could not have reasonably been raised in the prior petition. The Supreme Court, in Sanders v. United States, 83 S.Ct. 1068, 1074 states, citing Salinger v. Loisel, 265 U.S. at 231, "Each application is to be disposed of in the exercise of a sound judicial discretion guided and controlled by a consideration of whatever has a rational bearing on the propriety of the discharge sought. Among the matters which may be considered, and even given controlling weight, are ... a prior refusal to discharge on a like application."

Since Petitioner's grounds for relief were addressed previously on the merits by the United States District Court for the Northern District of Oklahoma in a prior petition, this Court finds that the current petition for writ of habeas corpus of Martin Luther Reed filed October 28, 1983 should be dismissed.

IT IS THEREFORE ORDERED AND ADJUDGED that the motion of Respondent to dismiss be and the same is hereby granted.

IT IS FURTHER ORDERED that the petition for writ of habeas corpus filed October 28, 1983 be and the same is hereby dismissed.

ORDERED this 4th day of May, 1984.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 7 1984

DAVID C. SILVER, CLERK
DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 MILBURN J. SLATE, JR.,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-126-C

AGREED JUDGMENT

This matter comes on for consideration this 4 day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Milburn J. Slate, Jr., appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Milburn J. Slate, Jr., acknowledged receipt of Summons and Complaint. 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 \$520.47, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from July 29, 1983, until judgment, plus interest thereafter at the legal rate from the date of judgment until paid, plus the costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Milburn J. Slate, Jr., in the amount of \$520.47, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from July 29, 1983, until judgment, plus interest thereafter at the current legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.

15/ H. Dale Cook
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney

Peter Bernhardt
PETER BERNHARDT
Assistant U.S. Attorney

Milburn J. Slate, Jr.
MILBURN J. SLATE, JR.

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

FILED

MAY 4 1984

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

RONN FRITZ,)
)
 Plaintiff,)
)
 vs.)
)
 STEVEN WILCOX, et al.,)
)
 Defendants.)

No. 83-C-1052-C ✓

O R D E R

Now before the Court for its consideration is the motion of defendant Wilcox to dismiss the cross-claim of defendant Jim Nelson Ford, Inc., filed on April 12, 1984. The Court has no record of a response to this motion from defendant Jim Nelson Ford, Inc. 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 defendant Jim Nelson Ford, Inc. has failed to comply with local Rule 14(a) and no responsive pleading

has been filed to date herein, the Court concludes that said defendant 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 defendant Wilcox to dismiss the cross-claim of defendant Jim Nelson Ford, Inc. should be and hereby is granted.

It is so Ordered this 7th day of May, 1984.



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

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

FILED

MAY - 4 1984

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

CURTIS JIM LEE,)
)
 Plaintiff,)
)
 v.)
)
 STATE FARM FIRE & CASUALTY CO.,)
 an Insurance Corporation,)
)
 Defendant.)
 _____)

No. 83-C-723-E

O R D E R

NOW ON this 3rd day of May, 1984, the Court, in consideration of the Plaintiff's Motion for Dismissal of Plaintiff's Third and Fourth Causes of Action and being fully advised in the premises finds that the Third and Fourth Causes of Action of Plaintiff's Petition should be and are hereby ordered dismissed.

S/ JAMES O. ELLISON

JAMES O. ELLISON, Judge of the
United States District Court

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE MAY 4 1984
NORTHERN DISTRICT OF OKLAHOMA

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

INA LEA MOREY and)
WAYNE DAVID MOREY,)

Plaintiffs,)

vs.)

BURLINGTON NORTHERN RR., INC.)

Defendant.)

No. 84-C-117-C ✓

(CONSOLIDATED)

JANIEVE RUTH KARNES and)
REX KARNES,)

Plaintiffs,)

vs.)

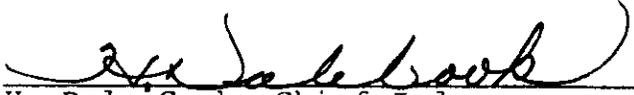
BURLINGTON NORTHERN RR, INC.)

Defendant.)

No. 84-C-118-C

ORDER

Upon stipulation of the parties, plaintiffs' causes of actions against the defendant in these consolidated actions are hereby dismissed with prejudice.


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

84-621tn

Entered

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

FILED
MAY -4 1984

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

OCCIDENTAL LIFE INSURANCE)
COMPANY OF CALIFORNIA,)
Plaintiff,)
vs.)
TOM INMAN TRUCKING, INC.,)
Defendant.)

81-C-246-BT

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of May, 1984.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

FILED

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

MAY 4 1984

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

INA LEA MOREY and)
WAYNE DAVID MOREY,)
)
Plaintiffs,)

No. 84-C-117-C

vs.)
)
BURLINGTON NORTHERN RR., INC.)
)
Defendant.)

(CONSOLIDATED)

JANIEVE RUTH KARNES and)
REX KARNES,)
)
Plaintiffs,)

No. 84-C-118-C ✓

vs.)
)
BURLINGTON NORTHERN RR, INC.)
)
Defendant.)

ORDER

Upon stipulation of the parties, plaintiffs' causes of actions against the defendant in these consolidated actions are hereby dismissed with prejudice.

s/H. DALE COOK

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

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAY -4 1984

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

S. BOOKMAN & ASSOCIATES, INC.,)
)
 Plaintiff,)
)
 vs.)
)
 TITAN COMPUTER CORP.,)
)
 Defendant.)

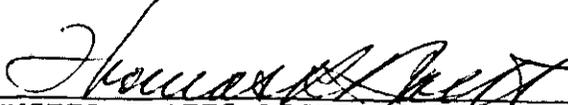
83-C-689-BT

ADMINISTRATIVE CLOSING ORDER

The having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 19 84


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAY -4 1984

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

OIL CAPITAL VALVE CO.,)
)
 Plaintiff,)
)
 vs.)
)
 A-1 ENTERPRISES, INC., a/k/a A-1)
 TURF IRRIGATION SALES, INC.,)
)
 Defendant.)

82-C-987-BT

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 19 84.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

FILED

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

MAY -4 1984

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

CLARENCE A. BROWNING, et al,)
Plaintiffs,)
vs.)
JONSMANVILLE SALES CORP., et al)
Defendants.)

82-C-131-BT

ADMINISTRATIVE CLOSING ORDER

The Defendants having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other prupose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have nct reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 1984.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAY -4 1984

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

WESTERN ALLENBEE OIL & GAS)
CO., LTD.)
Plaintiff,)
vs.)
CHASE EXPLORATION CORP.)
Defendant.)

82-C-419-BT

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other prupose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 19 84.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAY -4 1984

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

MICHAEL YETTA, et al)
Plaintiffs,)
vs.)
CHASE EXPLORATION CORP.,)
Defendant.)

82-C-420-BT

ADMINISTRATIVE CLOSING ORDER

The Defendant having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other prupose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 1984.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

MAY -4 1984

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

OPAL M. HULSMAN,

Plaintiff,

vs.

JOHNSMANVILLE SALES CORP., et al,

Defendants.

82-C-648-BT

ADMINISTRATIVE CLOSING ORDER

The _____ having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other prupose required to obtain a final determination of the litigation.

IF, within 62 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 19 84.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

Entered

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAY -4 1984

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

INGERSOLL-RAND FINANCIAL CORP.,)
)
Plaintiff,)
)
vs.)
)
CHASE DRILLING CORP., et al)
)
Defendants.)

82-C-495-BT

ADMINISTRATIVE CLOSING ORDER

The Defendants having filed its petition in bankruptcy and these proceeding being stayed thereby, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

IF, within 60 days of a final adjudication of the bankruptcy proceedings, the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 4th day of MAY, 19 84.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY - 4 1984

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JOHNNY W. WILLIS,)
)
Defendant.)

CIVIL ACTION NO. 83-C-983-E

NOTICE OF DISMISSAL

COMES NOW the Plaintiff United States of America, by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, 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 4th day of May, 1984.

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney

Nancy Nesbitt Blevins

NANCY NESBITT BLEVINS
Assistant United States Attorney
460 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 4th day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Johnny W. Willis, Route 2, Box 379-1, Cleveland, Oklahoma 74020.

Nancy Nesbitt Blevins
Assistant United States Attorney

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

FILED
MAY -4 1984
JACK E. SILVER, CLERK
U.S. DISTRICT COURT

MEDLINE INDUSTRIES, INC., an Illinois corporation,)
)
)
Plaintiff,)
)
)
v.)
)
)
CITY OF FAITH, INC., an Oklahoma not for profit corporation,)
)
)
Defendant.)

No. 83-C-⁶¹⁹~~649~~-E

STIPULATION ^{of} FOR DISMISSAL

Come now the Plaintiff, Medline Industries, Inc., and the Defendant, City of Faith, Inc., through their counsel, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, and stipulate that this action may be and it is hereby dismissed with prejudice.

Dated April 23, 1984.

RHEAM, NOSS, O'CONNOR & RAY

By Patrick O'Connor
Patrick O'Connor
Attorneys for Plaintiff
400 Sinclair Building
Tulsa, Oklahoma 74103
(918) 582-6159

Robert K. Skolrood
Robert K. Skolrood
Attorney for Defendant
P. O. Box 2187
Tulsa, Oklahoma 74171

Entitled

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

FILED

DUKE HOMES, a division of)
Windsor Mobile Homes, Inc.,)
an Ohio corporation,)
) **Plaintiff,**)
) **vs.**)
) **PARK AND FLYNN CORPORATION,**)
d/b/a COUNTRY BOY MOBILE)
HOMES, INC., an Oklahoma)
corporation, JOHN M. FLYNN)
and REBECCA A. FLYNN,)
) **Defendant.**)

MAY - 4 1984

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

No. 83-C-442-E

ORDER

The Motion To Dismiss without prejudice of Duke Homes, Plaintiff in the above entitled action, having been reviewed by this Court, and it appearing that good cause has been shown,

IT IS HEREBY ORDERED that the Defendant, Park and Flynn Corporation is dismissed without prejudice from the Second Amended Complaint filed in this Court on March 9, 1984.

Dated this 3rd day of May, 1984.

s/ JAMES O. ELLISON
United States District Judge

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA MAY - 3 1984

GEORGE ROBERTS and	)	Jack C. Silver, Clerk U. S. DISTRICT COURT
LEANNE ROBERTS,)	
.....Plaintiffs,	)	No. <u>83-C-818-E</u>
v.)	
DONALD N. HALLOCK, County)	
Inspector, et al.)	
.....Defendants.)	

O R D E R

NOW on this 11th day of April, 1984, following an Initial Status Conference and Hearing upon Plaintiffs' Application for Order Compelling Settlement, or, In The Alternative, Motion for Temporary Injunction, the Court having heard argument of counsel and reviewed the briefs submitted by the parties, and being fully advised in the premises, orders as follows:

IT IS ORDERED that Plaintiffs' Application for Order Compelling Settlement is overruled.

IT IS FURTHER ORDERED that by agreement of the parties' counsel, TERRY YOUNG, MELVIN RICE, and LEWIS HARRIS, members of the Tulsa County Board of Commissioners, are hereby dismissed from the case at bar.

IT IS FURTHER ORDERED that all the discovery shall be completed on or before May 18, 1984;

IT IS FURTHER ORDERED that cross-motions for summary judgment shall be filed no later than June 18, 1984;

IT IS FURTHER ORDERED that the parties shall file their answer briefs to the motions for summary judgment herein by June 25,

1984.

57 JAMES O. ELLISON

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

JAMES C. LINGER
STEVEN L. SESSINGHAUS
Counsel for Plaintiffs

By: 

JAMES C. LINGER
1710 South Boston Avenue
Tulsa, Oklahoma 74119
(918) 585-2797

CARY W. CLARK
DAVID A. CARPENTER
Office of the District Attorney
Counsel for Defendants

By: 

DAVID A. CARPENTER
406 Tulsa County Courthouse
Tulsa, Oklahoma 74103
(918) 584-0440

Entered
MAY 15 1984
10:00 AM
U.S. DISTRICT COURT
NOR. DIST. OKLA.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DAVID G. ARRINGTON,)
)
Defendant.) CIVIL ACTION NO. 84-C-302-B

DEFAULT JUDGMENT

This matter comes on for consideration this 3rd day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendant, David G. Arrington, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, David G. Arrington, was served with Summons and Complaint on April 10, 1984. 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 the Defendant, David G. Arrington, in the amount of \$435.90, plus accrued interest of \$62.44 as of November 30, 1983, plus interest thereafter at the rate of 7 percent per annum, until judgment, plus interest

thereafter at the current legal rate of 10.81 percent from
the date of judgment until paid, plus the 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

MAY - 3 1984

CHARLES E. BARNES,)
)
 Plaintiff,)
)
 vs.)
)
 DON THORNTON FORD, et al.,)
)
 Defendants.)

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

No. 83-C-290E

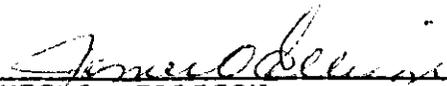
JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

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 2^d day of May, 1984.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

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

MAY - 3 1984

TWIN OAKS ENERGY, INC.,)
an Oklahoma corporation,)
)
Plaintiff,)
)
vs.)
)
RAY WALDRUP d/b/a RAINBOW)
OIL COMPANY,)
)
Defendant.)

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

No. 83-C-511-E

JUDGMENT BY DEFAULT

IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiff, Twin Oaks Energy, Inc. have judgment by default against Defendant, Ray Waldrup d/b/a Rainbow Oil Company and recover of the said Defendant \$42,685.55 with interest thereon at the rate of 10.81% per annum from the date of this judgment until paid.

ORDERED this 29th day of May, 1984.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

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

APR 24 1984
U.S. DISTRICT COURT
TULSA, OKLAHOMA

JACKIE J. KING AND ROBIN A. KING,)
)
 Plaintiffs,)
)
 vs.)
)
 DENNIS WINFREY AND PEGGY S.)
 WINFREY,)
)
 Defendants.) Case No. 83-C-1023 B

NOTICE OF DISMISSAL OF ACTION AND ORDER
OF DISMISSAL

The plaintiff hereby gives notice that the above entitled action be and the same hereby is dismissed with prejudice. Plaintiffs shall execute all necessary transfer orders, division orders or other documents required by the crude purchasers in order to carry out the assignments.

DONE THIS 24th day of April, 1984.

Jay O. Gregg
JAY O. GREGG
1719 East 71st Street
Tulsa, Oklahoma 74136
(918) 494-4050
Attorney for Plaintiff

Jackie J. King
JACKIE J. KING

Robin A. King
ROBIN A. KING

ORDER OF DISMISSAL

The above entitled motion is hereby dismissed with prejudice
at the plaintiffs' cost, which costs are paid.

FILED THIS 17th day of ^{May}~~April~~, 1984.

JUDGE OF THE UNITED STATES
DISTRICT COURT

S/ THOMAS R. BRETT

THOMAS R. BRETT

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

FILED
IN OPEN COURT

MAY 3 1984

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

WORLD WIDE TRADING COMPANY, INC.)
a California corporation; and)
ASIAN EUROPEAN PARTS CORPORATION)
OF HAWAII, LTD., a Hawaii)
corporation,)

Plaintiffs,)

vs.)

SURFSIDE JAPANESE AUTO PARTS,)
INC.,)

Defendant.)

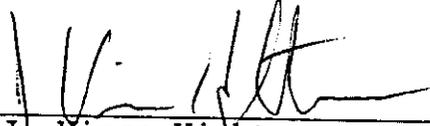
Case No. 84-C-86-C

DISMISSAL WITH PREJUDICE

COMES NOW the Plaintiffs and Defendant and dismisses
this action with prejudice as against the Defendant, Surfside
Japanese Auto Parts, Inc.

SNEED, LANG, ADAMS,
HAMILTON, DOWNIE & BARNETT

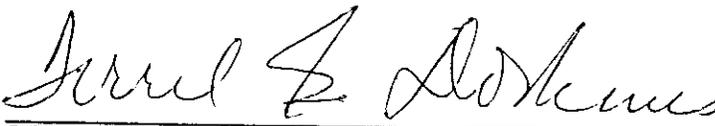
By



J. Vince Hightower
Sixth Floor
114 East Eighth Street
Tulsa, Oklahoma 74119
(918) 583-3145

Attorneys for Plaintiffs

TERRELL B. DOREMUS



111 W. 5th
Tulsa, Oklahoma 74103

Attorney for Defendant,
Surfside Japanese Auto Parts, Inc.

Entered

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

STATE FARM FIRE & CASUALTY CO.,
a Foreign Insurance Corporation,

Plaintiff

TAMMIE REED, a minor, and
SPECTRUM INSURANCE COMPANY, a
Foreign Insurance Corporation,

Defendants.

No. 84-C-358B

Notice of DISMISSAL

COURT hereby dismisses and hereby dismisses its action against
the Defendants, and each of them, pursuant to rule 41 (a) (1) in that
a contract subject to the subject of the complaint herein has been
filed.

[Faint, illegible text]

NOTICE OF MAILING

A true and correct copy of the above captioned order has
been mailed this 1st day of May, 1984, to the following
address on file with the court, and on file with the court
on file fully prepaid, to:

Stephen C. Anderson, Attorney for Plaintiff
Attorney at Law
233 W. 11th St.
Tulsa, OK 74119

Roger Williams, Attorney for Tammie Reed
Attorney at Law
1605 S. Denver
Tulsa, OK 74119

Entered

FILED
MAY -3 1984
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
WILLIAM M. DAVIS,)	
)	
Defendant.	)	CIVIL ACTION NO. 84-C-193-B

DEFAULT JUDGMENT

This matter comes on for consideration this 3rd day of May, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, William M. Davis, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, William M. Davis, was served with Summons and Complaint on April 9, 1984. 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 the Defendant, William M. Davis, in the amount of \$558.85, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61

per month from August 11, 1983, until judgment, plus interest thereafter at the current legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

Entered

FILED

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

MAY - 2 1984

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

CHARLES J. DAVIS,)
)
 Plaintiff,)
)
 -vs-)
)
 CADQ SYSTEMS CORPORATION,)
 ARINCO COMPUTER SYSTEMS,)
 INC., ALPHA BUSINESS SYSTEMS)
 COMPANY, AND ART RUBINO,)
)
 Defendants.)

No. 83-C-219-B

NOTICE OF DISMISSAL AS TO DEFENDANT
ALPHA BUSINESS SYSTEMS COMPANY

Comes now the Plaintiff, Charles J. Davis, pursuant to Rule 41 (a) (1) and dismisses the above styled cause as to Defendant, Alpha Business Systems Company, said Defendant not having heretofore appeared in this cause.

CHARLES J. DAVIS, Plaintiff

WALLACE AND OWENS, INC.

By Coy D. Morrow

Coy D. Morrow
P. O. Box 1168
Miami, OK 74354
918-542-5501

CERTIFICATE OF MAILING

I hereby certify that I mailed a true and correct copy of the above and foregoing Notice of Dismissal as to Defendant, Alpha Business Systems Company to Richard M. Eldridge, Rhodes, Hieronymus, Jones, Tucker and Gable, 2900 Fourth National Bank Building, Tulsa, Oklahoma 74119, Attorney for Cado Systems Corporation; Ms. Elsie Draper, Gable & Gotwals, 20th Floor, Fourth National Bank Building, Tulsa, Oklahoma 74119 and Mr. John W. Higgins, Higgins and Lee, 515 Roma N.W., Albuquerque, New Mexico 87102, Attorneys for Defendants, Arinco Computer Systems, Inc. and Art Rubino; and Alpha Business Systems Company, c/o Joe Cowan, 650 Westdale Drive, Wichita, KS 67203, this 30 day of April, 1984.


Coy D. Morrow, Attorney for Plaintiff

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

FILED
MAY -2 1984
JACK G. SEVYOR, CLERK
U.S. DISTRICT COURT

MERLAND G. MORGAN and)
HELEN MORGAN,)
)
Plaintiffs,)
)
vs.)
)
FIBREBOARD CORPORATION, et al.,)
)
Defendants.)

No. 82-C-781-C

STIPULATION FOR DISMISSAL

COMES NOW, Mark H. Iola, counsel for the Plaintiffs, and Mike Barkley, counsel for H. B. Fuller Company, and show the Court that the issues between the Plaintiffs and Defendant, H. B. Fuller Company, have been resolved.

WHEREFORE, these parties pray that an Order of Dismissal with Prejudice be entered herein as the issues between them are now moot.

This Stipulation for Dismissal is neither intended to be nor is it a Stipulation of Dismissal of the Johns-Manville Sales Corporation, or Ryder Industries, Inc.


Mark H. Iola
Attorney for Plaintiffs


Mike Barkley, Attorney for
Defendant H. B. Fuller Company

ORDER OF DISMISSAL

NOW, on this 3rd day of May, 1984, the Court being advised that a resolution has been reached between the Plaintiffs and the named Defendant, the Court orders that the captioned case be dismissed with prejudice as to the Defendant, H. B. Fuller Company, only.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

LAW OFFICES
UNGERMAN,
CONNER &
LITTLE

MIDWAY BLDG.
2727 EAST 21 ST.
SUITE 400

P. O. BOX 2099
TULSA, OKLAHOMA
74101

FILED

82-C-781

JACK G. SEVYOR, CLERK
U.S. DISTRICT COURT

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

HAROLD KENNETH THOMPSON and)
HELEN LOUISE THOMPSON,)
)
Plaintiffs,)
)
vs.)
)
FIBREBOARD CORPORATION, et al.,)
)
Defendants.)

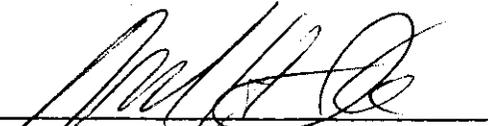
FILED
MAY -2 1984
JACK C. SILVER, CLERK
U.S. DISTRICT COURT
No. 82-C-836-C

STIPULATION FOR DISMISSAL

COMES NOW, Mark H. Iola, counsel for the Plaintiffs, and Mike Barkley, counsel for H. B. Fuller Company, and show the Court that the issues between the Plaintiffs and Defendant, H. B. Fuller Company, have been resolved.

WHEREFORE, these parties pray that an Order of Dismissal with Prejudice be entered herein as the issues between them are now moot.

This Stipulation for Dismissal is neither intended to be nor is it a Stipulation of Dismissal of the Johns-Manville Sales Corporation, or Ryder Industries, Inc.



Mark H. Iola
Attorney for Plaintiffs



Mike Barkley, Attorney for
Defendant H. B. Fuller Company

ORDER OF DISMISSAL

NOW, on this 3rd day of May, 1984, the Court being advised that a resolution has been reached between the Plaintiffs and the named Defendant, the Court orders that the captioned case be dismissed with prejudice as to the Defendant, H. B. Fuller Company, only.

s/H. DALE COOK

UNITED STATES DISTRICT JUDGE

FILED
MAY -3 1984
JACK C. SILVER, CLERK
U.S. DISTRICT COURT

LAW OFFICES
UNGERMAN,
CONNER &
LITTLE

MIDWAY BLDG.
2727 EAST 21 ST.
SUITE 400

P. O. BOX 2089
TULSA, OKLAHOMA
74101

Entered

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

FILED
MAY -2 1984
JACK C. SILVER, CLERK
U.S. DISTRICT COURT

JAMES ALFORD DONALD, JR.,)
)
Plaintiff,)
)
v.)
)
MARGARET LAMM, JOEL JOHNSON)
and MARTIN HART,)
)
Defendants.)

No. 84-C-70-BT

O R D E R

Before the Court for consideration is the motion to dismiss defendant Hart for lack of jurisdiction and for failure to state a claim upon which relief can be granted. In response, plaintiff has filed his brief in support of his "Motion to Retain Defendant Hart as a Defendant." For the reasons set forth below, the Court finds defendant Hart's motion should be sustained.

Defendant Hart is the court-appointed attorney who represented plaintiff in Tulsa County District Court for Uttering a Forged Instrument After Former Conviction of Two or More Felonies, Case No. CRF-81-3770. Plaintiff sues Hart pursuant to 42 U.S.C. §1983 claiming Hart has violated plaintiff's constitutional right to a fair trial by cursing plaintiff before the jury, informing the jury of plaintiff's guilt, and failing to adequately cross-examine a witness.

Two elements are necessary for recovery under 42 U.S.C. §1983. As stated in Adickes v. S.H. Kress Co., 398 U.S. 144, 151 (1970):

"First, the plaintiff must prove that the defendant has deprived him of a right secured by the 'Constitution and laws' of the United States, Second, the plaintiff must show that the defendant deprived him of this constitutional right 'under color of any statute, ordinance, regulation, custom, or usage, of any state or territory.' This second element requires that the plaintiff must show the defendant acted 'under color of law.'"

Plaintiff does have a Sixth Amendment right to the assistance of counsel in his defense, but was not deprived of his constitutional rights under color of law. The United States Supreme Court has held that public defenders do not act under color of state law, within the meaning of 42 U.S.C. §1983, by virtue of being officers of the court. Polk County v. Dodson, 454 U.S. 312, 318 (1981). A defense attorney's function is essentially private, "traditionally filled by retained counsel, for which state office and authority are not needed." Id. at 319. Since Hart was "performing a lawyer's traditional function as counsel to a defendant in a criminal proceeding," Polk County, 454 U.S. at 325, Hart was not acting under color of state law. Plaintiff's claim must be dismissed for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of the Fed.R.Civ.P.

The Court concludes that plaintiff has not demonstrated that defendant Hart acted under color of law - the second element of a §1983 cause of action.

IT IS THEREFORE ORDERED defendant Hart's motion to dismiss is sustained.

ENTERED this 2nd day of May, 1984.

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

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

FILED

MAY 2 1984

JACK D. GIBBS, Clerk
U. S. DISTRICT COURT

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

GULF OIL CORPORATION)
)
 Plaintiff,)
)
 vs.)
)
 HARMON-BOLES GAS)
 PRODUCTS, INC.)
)
 Defendant.)

NO. 83-C-557 B

of
STIPULATION FOR DISMISSAL

It is hereby stipulated that the above-entitled action be discontinued and dismissed without prejudice and without cost to either party.

Signed this 24th day of April, 1984.

GULF OIL CORPORATION, Plaintiff

Steve Meadows
Steven F. Meadows
Attorney for Plaintiff

HARMON-BOLES GAS PRODUCTS, INC.,
Defendant

Raymond W. Jordan
Raymond W. Jordan
HUBBARD, PATTON, PEEK, HALTOM &
ROBERTS
Attorney for Defendant

Entered

FILED

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

MAY - 2 1984

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

CHARLES J. DAVIS,)
)
Plaintiff,)
)
-vs-)
)
CADO SYSTEMS CORPORATION,)
ARINCO COMPUTER SYSTEMS,)
INC., ALPHA BUSINESS SYSTEMS)
COMPANY, AND ART RUBINO,)
)
Defendants.)

No. 83-C-219-B

STIPULATION FOR DISMISSAL WITH PREJUDICE

It is hereby stipulated, pursuant to Rule 41 (a) of the Federal Rules of Civil Procedure, and subject only to the approval of the Court herein, that the above-styled and entitled action and all claims and causes of action of the parties herein be dismissed with prejudice, each party to bear his own costs accrued or accruing herein.

Dated this 30^a day of April, 1984.

Coy D Morrow

Coy Dean Morrow
Wallace and Owens, Inc.
P. O. Box 1168
Miami, Oklahoma 74354
918-542-5501
Attorney for Plaintiff

Richard M. Eldridge

Richard M. Eldridge
Rhodes, Hieronymus, Jones, Tucker and Gable
2900 Fourth National Bank Building
Tulsa, Oklahoma 74119
918-582-1173
Attorney for Cado Systems Corporation

Elsie Draper

Elsie Draper
Gable & Gotwals
20th Floor, Fourth National Bank
Building
Tulsa, Oklahoma 74119
918-582-9201

John W. Higgins
Higgins and Lee
515 Roma, N.W.
Albuquerque, New Mexico 87102
505-765-5545
Attorneys for Defendants, Arinco
Computer Systems, Inc. and Art Rubino

ORDER OF DISMISSAL WITH PREJUDICE

This case came on before the Court upon the Stipulation of the parties for a voluntary dismissal of said cause with prejudice; and the Court being fully advised, it is:

ORDERED, the above-styled and entitled action and each of the claims and causes of action of the parties, be and the same is hereby dismissed with prejudice to the filing of a future action; and it is further:

ORDERED, that each of the parties hereto bear his own costs accrued or accruing herein.

DATED, this 3rd day of ^{May}~~April~~, 1984.

THOMAS R. BRETT

Thomas R. Brett
United States District Judge
United States District Court for the
Northern District of Oklahoma

FILED
7-2-84

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DAVID W. DIPBOYE,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-298-*lc*

AGREED JUDGMENT

This matter comes on for consideration this 30th day of April, 1984, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendant, David W. Dipboye, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, David W. Dipboye, was served with Summons and Complaint. 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 \$518.93, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from September 6, 1983, and \$.68 per month from January 1, 1984, until judgment, plus interest thereafter at the legal rate from the date of judgment until paid, plus the costs of this action.

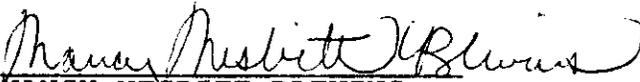
IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, David W. Dipboye, in the amount of \$518.93, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from September 6, 1983, and \$.68 per month from January 1, 1984, until judgment, plus interest thereafter at the current legal rate of 10.81 percent from the date of judgment until paid, plus the costs of this action.

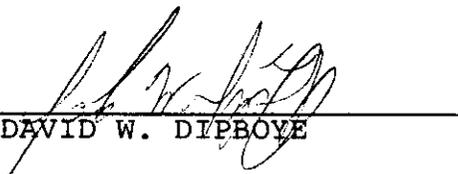

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant U.S. Attorney


DAVID W. DIPBOYE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1984

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
RONALD G. SANDS,)	
)	
Defendant.	)	CIVIL ACTION NO. 83-C-953-E

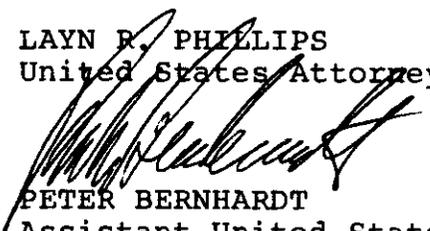
NOTICE OF DISMISSAL

COMES NOW the Plaintiff United States of America, by Layn R. Phillips, 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 2nd day of May, 1984.

UNITED STATES OF AMERICA

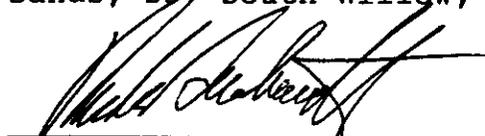
LAYN R. PHILLIPS
United States Attorney



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

CERTIFICATE OF SERVICE

This is to certify that on the 2nd day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Ronald G. Sands, 237 South Willow, Nowata, Oklahoma 74048.



Assistant United States Attorney

Emitted

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -1 1984

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
CHARLES R. ANDERSON,)	
)	
Defendant.	)	CIVIL ACTION NO. 84-C-125-E

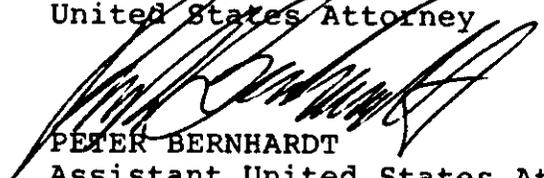
NOTICE OF DISMISSAL

COMES NOW the Plaintiff United States of America, by Layn R. Phillips, 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 1st day of May, 1984.

UNITED STATES OF AMERICA

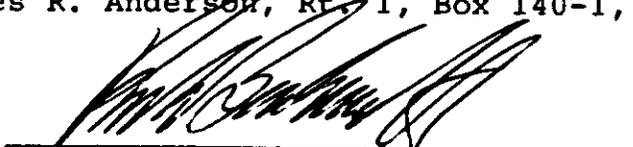
LAYN R. PHILLIPS
United States Attorney



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

CERTIFICATE OF SERVICE

This is to certify that on the 1st day of May, 1984, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Mr. Charles R. Anderson, Rt. 1, Box 140-1, Beggs, Oklahoma 74421.


Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY - 1 1984

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 DON F. FRY,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-121-C

ORDER OF DISMISSAL

Now on this 1st day of May, 1984, 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, Don F. Fry, be and is dismissed without prejudice.

151 W. Dale Cook
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Entered

7-1-84

1984

CLERK OF DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 STEPHEN R. BILBY,)
)
 Defendant.)

CIVIL ACTION NO. 84-C-168-B

ORDER OF DISMISSAL

Now on this 20th day of April, 1984, 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, Stephen R. Bilby, be and is dismissed without prejudice.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE