

Entered

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

AMERICAN INTERINSURANCE)
EXCHANGE,)
)
Plaintiff,)
)
v.)
)
JOHN G. CLARY, et al,)
)
Defendants.)

No. 86-C-148-B ✓

O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed September 10, 1986, in which the Magistrate recommended that defendant Empire Fire and Marine Insurance Company's Motion for Summary Judgment be granted. 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, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed.

It is therefore Ordered that defendant Empire Fire and Marine Insurance Company's Motion for Summary Judgment is granted.

Dated this 30th day of September, 1986.

Thomas R. Brett
THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

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

F 1 3 7 A

SEP 14 1985

KAAREN WITTE,)
)
Plaintiff,)
)
vs.)
)
UNIVERSITY MANSION OF)
TULSA COMPANY, a limited)
partnership d/b/a)
UNIVERSITY CLUB TOWERS,)
and STEPHEN HOTZEL, an)
individual, and General)
Partner of University)
Mansion of Tulsa Company,)
)
Defendants.)

Jack C. Ellison, Jr.
U.S. DISTRICT JUDGE

No. 85-C-334-E

ORDER OF DISMISSAL WITH PREJUDICE

The Court having considered the stipulation of the parties wherein a settlement has been made by them, dismisses this cause with prejudice to Plaintiff's rights to refile.

s/ JAMES O. ELLISON

UNITED STATES
DISTRICT JUDGE

Entered

FILED

SEP 30 1996

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

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

MARGARITTA M. VILLA,

Plaintiff,

vs.

No. 84-C-942-E

CITY OF TULSA, OKLAHOMA,
an Oklahoma Municipal
Corporation;
C. S. WALTON, Individually
and as a police officer,
Tulsa, Oklahoma; and MINDY
WOLFE, Individually, and
as an employee of Tulsa
Police Department,

Defendant.

JUDGMENT

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

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant City of Tulsa's motion for directed verdict having been granted at the conclusion of the evidence, this action is dismissed as to Defendant City of Tulsa and that the Defendant City of Tulsa recover of the Plaintiff its costs of action.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff take nothing from the Defendant C. S. Walton and that the action be dismissed on the merits, and that the Defendant C. S. Walton recover of the Plaintiff his costs of action.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff Margaritta M. Villa recover of the Defendant Mindy Wolfe the sum

of \$7,900.00 compensatory damages and \$5,000.00 punitive damages, with interest thereon at the rate of 5.79 per cent as provided by law, and her costs of action.

DATED at Tulsa, Oklahoma this 30th day of September, 1986.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

20

FILED

SEP 30 1986

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

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

JOHN RUSSELL PENN,
Plaintiff,
vs.
SHERIFF FLOYD INGRAM, et al.,
Defendants.

No. 80-C-548-E
80-C-604-E ✓
and 81-C-21-E
(Consolidated)

JUDGMENT

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

IT IS ORDERED AND ADJUDGED that the Plaintiff John Russell Penn take nothing from the Defendants and that the action be dismissed on the merits.

DATED at Tulsa, Oklahoma this 30th day of September, 1986.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

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

DUNN QUARTER HORSES, INC.)
a foreign corporation,)
)
Plaintiff,)
)
v.)
)
TURNBOW TRAILERS, INC.,)
an Oklahoma corporation,)
)
Defendant.)

FILED

85-C-662-B SEP 30 1985

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

ORDER OF DISMISSAL WITH PREJUDICE

The Court being advised by U. S. Magistrate John Leo Wagner that the defendant has delivered to the Magistrate's office two cashier's checks totaling Sixteen Thousand, Eight Hundred and Twelve Dollars (\$16,812.00) in full performance of its obligations under the Settlement Stipulation filed herein on May 15, 1986; and being further advised that the Magistrate has delivered these checks to Mr. Jack Marwood Short, attorney for plaintiff, the court finds that the parties have fully complied with the terms and conditions of the Settlement Stipulation and that this case should be dismissed with prejudice.

Therefore, it is hereby Ordered that this case be dismissed with prejudice, with each party paying its own cost.

Dated this 29th day of September, 1986.

Thomas R. Brett
THOMAS R. BRETT
UNITED STATES DISTRICT COURT

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

FILED

SEP 30 1986

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

ALL AMERICAN INSURANCE CO.,)
)
Plaintiff,)
)
vs.)
)
DAVID L. BURNS, et al.,)
)
Defendants.)

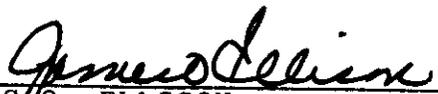
No. 85-C-821-E

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 Defendant Preferred Risk Mutual Insurance Company recover judgment of the Defendant Leroy Hall on Defendant Hall's cross claim against Defendant Preferred Risk Mutual Insurance Company, that the contract of insurance issued by Defendant Preferred Mutual Insurance Company be declared to be of no force and effect as to Defendant Leroy Hall, and that Defendant Preferred Risk Mutual Insurance Company be awarded costs of action on Defendant Hall's cross complaint against Preferred Risk Mutual Insurance Company.

DATED at Tulsa, Oklahoma this 30th day of September, 1986.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

MARY L. LONG,

Plaintiff,

v.

KIDDER, PEABODY & CO., INC.,

Defendant.

SEP 30 1986

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

No. 84-C-813-C

O R D E R

The Court has for consideration the Report and Recommendation of the Magistrate filed September 11, 1986, in which the Magistrate made recommendations on all pending motions. 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, the Court has concluded that the Report and Recommendation of the Magistrate should be and hereby is affirmed.

It is therefore Ordered that plaintiff's Motion to Dissolve Stay is granted.

It is further Ordered that plaintiff's Motion to Dismiss the Fourth, Fifth, Sixth, Seventh, and Eighth Claims of plaintiff's Amended Complaint is granted and those claims are hereby dismissed with prejudice.

Dated this 30th day of September, 1986.


H. DALE COOK, CHIEF
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
 vs.)
)
 PATRICK K. BROWN and ASSUNTA)
 BROWN, husband and wife;)
 EDWARD LEO FREEMAN, a single)
 person; PAUL B. NAYLOR as)
 Trustee for Edward Leo)
 Freeman, Jr.; EDWARD LEO)
 FREEMAN, JR.; STATE OF)
 OKLAHOMA, ex rel. Oklahoma)
 Tax Commission; COUNTY)
 TREASURER, Tulsa County,)
 Oklahoma; BOARD OF COUNTY)
 COMMISSIONERS, Tulsa County,)
 Oklahoma; BARBARA CYRUS and)
 LEON JOHNSON, as co-guardians)
 for Edward Leo Freeman, Jr.,)
)
 Defendants.)

SEP 30 1986
CLERK
DISTRICT COURT

CIVIL ACTION NO. 84-C-867-C

O R D E R

NOW, on this 30 day of Sept, 1986, there came on for consideration the Motion of the United States to amend the Judgment of Foreclosure previously entered herein on October 29, 1985. The Court finds said Motion is well taken.

NOW, IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Judgment of Foreclosure previously entered herein on October 29, 1985, be and the same is hereby amended by deleting the words, "with appraisalment," appearing in the second paragraph on page 7 of the Judgment and inserting in lieu thereof the words, "without appraisalment."

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

ONE TRACT OF REAL PROPERTY,)
WITH APPURTENANCES AND)
IMPROVEMENTS LOCATED IN CREEK)
COUNTY, OKLAHOMA, DESCRIBED AS)
The East half of the Northeast)
quarter of the Northwest)
quarter (E/2 NE/4 NW/4) of)
Section Thirty-six (36),)
Township Nineteen (19) North,)
Range Nine (9) East of the)
Indian Base and Meridian)
according to the United States)
Government Survey thereof, less)
and except oil, gas and other)
minerals,)

Defendant.)

CIVIL ACTION NO. 86-C-449-E

JUDGMENT OF FORFEITURE

This cause having come before this Court upon Plaintiff's Application and being otherwise fully apprised in the premises, it is hereby

ORDERED, ADJUDGED, AND DECREED that judgment be entered against the Defendant one tract of real property, with appurtenances and improvements located in Creek County, Oklahoma, described as the East half of the Northeast quarter of the Northwest quarter (E/2 NE/4 NW/4) of Section Thirty-six (36), Township Nineteen (19) North, Range Nine (9) East of the Indian Base and Meridian according to the United States Government

Survey thereof, less and except oil, gas and other minerals, and less and except all appurtenances and improvements relating to the production of oil, gas and other minerals, and against all persons interested in such property, other than the Claimant, RDT Properties, and that the said property be and the same is hereby forfeited to the United States of America.

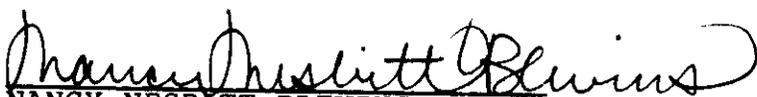
5/ JAMES O. ELLISON

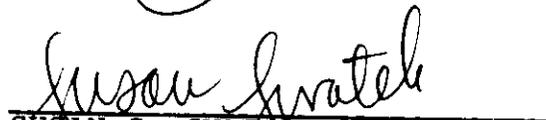
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant U.S. Attorney


SUSAN S. SWATEK
Attorney for Claimant
RDT Properties

FILED

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

SEP 30 1986

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

QUARLES DRILLING CORPORATION,)
)
Plaintiff,)
)
vs.)
)
RESOURCES INVESTMENT)
CORPORATION,)
)
Defendant.)

No. 85-C-355-E

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 twenty (20) 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 30th day of September, 1986.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

SEP 3 1986
U.S. DIST. CT.

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

WOLFEN ENERGY CORPORATION,)	
)	
Plaintiff,)	
)	Case No. 86-C-379-E
)	
CIRCLE STAR IMPORTS, INC.,)	
)	
Defendant,)	

JOURNAL ENTRY OF JUDGEMENT

NOW on this 26th day of Sept, 1986, the above referenced cause coming on before the undersigned Judge of the District Court on the plaintiff's Application for Default Judgement against the defendant, Circle Star Imports, Inc. In consideration thereof, the Court finds that the defendant, Circle Star Imports, Inc., has been duly served in this case by personal service upon their registered service agent, C. Greg Goodrum, in accordance with the law and that said defendant has failed to enter its appearance in this matter or otherwise respond to the Complaint filed herein. Therefore, the Court finds that the plaintiff, Wolfen Energy Corporation, is entitled to a judgement against the defendant, Circle Star Imports, Inc., as prayed for in its complaint.

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff, Wolfen Energy Corporation, have judgement against the defendant, Circle Star Imports, Inc.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff be awarded judgement against the defendant in the sum of \$17,000.00; the costs of this action, including a reasonable attorney's fee in the amount of \$~~_____~~.

37 JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

BILLY C. EVANS, JR.; MARLENE)
FERN EVANS; STATE OF OKLAHOMA)
ex rel. DEPARTMENT OF HUMAN)
SERVICES; COUNTY TREASURER,)
Creek County, Oklahoma; and)
BOARD OF COUNTY COMMISSIONERS,)
Creek County, Oklahoma,)

Defendants.)

CIVIL ACTION NO. 86-C-368-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 30th day
of Sept., 1986. The Plaintiff appears by Layn R.
Phillips, United States Attorney for the Northern District of
Oklahoma, through Peter Bernhardt, Assistant United States
Attorney; the Defendant, Billy C. Evans, Jr., appears by his
attorney, J. Richard Johnson, Jr.; the Defendant, State of
Oklahoma ex rel. Department of Human Services, appears by Dale
Ray Gardner, Assistant District Attorney, Child Support
Enforcement Unit, Creek County, Oklahoma; and the Defendants,
County Treasurer, Creek County, Oklahoma, Board of County
Commissioners, Creek County, Oklahoma, and Marlene Fern Evans,
appear not, but make default.

The Court being fully advised and having examined the
file herein finds that the Defendant, Marlene Fern Evans, was
served with Summons and Complaint on June 19, 1986; that
Defendant, State of Oklahoma ex rel. Department of Human

Services, acknowledged receipt of Summons and Complaint on May 15, 1986, and was served with Summons and Complaint on May 16, 1986; that Defendant, County Treasurer, Creek County, Oklahoma, acknowledged receipt of Summons and Complaint on April 15, 1986; and that Defendant, Board of County Commissioners, Creek County, Oklahoma, was served with Summons and Complaint on May 16, 1986.

It appears that the Defendant, Billy C. Evans, filed his Answer on June 13, 1986; that the Defendant, State of Oklahoma ex rel. Department of Human Services, filed its Answer on June 9, 1986; that the Defendants, County Treasurer and Board of County Commissioners, Creek County, Oklahoma, have failed to answer and their default has been entered by the Clerk of this Court on July 30, 1986; and that the Defendant, Marlene Fern Evans, has failed to answer and her default has been entered by the Clerk of this Court on July 16, 1986.

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

The North Half of Lot Six (N/2 6), Block Ninety-seven (97), ORIGINAL TOWN OF SAPULPA, according to the United States Government Survey thereof, Creek County, State of Oklahoma.

The Court further finds that on August 9, 1984, the Defendants, Billy C. Evans and Marlene Fern Evans, executed and delivered to the United States of America, acting through the

Administrator of Veterans Affairs, their mortgage note in the amount of \$35,500.00, payable in monthly installments, with interest thereon at the rate of fourteen percent (14%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Billy C. Evans and Marlene Fern Evans, executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, a mortgage dated August 9, 1984, covering the above-described property. Said mortgage was recorded on August 13, 1984, in Book 769, Page 714, in the records of Creek County, Oklahoma.

The Court further finds that the Defendants, Billy C. Evans and Marlene Fern Evans, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Billy C. Evans and Marlene Fern Evans, are indebted to the Plaintiff in the principal sum of \$35,414.04, plus interest at the rate of fourteen percent (14%) per annum from June 1, 1985, 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, State of Oklahoma ex rel. Department of Human Services, has an interest in the subject property by virtue of a judgment entered in the District Court of Creek County, Sapulpa Division, State of Oklahoma, on November 18, 1982, in Case No. D-76-413, styled

Department of Human Services, Plaintiff, vs. Billy C. Evans, Defendant, and filed of record with the County Clerk of Creek County, Oklahoma, on January 11, 1983, in Book 129, Page 1079. This judgment is in the amount of \$3,147.00. This judgment is subject and inferior to the purchase money mortgage of the Plaintiff.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, Creek County, Oklahoma, are in default and have no right, title, or interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Billy C. Evans and Marlene Fern Evans, in the principal sum of \$35,414.04, plus interest at the rate of fourteen percent (14%) per annum from June 1, 1985, until judgment, plus interest thereafter at the current legal rate of 5.79 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, State of Oklahoma ex rel. Department of Human Services, has a judgment lien on the subject property in the amount of \$3,147.00, which lien is subject and inferior to the purchase money mortgage of the Plaintiff.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Creek County, Oklahoma, have no right, title, or interest in the subject real property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Billy C. Evans and Marlene Fern Evans, 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 the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

Third:

In payment of the Defendant, State of Oklahoma ex rel. Department of Human Services, in the amount of \$3,147.00.

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

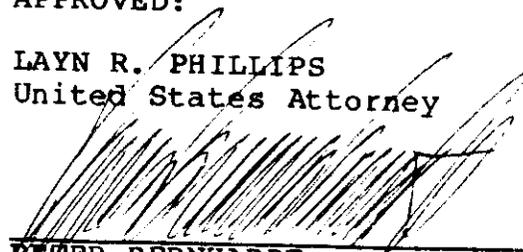
and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

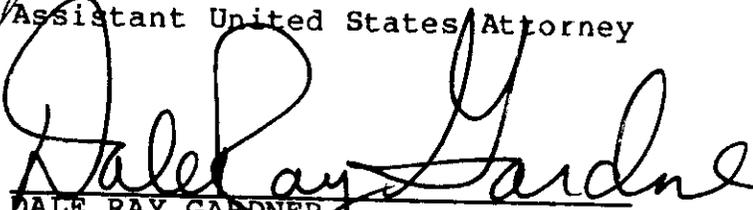
S/ JAMES O. ELISON

UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS
United States Attorney


PETER BERNHARDT
Assistant United States Attorney


DALE RAY GARDNER
Assistant District Attorney
Child Support Enforcement Unit
P.O. Box 1126
Sapulpa, Oklahoma 74066
Attorney for Defendant,
State of Oklahoma ex rel.
Department of Human Services


J. RICHARD JOHNSON, JR.
2121 South Columbia, Suite 470
Tulsa, Oklahoma 74114
Attorney for Defendant,
Billy C. Evans

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

OBA #5092
SEP 30 1986

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

LEWIS F. WATASHE,)
)
 Plaintiff,)
)
 vs.)
)
 OSCAR BROWN,)
)
 Defendant.)

Case No. 86-C-405C

ORDER OF DISMISSAL

Now on this 30 day of Sept, 1986, the
above captioned matter comes on before me the undersigned
District Judge for the United States District Court in and for
the Northern District of Oklahoma. The Court finds that parties
have submitted stipulation of dismissal with prejudice as all
issues between the parties have been settled, and the Court finds
that said stipulation of dismissal with prejudice should be
approved.

IT IS SO ORDERED.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

Entered

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

OVID L. PATTERSON and)
NORMA J. PATTERSON,)
)
Plaintiffs,)
)
vs.)
)
FIBREBOARD CORPORATION,)
et al.,)
)
Defendants.)

FILED

SEP 30 1985

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

No. 85-C-909-B ✓

ORDER OF DISMISSAL WITH PREJUDICE
OF DEFENDANT COMBUSTION ENGINEERING, INC.

Pursuant to the Joint Stipulation of Dismissal With Prejudice filed herein by plaintiffs and defendant Combustion Engineering, Inc., the Court finds that plaintiffs' cause should be dismissed with prejudice.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiffs' cause against defendant Combustion Engineering, Inc. be and the same is hereby dismissed with prejudice and plaintiffs reserving their causes against all remaining defendants.


THOMAS H. BRETT,
United States District Judge

67

Entered

FILED

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

SEP 30 1986

U.S. DISTRICT COURT

ROBERT A. WACHSLER, INC., a)
 Connecticut corporation,)
)
 Plaintiff,)
)
 v.)
)
 FLORAFAX INTERNATIONAL, INC.,)
 a Delaware corporation,)
)
 Defendant,)
)
 and)
)
 ROBERT A. WACHSLER, an)
 individual,)
)
 Third Party Defendant.)

Case No. 80-C-641-E

ORDER

NOW on this 30th day of September, 1986, comes on for hearing the Defendant Florafax International, Inc.'s Application for Attorney Fees and the Plaintiff, Robert A. Wachslar, Inc., was present, by and through its attorneys of record and Florafax International, Inc., was present by and through its attorneys of record, and by stipulation of the parties, it is agreed that Florafax International, Inc. shall be awarded a money judgment in the amount of Twelve Thousand Five Hundred Dollars (\$12,500.00) representing attorney fees and costs heretofore taxed in its

favor and as a full, final and complete settlement of all costs incurred by either party including attorney fees in the above entitled and numbered cause.

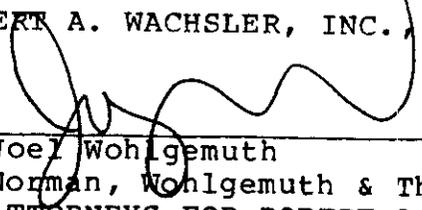
IT IS SO ORDERED.

S/ JAMES O. ELLISON

James O. Ellison
United States District Judge

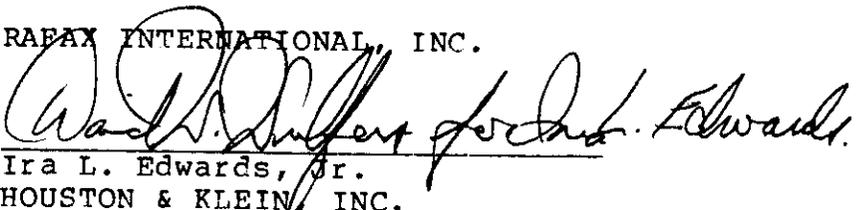
APPROVED AS TO FORM AND CONTENT:

ROBERT A. WACHSLER, INC.

By: 

Joel Wohl gemuth
Norman, Wohl gemuth & Thompson
ATTORNEYS FOR ROBERT A. WACHSLER, INC.

FLORAFAX INTERNATIONAL, INC.

By: 

Ira L. Edwards, Jr.
HOUSTON & KLEIN, INC.
ATTORNEYS FOR FLORAFAX INTERNATIONAL, INC.

COPY

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

FILED

SEP 29 1986

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

UNION OIL COMPANY OF CALIFORNIA,)
 a California corporation,)
)
 Plaintiff,)
)
 v.)
)
 ONEOK INC., a Delaware corporation,)
 and ONG WESTERN, INC., a Delaware)
 corporation,)
)
 Defendants.)

No. 85-C-916-*CB C*

ORDER

NOW on this 29 day of Sept, 1986, pursuant to the Stipulation of Dismissal With Prejudice filed herein by the Plaintiff and Defendants, it is ORDERED, ADJUDGED AND DECREED that the Complaint and Counterclaim filed in this case on the 4th day of October, 1985, is hereby dismissed with prejudice. All parties to bear their own costs and attorneys' fees.

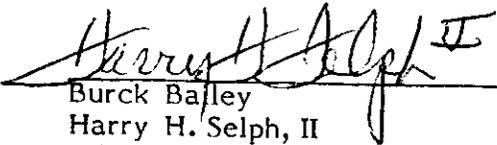
(Signed) H. Dale Cook

H. DALE COOK
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

G. A. McKenzie
Gregory A. McKenzie
WATSON & MCKENZIE
1900 Liberty Tower
Oklahoma City, Oklahoma 73102
(405) 232-2501

Attorneys for Plaintiff



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John L. Arrington, Jr.
Thomas J. Kirby
HUFFMAN, ARRINGTON, KIHLE,
GABERINO & DUNN
1000 ONEOK Plaza
Tulsa, Oklahoma 74103
(918) 585-8141

Attorneys for Defendants

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

FEDERAL LAND BANK OF WICHITA,)
)
 Plaintiff,)
)
 -vs-)
)
 GEORGE RAPER, JR. and JESSIE M. RAPER,)
 husband and wife;)
 THE UNITED STATES OF AMERICA ex rel)
 FARMERS HOME ADMINISTRATION;)
 AFTON COOP ASSOCIATION;)
 COUNTY TREASURER OF DELAWARE COUNTY, OKLAHOMA;)
 and THE BOARD OF COUNTY COMMISSIONERS OF)
 DELAWARE COUNTY, OKLAHOMA,)
)
 Defendants.)

No. 86-C-139-C

FILED

SEP 29 1986

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

JOURNAL ENTRY OF JUDGMENT AND DECREE OF FORECLOSURE

Now on this 29 day of Sept, 1986, the above cause came on for trial before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma; the plaintiff appearing by and through its attorney, Russell D. Peterson; the defendants, George Raper, Jr. and Jessie M. Raper, husband and wife, appear by and through their attorney of record, Randall Stainer, of Stainer & Stainer; the United States of America ex rel Farmers Home Administration appears by and through its attorney, Peter Bernhardt, Assistant United States Attorney for the Northern District of Oklahoma; the defendants, County Treasurer of Delaware County and Board of County Commissioners of Delaware County appear by and through their attorney of record, Norman J. Smith, Assistant District Attorney for Delaware County, Oklahoma; the defendant, Afton Coop Association appears not, having previously filed its Disclaimer herein, disclaiming any right, title or interest in and to said properties involved herein.

The Court having examined the pleadings, process and files in this cause, and being fully advised in the premises, upon stipulations made and entered into by respective counsel, finds that due and regular service of

Summons has been made upon all defendants, and that said service thereof is legal and regular in all respects, and this case can proceed to judgment at this time.

The Court further finds that this mortgage foreclosure action was commenced in Case No. C-85-341, Delaware County, State of Oklahoma, and was subsequently removed by Order of this Court on February 21, 1986, wherein this case became Case No. 86-C-139-C, United States District Court in and for the Northern District of Oklahoma. The Court further finds that it has jurisdiction and venue over this action and that this case is at issue and can proceed to judgment at this time.

The Court further finds that defendant, George Raper, Jr., filed his Petition in Bankruptcy in the United States Bankruptcy Court for the Northern District of Oklahoma on May 17, 1984, and has already achieved his discharge in said Bankruptcy action on the 11th day of July, 1985; that there is no longer any bankruptcy stay involved in this matter, and that the judgment hereinafter awarded plaintiff as against George Raper, Jr. shall be for in rem relief only.

The Court further finds that the defendant, Jessie Raper, filed her Chapter 7 Bankruptcy action in Case No. 85-2447 as filed in the United States Bankruptcy Court for the Northern District of Oklahoma; that plaintiff has obtained an Order Granting Relief from the Bankruptcy Stay as well as an Order Abandoning the Property; that this case can now proceed with the judgment to be awarded to plaintiff herein as against defendant, Jessie M. Raper, to be in rem only.

The Court further finds that the defendant, Afton Coop Association, has filed its Disclaimer in this case, disclaiming any right, title or interest in and to the properties in question and has consented that judgment in rem be entered in this case without further notice to that defendant, and the Court adjudges that said Disclaimer is proper, and that the said defendant, Afton

Coop Association has no right, title and interest in and to the properties hereinafter described.

The Court further finds that defendants, George Raper, Jr. and Jessie M. Raper executed and delivered the Note and Mortgage herein sued upon by plaintiff, Federal Land Bank of Wichita, in its First Cause of Action, and that plaintiff is the owner and holder thereof, and there is a balance due, owing and unpaid thereon in the sum of \$49,936.86, with interest at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$4,900.00 attorney's fees for plaintiff's attorney of record, Russell D. Peterson, and for all of its costs of this action, both accrued and accruing, and that said amounts are secured by said Mortgage and constitute a valid first lien upon the real estate and premises hereinafter described, and that any and all right, title and interest of the defendants, George Raper, Jr., Jessie M. Raper, The United States of America ex rel Farmers Home Administration, Afton Coop Association, County Treasurer of Delaware County, Oklahoma and the Board of County Commissioners of Delaware County, Oklahoma, are junior and inferior to the mortgage lien of the plaintiff.

The Court further finds that the defendants, George Raper, Jr. and Jessie M. Raper, have made default in the performance of the terms and conditions of the Promissory Note and Mortgage held by the plaintiff, as alleged in plaintiff's First Cause of Action, and that plaintiff is entitled to foreclosure of its mortgage sued upon in its First Cause of Action as against the defendants, George Raper, Jr. and Jessie M. Raper.

The Court further finds that plaintiff's Mortgage provided that the mortgagors/defendants, George Raper, Jr. and Jessie M. Raper, waived appraisalment and that therefore the real estate involved should be sold without appraisalment.

The Court further finds that there is also held as security for the Federal Land Bank loan as described in plaintiff's First Cause of Action the sum of \$1,940.00 in stock in the Federal Land Bank Association of Broken Arrow, Oklahoma, which will be foreclosed and applied to the outstanding loan balance of said Federal Land Bank of Wichita, and which will be later credited to the defendants, George Raper, Jr. and Jessie M. Raper, in the abovesaid judgment sum.

The Court therefore finds that the lien and mortgage of plaintiff constitutes a valid enforceable lien upon the real estate described in plaintiff's First Cause of Action, and that the mortgage lien of plaintiff should be reduced to judgment and foreclosed at this time.

The Court further finds that defendants, George Raper, Jr. and Jessie M. Raper executed and delivered the Note and Mortgage herein sued upon by plaintiff, Federal Land Bank of Wichita, in its Second Cause of Action and that plaintiff is the owner and holder thereof, and there is a balance due, owing and unpaid thereon in the sum of \$55,064.71, with interest at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$5,000.00 attorney's fees for plaintiff's attorney of record, Russell D. Peterson, and for all of its costs of this action, both accrued and accruing, and that said amounts are secured by said Mortgage and constitute a valid first lien upon the real estate and premises hereinafter described, and that any and all right, title and interest of the defendants, George Raper, Jr., Jessie M. Raper, The United States of America ex rel Farmers Home Administration, Afton Coop Association, County Treasurer of Delaware County, Oklahoma and the Board of County Commissioners of Delaware County, Oklahoma, are junior and inferior to the mortgage lien of the plaintiff on the lands described in plaintiff's Second Cause of Action.

The Court further finds that the defendants, George Raper, Jr. and Jessie

M. Raper, have made default in the performance of the terms and conditions of the Promissory Note and Mortgage held by the plaintiff, as alleged in plaintiff's Second Cause of Action, and that plaintiff is entitled to foreclosure of its mortgage sued upon in its Second Cause of Action as against the defendants, George Raper, Jr. and Jessie M. Raper.

The Court further finds that plaintiff's Mortgage provided that the mortgagors/defendants, George Raper, Jr. and Jessie M. Raper, waived appraisalment and that therefore the real estate involved should be sold without appraisalment.

The Court further finds that there is also held as security for the Federal Land Bank loan the sum of \$2,110.00 in stock in the Federal Land Bank Association of Broken Arrow, Oklahoma, which will be foreclosed and applied to the outstanding loan balance of said Federal Land Bank of Wichita, and which will be later credited to the defendants, George Raper, Jr. and Jessie M. Raper, in the abovesaid judgment sum as regards plaintiff's Second Cause of Action.

The Court therefore finds that the lien and mortgage of plaintiff constitutes a valid enforceable lien upon the real estate described in plaintiff's Second Cause of Action, and that the mortgage lien of plaintiff should be reduced to judgment and foreclosed at this time.

The Court further finds that the issues between the defendant, United States of America ex rel Farmers Home Administration and defendants, George Raper, Jr. and Jessie M. Raper, pursuant to the Answers and Cross-Claim on file, shall be hereby specifically reserved by the Court for future determination.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the issues contained in the Cross-Claim of George Raper, Jr. and Jessie M. Raper as

against the defendant, The United State of America ex rel Farmers Home Administration, as well as the priority of liens claimed by the defendant, The United States of America ex rel Farmers Home Administration shall be specifically reserved by the Court for future determination; that said reservation of those issues in no way shall affect plaintiff's right of foreclosure on either of its Causes of Action or affect the right of plaintiff to effecutate a sale of the properties pursuant to the execution of its judgments.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Federal Land Bank of Wichita, have judgment in rem against the defendants, George Raper, Jr., Jessie M. Raper, The United States of America ex rel Farmers Home Administration, Afton Coop Association, County Treasurer of Delaware County, Oklahoma and the Board of County Commissioners of Delaware County, Oklahoma, for the sum of \$49,936.86, with interest at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$4,900.00 attorney's fees for plaintiff's attorney of record, Russell D. Peterson, and for all costs of this action, both accrued and accruing, and that said amounts are secured by a first mortgage and constitute a first, prior and superior lien upon the real estate and premises described as follows, to-wit:

The East 450 feet of the North 530 feet of the SE/4 of the NE/4 of the SE/4 and the W/2 of the SE/4 of the SE/4, and the E/2 of the E/2 of the SE/4 of the SE/4 of Section 17; and
The E/2 of the NE/4 of the NE/4 and the NW/4 of the NE/4 of the NE/4 of Section 20; and
The NW/4 of the NW/4 of the NW/4 of Section 21;
All in Township 23 North, Range 22 East of the Indian Meridian, Delaware County, State of Oklahoma,

and that any and all right, title or interest which the defendants, George Raper, Jr., Jessie M. Raper, The United States of America ex rel Farmers Home Administration, Afton Coop Association, County Treasurer of Delaware County, Oklahoma and the Board of County Commissioners of Delaware County, Oklahoma,

have or claim to have in and to said real estate and premises is subsequent, junior and inferior to the mortgage lien of the plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Federal Land Bank of Wichita, be allowed to foreclose the stock in the Federal Land Bank Association of Broken Arrow, Oklahoma, in the amount of \$1,940.00, which will be later applied to the outstanding loan balance, and which will be later credited to the defendants, George Raper, Jr. and Jessie M. Raper, in the abovesaid judgment sum described in plaintiff's First Cause of Action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the mortgage and lien of the plaintiff, Federal Land Bank of Wichita, in the amounts hereinbefore found as regards plaintiff's First Cause of Action is adjudged to be foreclosed, and it appearing to the Court that the mortgage of the Federal Land Bank contains the words "appraisement waived", IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that in case said defendants, George Raper, Jr. and Jessie M. Raper, fail for six months from the 29 day of Sept, 1986, the date of rendition of this judgment, to pay to plaintiff the sum of \$49,936.86, with interest at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$4,900.00 attorney's fees for plaintiff's attorney of record, Russell D. Peterson, and for all costs of this action, both accrued and accruing, an Order of Sale issue out of the office of the United States District Court for the Northern District of Oklahoma, directed to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon, advertise and sell, without appraisement, the real estate and premises described below, to-wit:

The East 450 feet of the North 530 feet of the SE/4 of the NE/4 of the SE/4 and the W/2 of the SE/4 of the SE/4, and the E/2 of the E/2 of the SE/4 of the SE/4 of Section 17; and

The E/2 of the NE/4 of the NE/4 and the NW/4 of the NE/4 of the NE/4 of Section 20; and
The NW/4 of the NW/4 of the NW/4 of Section 21;
All in Township 23 North, Range 22 East of the Indian Meridian, Delaware County, State of Oklahoma,

and apply the proceeds arising from said sale as follows:

FIRST, to the payment of the costs herein accrued and accruing;

SECOND, in payment to the plaintiff, Federal Land Bank of Wichita in the sum of \$49,936.86, as of July 26, 1985, with interest accruing at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$4,900.00 attorney fees for plaintiff, Federal Land Bank of Wichita's attorney of record, Russell D. Peterson, and for all of its costs of this action, both accrued and accruing;

THIRD, the balance, if any, to be paid to the Clerk of this Court to await the further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Federal Land Bank of Wichita, have judgment on its Second Cause of Action in rem against the defendants, George Raper, Jr., Jessie M. Raper, The United States of America ex rel Farmers Home Administration, Afton Coop Association, County Treasurer of Delaware County, Oklahoma and the Board of County Commissioners of Delaware County, Oklahoma, for the sum of \$55,064.71, with interest at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$5,000.00 attorney's fees for plaintiff's attorney of record, Russell D. Peterson, and for all costs of this action, both accrued and accruing, and that said amounts are secured by a first mortgage and constitute a first, prior and superior lien upon the real estate and premises described as follows, to-wit:

A tract or parcel of land located in the SW/4 of the NE/4 of the SE/4 and the NW/4 of the SE/4 of the SE/4 of Section 17, Township 23 North, Range 22 East of the Indian Meridian, more particularly described as follows: Beginning at a point in the south right of way boundary of State Highway 28, the said point being 50 feet North of the Northwest Corner of the said NW/4 SE/4 SE/4 thence S 0°03'E. 302.5 feet, thence S 89°31'E. 360 feet, thence N.0°03'W. 302.5 feet to a point in the South right of way boundary of State Highway 28, thence N.89°31'W. 360 feet on and along the said Highway right of way boundary to point of beginning, containing 2.5 acres, more or less, Delaware County, State of Oklahoma,

and that any and all right, title or interest which the defendants, George Raper, Jr., Jessie M. Raper, The United States of America ex rel Farmers Home Administration, Afton Coop Association, County Treasurer of Delaware County, Oklahoma and the Board of County Commissioners of Delaware County, Oklahoma, have or claim to have in and to said real estate and premises is subsequent, junior and inferior to the mortgage lien of the plaintiff on the lands described above.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Federal Land Bank of Wichita, be allowed to foreclose the stock in the Federal Land Bank Association of Broken Arrow, Oklahoma, in the amount of \$2,110.00, which will be later applied to the outstanding loan balance, and which will be later credited to the defendants, George Raper, Jr. and Jessie M. Raper, in the abovesaid judgment sum as it relates to plaintiff's Second Cause of Action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the mortgage and lien of the plaintiff, Federal Land Bank of Wichita, in the amounts hereinbefore found is adjudged to be foreclosed, and it appearing to the Court that the mortgage of the Federal Land Bank contains the words "appraisement waived", IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that in case said defendants, George Raper, Jr. and Jessie M. Raper, fail for six months from the 29 day of Sept, 1986, the date of rendition

of this judgment, to pay to plaintiff the sum of 55,064.71, with interest at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$5,000.00 attorney's fees for plaintiff's attorney of record, Russell D. Peterson, and for all costs of this action, both accrued and accruing, IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that an Order of Sale issue out of the office of the United States District Court for the Northern District of Oklahoma, directed to the United States Marshal for the Northern District of Oklahoma, commanding him to levy upon, advertise and sell, without appraisalment, the real estate and premises described below, to-wit:

A tract or parcel of land located in the SW/4 of the NE/4 of the SE/4 and the NW/4 of the SE/4 of the SE/4 of Section 17, Township 23 North, Range 22 East of the Indian Meridian, more particularly described as follows: Beginning at a point in the south right of way boundary of State Highway 28, the said point being 50 feet North of the Northwest Corner of the said NW/4 SE/4 SE/4 thence S 0°03'E. 302.5 feet, thence S 89°31'E. 360 feet, thence N.0°03'W. 302.5 feet to a point in the South right of way boundary of State Highway 28, thence N.89°31'W. 360 feet on and along the said Highway right of way boundary to point of beginning, containing 2.5 acres, more or less, Delaware County, State of Oklahoma,

and apply the proceeds arising from said sale as follows:

FIRST, to the payment of the costs herein accrued and accruing;

SECOND, in payment to the plaintiff, Federal Land Bank of Wichita in the sum of \$55,064.71, as of July 26, 1985, with interest accruing at the prevailing variable contractual rate from July 26, 1985, until paid, and the further sum of \$5,000.00 attorney fees for plaintiff, Federal Land Bank of Wichita's attorney of record, Russell D. Peterson, and for all of its costs of this action, both accrued and accruing;

THIRD, the balance, if any, to be paid to the Clerk of this Court to await the further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that upon confirmation of said Marshal's sales, the defendants herein, and each of them,

since commencement of this action, be forever barred, foreclosed and enjoined from asserting or claiming any right, title, interest or equity of redemption in or to said real estate and premises described in plaintiff's First and Second Causes of Action, or any part thereof, except that the defendant, United States of America ex rel Farmers Home Administration shall have its right of redemption pursuant to Title 28 U.S. C., Sec. 2410 (c).

(Signed) H. Dale Cook

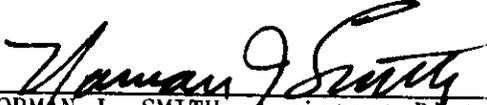
JUDGE OF THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF OKLAHOMA

APPROVED:

RUSSELL D. PETERSON,
Attorney for plaintiff, Federal
Land Bank of Wichita

RANDALL STAINER,
Attorney for defendants,
George Raper, Jr. and Jessie M. Raper

PETER BERNHARDT, Assistant U. S. Attorney
Attorney for defendant, United States
of America ex rel Farmers Home
Administration

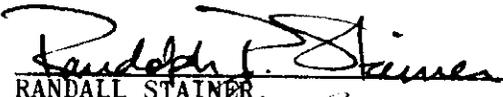


NORMAN J. SMITH, Assistant District Attorney
for Delaware County, Oklahoma,
Attorney for Defendants Board of County
Commissioners of Delaware County, Oklahoma and
County Treasurer of Delaware County, Oklahoma

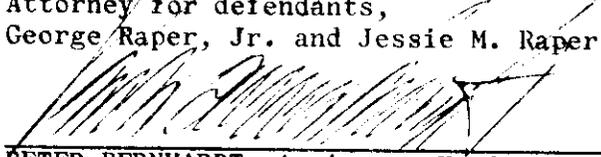
APPROVED:



RUSSELL D. PETERSON,
Attorney for plaintiff, Federal
Land Bank of Wichita



RANDALL STAINER,
Attorney for defendants,
George Raper, Jr. and Jessie M. Raper



PETER BERNHARDT, Assistant U. S. Attorney
Attorney for defendant, United States
of America ex rel Farmers Home
Administration

NORMAN J. SMITH, Assistant District Attorney
for Delaware County, Oklahoma,
Attorney for Defendants Board of County
Commissioners of Delaware County, Oklahoma and
County Treasurer of Delaware County, Oklahoma

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

FILED

SEP 29 1986

RONALD DEAN MURRAY,)
)
 Petitioner,)
)
 v.)
)
 BILL YEAGER, et al,)
)
 Respondents,)

No. 86-C-169-C Jack C. Silver, Clerk
U.S. DISTRICT COURT

ORDER

The Court has for consideration the Findings and Recommendations of the Magistrate filed September 10, 1986, in which the Magistrate recommended that petitioner's application for a writ of habeas corpus be denied. 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, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed.

It is therefore Ordered that petitioner's application for a writ of habeas corpus is denied.

Dated this 29 day of September, 1986.


H. DALE COOK, CHIEF
UNITED STATES DISTRICT JUDGE

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

SEP 29 1986

CLERK
U.S. DISTRICT COURT

RICKY DEAN MILES,)
)
 Movant,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

No. 84-CR-14-C

86-C-435-C

ORDER

Now before the Court for its consideration is the objection to the Findings and Recommendations of the Magistrate brought by movant, Ricky Dean Miles. The Magistrate filed his Findings and Recommendations on August 26, 1986.

The Magistrate entered a recommendation that the motion to vacate sentence brought by movant pursuant to 28 U.S.C. §2255 be denied.

Miles was convicted under 26 U.S.C. §§5861(b) and 5861(d) for violations of federal firearm statutes. He was additionally convicted of possession of controlled substances with intent to distribute, in violation of 21 U.S.C. §3841(a)(1). His convictions were affirmed on direct appeal to the United States Court of Appeals for the Tenth Circuit in Case No. 84-1659. Thereafter petitioner filed a motion for reduction of sentence under Rule 35 F.R.Cr.P. which was denied by the Court. Movant now files a motion to vacate his sentence.



After careful independent review of the record, applicable statutory authority, case law and the objections raised by the movant, the Court finds that movant's motion to vacate sentence is hereby denied. The Court affirms and adopts the Findings and Recommendations of the Magistrate.

It is therefore Ordered that the motion to vacate sentence pursuant to 28 U.S.C. §2255 is denied.

IT IS SO ORDERED this 25th day of September, 1986.


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

COPY

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ROY D. HANEY,)
)
 Defendant.)

SEP 29 1986

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

CIVIL ACTION NO. 86-C-581-C

DEFAULT JUDGMENT

This matter comes on for consideration this 29 day of September, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney, and the Defendant, Roy D. Haney, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Roy D. Haney, was served with Summons and Complaint on September 9, 1986. 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,

Roy D. Haney, for the principal sum of \$449.73, plus interest after judgment at the legal rate of 5.79 percent per annum until paid, plus costs of this action.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LARRY JOE FUGATE,)
 REBECCA LYN FUGATE,)
 BOARD OF COUNTY COMMISSIONERS,)
 Washington County, Oklahoma,)
 and COUNTY TREASURER,)
 Washington County, Oklahoma,)
)
 Defendants.)

FILED
SEP 29 1986
J. G. ...
U.S. DISTRICT COURT

CIVIL ACTION NO. 85-C-43-C

AMENDED DEFICIENCY JUDGMENT

Now on this 29 day of Sept, 1986, there came on for hearing the Motion of the Plaintiff United States of America for leave to enter a Deficiency Judgment herein, and the Motion of the United States to vacate the Deficiency Judgment entered herein on September 15, 1986, and for entry of this Amended Deficiency Judgment, said Motions being filed on September 10, 1986, and September 23, 1986, respectively and copies of said Motions being mailed to Larry Joe Fugate and Rebecca Lyn Fugate, 225 Southeast Waverly, Bartlesville, Oklahoma 74003. The Plaintiff, United States of America, acting on behalf of the Administrator of Veterans Affairs, appeared by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendants, Larry Joe Fugate and Rebecca Lyn Fugate, appeared neither in person nor by Counsel.

The Court upon consideration of said Motions finds that the amount of the Judgment rendered herein on June 20, 1985, in

favor of the Plaintiff United States of America, and against the Defendants, Larry Joe Fugate and Rebecca Lyn Fugate, with interest and costs to date of sale is \$46,921.63.

The Court further finds that the appraised value of the real property at the time of sale was \$18,500.00.

The Court further finds that the real property involved herein was sold at Marshal's sale, pursuant to the Judgment of this Court entered June 20, 1985, for the sum of \$26,026.00 which is more than the market value.

The Court further finds that the Plaintiff, United States of America on behalf of the Administrator of Veterans Affairs, is accordingly entitled to a deficiency judgment against the Defendants, Larry Joe Fugate and Rebecca Lyn Fugate, as follows:

Principal Balance as of June 25, 1986	\$36,608.09
Interest	9,282.14
Late Charges	421.40
Appraisal	190.00
Management Broker Fees	<u>420.00</u>
TOTAL	\$46,921.63
Less Credit of Sale Proceeds	- <u>26,026.00</u>
DEFICIENCY	\$20,895.63

plus interest on said deficiency judgment at the legal rate of 5.79 percent per annum from date of judgment until paid; said deficiency being the difference between the amount of Judgment rendered herein and the proceeds from the sale of the property herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America on behalf of the Administrator of Veterans Affairs have and recover from Defendants, Larry Joe Fugate and Rebecca Lyn Fugate, a deficiency judgment in the amount of \$20,895.63, plus interest at the legal rate of 5.79 percent per annum on said deficiency judgment from date of judgment until paid.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

Entered

FILED

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

SEP 29 1985

MARMAC RESOURCES COMPANY,
an Oklahoma partnership,

Plaintiff,

vs.

C & J ENTERPRISES, et al.,

Defendants.

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

Case No. 85-C-1101-B

CONSENT ORDER CONSTITUTING FINAL JUDGMENT

Upon consideration of the various pleadings herein and
Compromise Settlement Agreement and Stipulation of Plaintiff
and Earl Donaldson to settle this litigation, in part as evidenced
by their attorneys' respective signatures to the Stipulation
annexed to this Consent Order, it is hereby ORDERED, ADJUDGED
and DECREED:

1. The Court finds that it has jurisdiction of the above
named parties and the subject matter of this suit.

2. The Court finds that all material allegations of
Plaintiff's Complaint are true and Plaintiff is entitled to
judgment as prayed for.

3. The Counterclaim of the above named defendant is
dismissed with prejudice.

4. The Court finds that Plaintiff is in possession of and
owns against all claims of said defendant oil and gas leases on
land described as follows:

Hall Lease, The Southeast Quarter (SE-1/4) of Section 6, Township 24 North, Range 10 East, containing 160 acres, more or less,

Hightower Lease, The Northeast Quarter (NE-1/4) of Section 6, Township 24 North, Range 10 East, containing 160 acres, more or less,

Pershing Lease, The Southwest Quarter (SW-1/4) of Section 5, Township 24 North, Range 10 East, containing 160 acres, more or less.

5. The Court finds that the above mentioned leases are controlled by and are subject to the Code of Federal Regulations Title 25, Indians, Chapter 1, Bureau of Indian Affairs, Part 226, all as more fully stated in Plaintiff's Complaint.

6. The above mentioned Federal law requires that any assignment of an Osage lease must be approved by the Superintendent of the Osage Indian Agency. The assignment must be on a form prescribed by the Agency, must be filed with the Agency, together with a filing fee being paid. The claims of the above named defendant do not meet these requirements and are therefore void.

7. Plaintiff has acquired all the right, title and interest of Osage Exploration Company in the subject leases pursuant to a sale conducted in Case No. 83-00658 of the United States Bankruptcy Court for the Northern District of Oklahoma, all as more fully stated in Plaintiff's Complaint.

8. Plaintiff is granted judgment quieting title to the three above described oil and gas leases against said Earl Donaldson and all production from said leases from and after July 30, 1984.

9. Plaintiff and the above named defendant, having settled the cause of action alleged in the Complaint and Counterclaim as to damages, costs and attorney fees, neither of said parties shall have or recover any damages, costs or attorney fees against the other with respect to these proceedings and cause of action.

10. This Consent Order shall constitute the findings of fact and conclusions of law as between the above named parties with respect to all material allegations in the Complaint and Counterclaim.

11. The parties to this Consent Order have and do hereby waive any and all right to appeal herefrom.

Dated this 26th day of September, 1986.

S/ THOMAS R. BRETT
United States District Judge

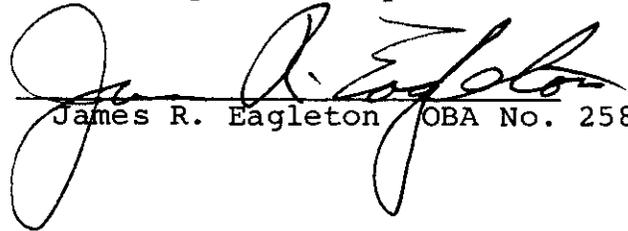
STIPULATION

The parties named below, through their respective attorneys, hereby stipulate and consent to the entry of the foregoing Consent Order Constituting Final Judgment without further notice.

Dated this 18 day of September, 1986.

MARMAC RESOURCES COMPANY
an Oklahoma partnership

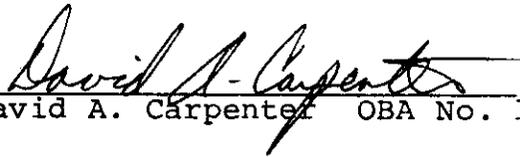
By



James R. Eagleton OBA No. 2584

EARL DONALDSON

By



David A. Carpenter OBA No. 1498

Entered

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

OKLAHOMA BLACK OFFICERS,
et al.,

Plaintiffs,

v.

CITY OF TULSA, OKLAHOMA,
et al.,

Defendants.

Case No. 83-C-246-B ✓

O R D E R

This action was commenced on March 14, 1983. Among the named Defendants was Fred D. Davis, then an officer with the Tulsa chapter of the National Association for the Advancement of Colored People. The claims asserted against Davis concerned allegedly defamatory remarks he communicated regarding Plaintiff C.V. Hill and/or Plaintiff Roy Johnson. Davis has repeatedly asked to be dismissed as a Defendant in this action.

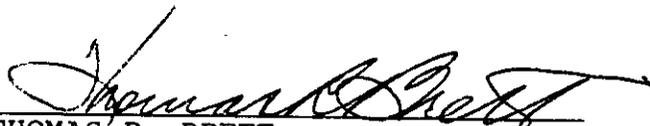
SEP 26 1986
FILED
JACK C. SHIVERS, CLERK
U.S. DISTRICT COURT

On March 3, 1986, Plaintiff Roy Johnson was dismissed from this action after reaching a settlement with the Municipal Defendants. On July 28, 1986, Plaintiff C.V. Hill's claims were dismissed by the Court on the theory they were barred by the doctrine of res judicata. It appears, therefore, that the only plaintiffs herein asserting claims against Mr. Davis have been dismissed from this action. At status conference held September 26, 1986, none of the remaining plaintiffs advised the Court of any reason why Mr. Davis should not be dismissed from this action.

Therefore, the Court concludes that Fred D. David should be

dismissed from this action and all claims asserted against him herein dismissed with prejudice to refiling of same.

IT IS SO ORDERED, this 26 day of Sept, 1986.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

FILED

SEP 20 1963

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

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

CARNEAL ANTHONY PENN,)
)
 Petitioner,)
)
 v.)
)
 THE DISTRICT COURT OF TULSA)
 COUNTY, STATE OF OKLAHOMA,)
 and the HONORABLE JOE)
 JENNINGS, DISTRICT JUDGE,)
)
 Respondents.)

86-C-854-E

ORDER

Petitioner in the above-styled matter seeks a writ of habeas corpus ad testificandum pursuant to 28 U.S.C. §2241(c)(5). Alternatively, he requests relief pursuant to Rule 15(a) of the Federal Rules of Criminal Procedure. For the following reasons, the court finds that the relief sought should be denied.

Title 28 U.S.C. §2241(c) provides in part that a writ of habeas corpus may be granted to a prisoner if "it is necessary to bring him into court to testify or for trial."

Petitioner cites Curran v. United States, 332 F.Supp. 259, (D.Del. 1971) in support of his claim for a federal writ. In Curran the petitioner was a defendant in a Delaware state court prosecution who sought a writ of habeas corpus ad testificandum from the United States District Court for the District of Delaware to produce an inmate of a federal prison in Pennsylvania, to testify on defendant's behalf in the Delaware trial proceedings.

The district court stated that under these circumstances, the preferred procedure would be for defense counsel to petition the state court where the trial was to be held for the writ. The state trial court, not the federal court, had knowledge of whether the testimony of the potential witness was necessary and whether the defendant was able to pay the costs of transporting such witness from his place of incarceration to the courtroom. The court further stated, by way of a footnote, that where such petition is made on behalf of the State Attorney General's Office, the petition carries a strong presumption that the witness is necessary to the prosecution. Petitions made by defendants, however, are undesirable because the court has no knowledge regarding the compelling need for the presence of the (prisoner's) witness. 332 F.Supp. at 261, fn.1.

In Barber v. Page, 390 U.S. 719 (1968) the Supreme Court held that a witness is not "unavailable" for purposes of the confrontation clause of the Sixth Amendment unless the prosecutorial authorities have made a good faith effort to obtain his presence at trial. In that case the prosecution did not make any effort to secure the attendance of a witness who was incarcerated in a federal prison. The trial court found the prisoner to be "unavailable" to testify because he was out of the jurisdiction and allowed the transcript of that witness's preliminary hearing testimony to be used at trial. Barker sought federal habeas corpus relief on the grounds that the use of the transcript testimony denied him his constitutional right to confront witnesses. The District Court denied habeas relief and the Tenth

Circuit Court of Appeals affirmed. The Supreme Court reversed, finding that the only reason the prisoner was not present to testify was because the state didn't use the means available to secure his presence. As to the means available, the Court noted that 28 U.S.C. §2241(c)(5) gives the federal courts the power to issue writs of habeas corpus ad testificandum at the request of state prosecutorial authorities. 390 U.S. at 724.

The issuance of a writ of habeas corpus ad testificandum lies within the sound discretion of the court. Gilmore v. United States, 129 F.2d 199 (10th Cir. 1942). In this case the state court previously considered the same application and denied relief. The trial court obviously felt that there was no compelling need to have the prisoner, Joyce Macias, appear at trial. this court is not inclined at this point to overturn that ruling.

The court further finds that relief under Federal Rule of Criminal Procedure 15 is inappropriate in this case.

It is therefore ordered that petitioner's application for a writ of habeas corpus ad testificandum and for relief under Rule 15 of the Federal Rules of Criminal Procedure be and is hereby denied.

It is so ordered this 26th day of September, 1986.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

SEP 20 1986

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ALFRED R. THOMPSON, SR., as)
Administrator of the Estate)
of Alfred R. Thompson, Jr.,)
Deceased,)

Plaintiff,)

vs.)

No. 86-C-231-B

CITY OF TULSA, OKLAHOMA)
H. WELLS; M. McKENZIE;)
C. STEELE; and K. JOHNSON,)
Individually,)

Defendants.)

CONSENT DECREE

The plaintiff, above named, filed complaint herein on March 17, 1986, alleging violations of the civil rights of Alfred R. Thompson, Jr., asserting pendent tort issues cognizable under the laws of the State of Oklahoma and seeking compensatory damages, punitive damages and attorney fees. The plaintiff, by and through his attorneys of record, C. Clay Roberts III and Richard D. Marrs, and the defendant City of Tulsa, by and through its attorney, David L. Pauling, have each consented to the making and the entry of this consent decree, without trial and without adjudication of any issue of fact or law arising herein.

The court, having considered the manner and being duly advised, orders, adjudges and decrees as follows:

1. This court has jurisdiction over the subject matter of this action and the parties hereto. Plaintiff's complaint properly states a claim for relief against the consenting defendant, City of Tulsa, Oklahoma, pursuant to the provisions of

the Governmental Tort Claims Act as codified at 51 O.S., Laws 1984, §§151, et seq.

2. The defendant City of Tulsa, Oklahoma, a municipal corporation, shall pay to the plaintiff the sum of \$70,000.00, said sum representing full, final and complete payment upon all sustained damages, all attorney fees incurred by plaintiff, and all court costs incurred by plaintiff as a result of this litigation.

3. This consent decree shall not constitute an admission of liability or fault on the part of the consenting defendant, City of Tulsa, Oklahoma.

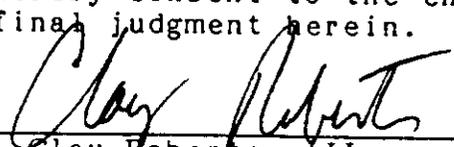
4. This consent decree shall include and cover all issues of fact and law raised by plaintiff, and it shall act as a final judgment as to such issues and with regard to all damages sustained by plaintiff.

DATED this 26 day of September, 1986.

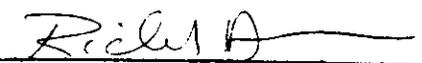
S/ THOMAS R. BRETT

Thomas R. Brett
United States District Judge

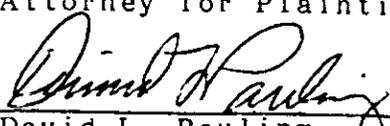
We, the undersigned, hereby consent to the entry of the foregoing consent decree as a final judgment herein.



C. Clay Roberts, III
Attorney for Plaintiff



Richard D. Marrs
Attorney for Plaintiff



David L. Pauling
Attorney for all defendants

Entered

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

SEP 20 1986
U.S. DISTRICT COURT

ALFRED R. THOMPSON, SR., as)
Administrator of the Estate)
of Alfred R. Thompson, Jr.,)
Deceased,)

Plaintiff,)

vs.)

No. 86-C-231-**B**

CITY OF TULSA, OKLAHOMA)
H. WELLS; M. McKENZIE;)
C. STEELE; and K. JOHNSON,)
Individually,)

Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE

COMES NOW the plaintiff, by and through his attorneys of record, C. Clay Roberts III and Richard D. Marrs, and the defendants, H. Wells, M. McKenzie, C. Steele and K. Johnson, by and through their attorney of record, David L. Pauling, and stipulate to the dismissal of the captioned action with prejudice insofar as it relates to H. Wells, M. McKenzie, C. Steele and K. Johnson, pursuant to the authorization contained at F.R.C.P. 41, paragraph (A)(1)(ii), with prejudice to plaintiff's right to hereafter reinstate such action as to said defendants, with cost assessed to plaintiff.

C. Clay Roberts

C. Clay Roberts, III
Attorney for Plaintiff

Richard D. Marrs

Richard D. Marrs
Attorney for Plaintiff

David L. Pauling

David L. Pauling
Attorney for all defendants

Entered

FILED

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

SEP 11 1985

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

MARMAC RESOURCES COMPANY,)
an Oklahoma partnership,)
)
Plaintiff,)
)
vs.)
)
C & J ENTERPRISES, et al.,)
)
Defendants.)

Case No. 85-C-1101-B

CONSENT ORDER CONSTITUTING FINAL JUDGMENT

Upon consideration of the various pleadings herein and Compromise Settlement Agreement and Stipulation of Plaintiff and Estelle DuBow to settle this litigation, in part as evidenced by their attorneys' respective signatures to the Stipulation annexed to this Consent Order, it is hereby ORDERED, ADJUDGED and DECREED:

1. The Court finds that it has jurisdiction of the above named parties and the subject matter of this suit.

3. The Counterclaim of the above named defendant is dismissed with prejudice.

4. The Court finds that Plaintiff is in possession of and owns against all claims of said defendant oil and gas leases on land described as follows:

Hall Lease, The Southeast Quarter (SE-1/4) of Section 6, Township 24 North, Range 10 East, containing 160 acres, more or less,

Hightower Lease, The Northeast Quarter (NE-1/4)
of Section 6, Township 24 North, Range 10 East,
containing 160 acres, more or less,

Pershing Lease, The Southwest Quarter (SW-1/4)
of Section 5, Township 24 North, Range 10 East,
containing 160 acres, more or less.

5. The Court finds that the above mentioned leases are controlled by and are subject to the Code of Federal Regulations Title 25, Indians, Chapter 1, Bureau of Indian Affairs, Part 226, all as more fully stated in Plaintiff's Complaint.

6. The above mentioned Federal law requires that any assignment of an Osage lease must be approved by the Superintendent of the Osage Indian Agency. The assignment must be on a form prescribed by the Agency, must be filed with the Agency, together with a filing fee being paid. The claims of the above named defendant do not meet these requirements and are therefore void.

7. Plaintiff has acquired all the right, title and interest of Osage Exploration Company in the subject leases pursuant to a sale conducted in Case No. 83-00658 of the United States Bankruptcy Court for the Northern District of Oklahoma, all as more fully stated in Plaintiff's Complaint.

8. Plaintiff is granted judgment quieting title to the three above described oil and gas leases against said Estelle DuBow and all production from said leases from and after July 30, 1984.

9. Plaintiff and the above named defendant, having settled the cause of action alleged in the Complaint and Counterclaim as

to damages, costs and attorney fees, neither of said parties shall have or recover any damages, costs or attorney fees against the other with respect to these proceedings and cause of action.

10. This Consent Order shall constitute the findings of fact and conclusions of law as between the above named parties with respect to all material allegations in the Complaint and Counter-claim.

11. The parties to this Consent Order have and do hereby waive any and all right to appeal herefrom.

Dated this 22nd day of Sept., 1986.


United States District Judge

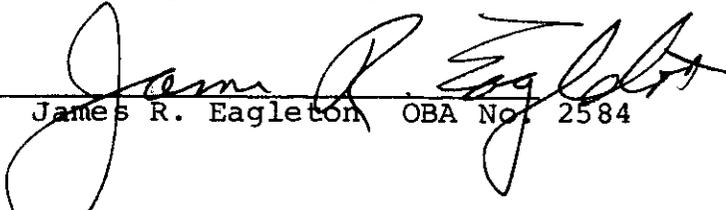
STIPULAION

The parties named below, through their respective attorneys,
hereby stipulate and consent to the entry of the foregoing Consent
Order Constituting Final Judgment without further notice.

Dated this 18 day of September, 1986.

MARMAC RESOURCES COMPANY
an Oklahoma partnership

By


James R. Eagleton OBA No. 2584

ESTELLE DuBOW

By


David A. Carpenter OBA No. 1498

34

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 26 1986

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

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

\$2,448.00 in United States)
Currency; 1972 Chevrolet)
El Camino; Ranch at 2450 West)
43rd Street North, Tulsa,)
Osage County, Oklahoma;)
Condominium at 13510 East)
30th Place, #B, Tulsa, Tulsa)
County, Oklahoma; Strip)
Shopping Center at 3636 North)
Peoria, Tulsa, Tulsa County)
Oklahoma; Fast Track Lounge)
a/k/a Foxtrot Club at 2530)
Mohawk Boulevard, Tulsa, Tulsa)
County, Oklahoma; Residence)
at 4120 North Frankfort Place,)
Tulsa, Tulsa County, Oklahoma;)
and Residence at 332 Mohawk)
Boulevard, Tulsa, Tulsa)
County, Oklahoma,)

Defendants.)

CIVIL ACTION NO. 86-C-790-E ✓

NOTICE OF DISMISSAL

8

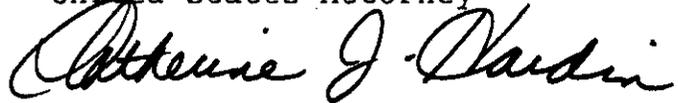
COMES NOW the Plaintiff, United States of America, by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Catherine J. Hardin, Assistant United States Attorney, and hereby dismisses this action against two of the above-named Defendants namely \$2,448.00 in United States Currency and 1972 Chrevolet El Camino, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure without

prejudice, before service by these two Defendants or Claimants of
a responsive pleading.

Respectively submitted,

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney

A handwritten signature in cursive script, reading "Catherine J. Hardin".

CATHERINE J. HARDIN
Assistant United States Attorney
3600 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 26th day of September, 1986, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to:

Ricky and Delores Stephens
3503 S. 148th E. Ave.
Tulsa, Oklahoma 74134

Alfred and Margaret Hill
3636 N. Lansing Place
Tulsa, Oklahoma 74106

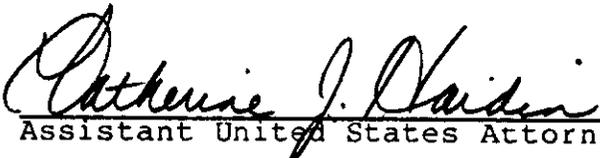
James F. Lewis
773 N. 24th West Ave.
Tulsa, Oklahoma 74127

Elwin Allen Hill
2450 West 43rd Street North
Tulsa, Oklahoma 74127

Roy Hogard
d/b/a Tulsa Automatic Music
1218 West Archer
Tulsa, Oklahoma 74127

Samuel Lorenza Williams
4120 North Frankfort Place
Tulsa, Oklahoma 74106

Steve M. Stephens, Jr.
Tulsa County Jail
Tulsa, Oklahoma 74103


Assistant United States Attorney

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

JIM LUTHI and NEVA LUTHI, husband
and wife, JIM LUTHI TRUST, JIM OR
NEVA LUTHI TRUST and JIMMIE
THURMOND, Trustee,

Plaintiffs ,

VS.

WILLIAM F. PROBST, DOUGLAS G.
HAUNSCHILD, PETRON EXPLORATION,
INC., d/b/a PETRON EXPLORATION
DEVELOPMENT CO., INC., STEVE R.
RIFF, VICTORY NATIONAL BANK,
STONEMARK INTERNATIONAL, LTD.,
ALEXCO MORTGAGE CO.,

Defendants ,

SEP 21 1986

JAMES O. ELISON
U.S. DISTRICT COURT

NO. 85-C-1071-E

ORDER OF DISMISSAL WITHOUT PREJUDICE

Upon Application of Plaintiffs, and the Court having been advised that this case has been settled,

It is hereby ORDERED that the above entitled action be and it is hereby dismissed without prejudice as to Defendants Douglas G. Haunschild, Petron Exploration, Inc., d/b/a Petron Exploration Development Co., Inc. Stonemark International, Ltd., and Alexco Mortgage Co.

DATED, this 26th day of September, 1986.

S/ JAMES O. ELISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED
U.S. DISTRICT COURT

LUCILLE ELLEDGE,)

Plaintiff,)

VS.)

NO. 85-C-836-E

WILLIAM F. PROBST, DOUGLAS G.)

HAUNSCHILD, PETRON EXPLORATION,)

INC., d/b/a PETRON EXPLORATION)

DEVELOPMENT CO., INC., STEVE R.)

RIFF, VICTORY NATIONAL BANK,)

STONEMARK INTERNATIONAL, LTD.,)

ALEXCO MORTGAGE CO.,)

Defendants,)

ORDER OF DISMISSAL WITHOUT PREJUDICE

Upon Application of Plaintiff, Lucille Elledge, and the Court having been advised that this case has been settled,

It is hereby ORDERED that the above entitled action be and it is hereby dismissed without prejudice as to Defendants Douglas G. Haunschild, Petron Exploration, Inc., d/b/a Petron Exploration Development Co., Inc. Stonemark International, Ltd., and Alexco Mortgage Co.

DATED, this 26th day of September, 1986.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

Entered

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

In Re: HESTON OIL COMPANY,)
)
 Debtor,)
)
 THE BISTATE OIL COMPANY, INC.,)
 a New York Corporation,)
)
 Plaintiff,)
)
 vs.)
)
 HESTON OIL COMPANY, an Oklahoma)
 corporation; UTICA NATIONAL BANK)
 & TRUST COMPANY, a National)
 Association,)
)
 Defendants.)

Case No. 86-C-754-B ✓
Appeal from the United
States Bankruptcy Court
for the Northern District
of Oklahoma, Bankruptcy
Case No. 83-00173,
Adversary No. 83-0539

FILED
SEP 20 1986
Jack C. Silver, Clerk
U.S. DISTRICT COURT

ORDER DISMISSING APPEAL

Upon consideration of the Stipulation and Agreement for Mutual Dismissal of Appeal and Cross Appeal,
IT IS ORDERED THAT the captioned Appeal and Cross Appeal are dismissed with each party bearing its own costs, fees and expenses.

Dated: September 26th, 1986.

JUDGE OF THE UNITED STATES
DISTRICT COURT

Thomas R. Brett

Entered

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA 28 1986

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

WANDA NAPIER,)
)
Plaintiff,)
)
v.)
)
NATIONAL PEN CORPORATION,)
)
Defendant.)

No. 86-C-354-B ✓

O R D E R

This matter comes before the Court from a transfer of this case from the United States District Court, Western District of Arkansas, Fayetteville Division, on April 9, 1986. A status conference was set in this matter on July 1, 1986. Neither the plaintiff nor her representative attended the status conference, or made any effort to reset the matter. Upon an inquiry by the Court Clerk to the plaintiff's counsel the Court was informed that the plaintiff had removed her files from her counsel's office and had moved to the State of Oklahoma. Plaintiff's counsel does not know the plaintiff's new address.

The plaintiff's last action in this case occurred on March 24, 1986, when the plaintiff filed a motion to transfer to the United States District Court for the Northern District of Oklahoma.

Plaintiff's failure to prosecute this action and to abide by the court-ordered status conference requires that this action be dismissed without prejudice for failure to prosecute. See, Gardner v. Benton, 552 F.Supp. 170 (E.D.Okla. 1977).

✓

IT IS THEREFORE ORDERED that this case shall be dismissed
without prejudice as of the 26th day of September, 1986.

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

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

been duly served in this case with a copy of the defendants' Counter-Claim and has failed to answer or otherwise respond to the Counter-Claim. Further, the Court finds that the Court Clerk of this Court has reviewed the pleadings and affidavits on file herein and said Clerk finds that default judgment should be properly entered against the plaintiff, Thomas Crook, and in favor of the defendants on the defendants' Counter-Claim. Further, the plaintiff, Thomas Crook, was given proper notice of this hearing and has made no appearance before the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendants, CNA Insurance Company and National Fire Insurance Company of Hartford, have judgment against the plaintiff, Thomas Crook, on the defendants' Counter-Claim in the sum of Twenty-Six Thousand Dollars (\$26,000.00).

JAMES O. ELLISON

HONORABLE JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

CERTIFICATE OF MAILING

This is to certify that a true and correct copy of the foregoing was deposited in the U.S. Mail this _____ day of September, 1986, addressed to plaintiff's attorney, Mr. John

Gerkin, Post Office Box 691, Jenks, Oklahoma 74037, Mr. Ted
Gibson, 1722 South Carson, 3200 University Club Tower, Post
Office Box 2967, Tulsa, Oklahoma 74101, and Mr. Thomas Crook,
5150 South Yale, Tulsa, Oklahoma 74135, with proper postage
thereon fully prepaid.

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

DRUE M. BRANDENBURG,)
)
 Plaintiff,)
)
 vs.) No. 86-C-131-E
)
 RICHARD LEE SHIRLEY, an)
 individual, and PROGRESSIVE)
 SPECIALTY INSURANCE COMPANY,)
 a corporation,)
)
 Defendants.)

FILED

SEP 2 1986

ORDER OF DISMISSAL

JACK C. ...
US DISTRICT COURT

The Court, having reviewed the stipulation of the Plaintiff and the Defendant, Progressive Specialty Insurance Company, and being fully advised, finds that the Joint Application for Order of Dismissal should be granted.

UPON Joint Application of the Plaintiff and the Defendant, Progressive Specialty Insurance Company, a corporation, the Court enters the following orders:

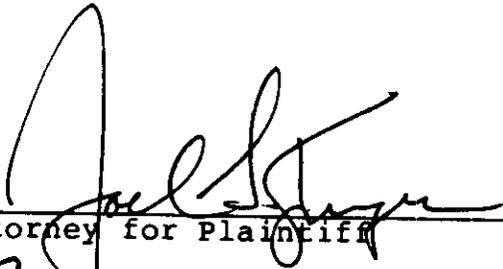
1. The Plaintiff's Complaint against the Defendant, Richard Lee Shirley, is dismissed without prejudice.
2. The Plaintiff's Complaint against the Defendant, Progressive Specialty Insurance Company, a corporation, is dismissed with prejudice.
3. The Cross-Claim of the Defendant, Progressive Specialty Insurance Company, a corporation, as against the co-Defendant, Richard Lee Shirley, is dismissed without prejudice.

AND IT IS SO ORDERED.

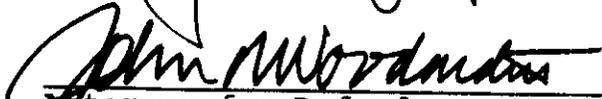
DATED this _____ day of _____, 1986.

S/ JAMES O. ELLISON

JAMES O. ELLISON
United States District Judge



Attorney for Plaintiff



Attorney for Defendant,
Progressive Specialty
Insurance Company

Entered

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

FLINT STEEL CORPORATION,)
)
Plaintiff,)
)
v.)
)
INTERNATIONAL BROTHERHOOD OF)
BOILERMAKERS, IRON SHIP)
BUILDERS, BLACKSMITHS,)
FORGERS & HELPERS, AFL-CIO)
and LOCAL LODGE 592 of the)
INTERNATIONAL BROTHERHOOD OF)
BOILERMAKERS, IRON SHIP)
BUILDERS, BLACKSMITHS,)
FORGERS & HELPERS, AFL-CIO,)
)
Defendants.)

No. 85-C-879-B ✓

F I L E D

SEP 26 1985

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

O R D E R

This matter comes before the Court on motion of the plaintiff to vacate the findings of the Arbitrator in a severance pay dispute. After considering the pleadings, the evidence, applicable legal authorities and arguments of counsel, the Court enters the following Order:

The Court finds that the Arbitrator exceeded his authority in concluding that the grievance procedure set out in Article 15 of the Collective Bargaining Agreement did not cover or extend to the subject grievance. The matter is remanded to arbitration for the arbitrator to render written Findings and Conclusions on the issue of the timeliness of the filing of the subject grievance, under the facts and circumstances presented and within the procedure of Article 15 of the Collective Bargaining Agreement and applicable law.

22

IT IS SO ORDERED this 26 day of September, 1986.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
RICHARD "DRAGON" GREEN,)
MONICA GREEN, COUNTY TREASURER,)
Tulsa County, Oklahoma,)
BOARD OF COUNTY COMMISSIONERS,)
Tulsa County, Oklahoma,)
)
Defendants.)

FILED

SEP 20 1985

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

CIVIL ACTION NO. 85-C-520-E

AMENDED JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 26th day of Sept., 1986, Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney; the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, appearing by Susan K. Morgan, Assistant District Attorney, Tulsa County, Oklahoma; and the Defendants, Richard "Dragon" Green and Monica Green, appearing not.

The Court having examined the file and being fully advised finds that the Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on May 30, 1985; and the Defendant, Richard "Dragon" Green was served with Summons and Complaint on September 9, 1985.

The Court further finds that the Defendants, County Treasurer, and Board of County Commissioners, Tulsa County, Oklahoma, filed their answers on June 20, 1985; and the Defendant, Richard "Dragon" Green, has failed to answer and his default has been entered by the Clerk of this Court on March 3, 1986.

The Court further finds that the Bank of Oklahoma, a National Bank, was erroneously included in the style of the case on several of the pleadings filed herein. Said bank was never joined as a party defendant in this action and any reference to said bank in the style of the case on any pleadings filed herein should be disregarded.

The Court further finds that the Defendant, Monica Green, was served by publication. The Court finds that Plaintiff has caused to be obtained an evidentiary affidavit from Guaranty Abstract Company, a corporation, a bonded abstractor, as to the last address of Monica Green which affidavit was filed herein on December 31, 1985; that the necessity and the sufficiency of Plaintiff's due diligence search with respect to ascertaining the name and address of the Defendant, Monica Green, was then determined by the Court conducting an evidentiary hearing on the sufficiency of the service by publication to comply with due process of law. From the evidence, the Court finds that the Plaintiff, United States of America, and its attorney, Phil Pinnell, Assistant United States Attorney, appearing for Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, has fully exercised due diligence in ascertaining the

true name and identity of the party served by publication, with her present or last known place of residence and/or mailing address.

The Court further finds that Plaintiff and its attorneys have fully complied with all applicable guidelines and due process of law in connection with obtaining service by publication. Therefore, the Court approves and confirms that the service by publication is sufficient to confer jurisdiction upon this Court to enter the relief sought by the Plaintiff, both as to the subject matter and the Defendant served by publication.

The Court finds that this is one of the classes of cases in which service by publication may be had and that the Court's order for service by publication has been published in the Tulsa Daily Business & Legal Record, a newspaper authorized by law to publish legal notices, printed in Tulsa County, Oklahoma, a newspaper of general circulation in Tulsa County, State of Oklahoma, for six (6) consecutive weeks commencing on March 4, 1986 and ending on April 8, 1986, by which said Defendant, Monica Green, was notified to answer the Complaint filed herein within 20 days after such publication, as more fully appears from the verified proof of such publication by the printer and publisher of said Tulsa Daily Business Journal & Legal Record filed herein on April 23, 1986.

The Court finds that the Defendant, Monica Green, has failed to answer and her default has been entered by the Clerk of this Court on May 5, 1986.

The Court finds that this is a suit for a money judgment and foreclosure of a mortgage on real property located within the Northern District of Oklahoma more particularly described as follows:

Lot Fourteen (14), Block (14), VALLEY VIEW ACRES ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

The Court further finds that on March 14, 1983, Richard "Dragon" Green and Monica Green executed and delivered to United States of America, acting on behalf of the Administrator of Veterans Affairs, their mortgage note in the amount of \$25,750.00, payable in monthly installments, with interest thereon at the rate of twelve (12) percent per annum.

The Court further finds that as security for the payment of the above described mortgage note, Richard "Dragon" Green and Monica Green executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, a mortgage dated March 14, 1983, and recorded on the March 15, 1983, in Book 1675, Page 1170, in the records of County Clerk of Tulsa County, Oklahoma, covering the above described real property.

The Court further finds that the Defendants, Richard "Dragon" Green and Monica Green, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued and that by reason thereof the Defendants, Richard "Dragon" Green and Monica Green, are indebted to the Plaintiff in the principal sum of \$25,734.75, plus interest thereon at the

rate of twelve (12) percent per annum from July 1, 1984, the date of default, 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 there is currently due and owing for ad valorem taxes on the subject property to the Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, the sum of \$00⁰⁰.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Richard "Dragon" Green in personam and Monica Green in rem, in the principal amount of \$25,734.75, plus interest thereon at the rate of twelve (12) percent per annum from July 1, 1984, until judgment, plus interest thereafter at the current legal rate of 5.79 percent per annum until paid, plus the costs of this action accrued and accruing plus any additional sums advanced or to be advanced or expended during this foreclosure action by the Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, have a valid judgment lien against the Defendant, Richard "Dragon" Green, for real property ad valorem taxes in the amount of \$00⁰⁰.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of the Defendant, Richard "Dragon" Green, 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 Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, in the amount of \$ 00⁰⁰, for ad valorem taxes which are presently due and owing on said real property;

Third:

In payment of the judgment rendered herein in favor of the Plaintiff.

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

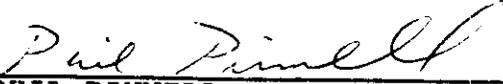
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above described real property, under and by virtue of this judgment and decree, the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right,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

S/ JAMES O. ELLISON

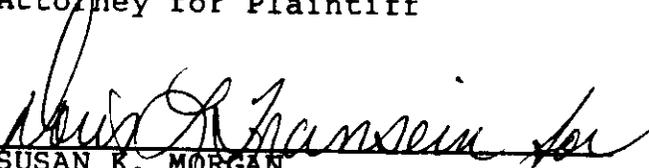
UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS
United States Attorney



PHIL PINNELL
Assistant United States Attorney
3600 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463
Attorney for Plaintiff



SUSAN K. MORGAN
Assistant District Attorney
Tulsa County Courthouse
Tulsa, Oklahoma 74103
Attorney for Defendants,
County Treasurer and Board of
County Commissioners, Tulsa
County, Oklahoma

Entered

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

TULEASE COMPANY, a Texas
Limited Partnership,

Plaintiff,

v.

EMPLOYERS INSURANCE OF
WAUSAU, and MARSH &
McLENNAN, INC.,

Defendants.

Case No. 85-C-739-B ✓

FILED

SEP 25 1986

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

J U D G M E N T

In accordance with the Order entered this date, IT IS HEREBY ORDERED AND ADJUDGED that Judgment is entered in favor of the Defendant, Marsh & McLennan, Inc., and against the Plaintiff, Tulease Company, on Plaintiff's claims herein, and Plaintiff is to take nothing from the Defendant Marsh & McLennan, Inc. The costs of this action will be assessed against the Plaintiff, Tulease Company, if timely applied for pursuant to local rules.

DATED this 24 day of Sept., 1986.

Thomas R. Brett

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Entered

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

SAND SPRINGS HOME,)
)
Plaintiff,)
)
vs.)
)
INTERPLASTIC CORPORATION;)
GENERAL ELECTRIC COMPANY;)
REID SUPPLY COMPANY, INC.;)
BOEING MILITARY AIRPLANE)
COMPANY, a division of The)
Boeing Company; CESSNA)
AIRCRAFT COMPANY; and DOES)
1-50, inclusive,)
)
Defendants.)

Case No. 86-C-85-B

FILED

SEP 25 1986

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

ORDER OF DISMISSAL WITH PREJUDICE

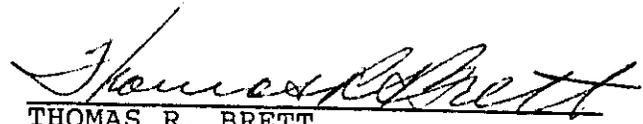
This matter comes before the Court on the Stipulation for Dismissal with Prejudice, filed herein by Plaintiff, Sand Springs Home, and Defendant, Boeing Military Airplane Company, a division of The Boeing Company (hereinafter, "Boeing").

Being advised in the premises and for good cause shown, the Court hereby dismisses this action as to the Defendant, Boeing, with prejudice to refile; provided, that by Stipulation of Plaintiff, Sand Springs Home, and the Defendant, Boeing, only the claims specifically alleged in the Complaint on file in this action are dismissed as to the Defendant, Boeing, and that claims for payment or contribution to payment of the costs or types of costs specified in subparagraphs a), b) and c) of Article IV. of that certain Settlement Agreement between Sand Springs Home and certain "Settling Companies," entered into on or about January 31,

1986, under which Settlement Agreement the Defendant, Boeing, became a party and "Settling Company" by execution of an Addendum No. 4 to Settlement Agreement on or about September 19, 1986, are not dismissed with prejudice hereby or in any way compromised, settled or otherwise affected hereby, all rights and claims with respect thereto having been expressly reserved by Plaintiff, Sand Springs Home.

It is further ordered that the Plaintiff, Sand Springs Home, and the Defendant, Boeing, shall each bear its own attorneys' fees and costs.

SO ORDERED THIS 27th DAY OF SEPTEMBER, 1986.


THOMAS R. BRETT
United States District Judge

Entered

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

GARY DEAN SUTTON,)
)
 Plaintiff,)
)
 v.)
)
 DIRECTOR OF EASTERN STATE)
 HOSPITAL, et al,)
)
 Defendants.)

85-C-357-B

FILED

✓ SEP 25 1985

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

ORDER

Defendants seek dismissal of plaintiff's civil rights claim in the above-styled case on the grounds that plaintiff's action is barred by the statute of limitations; that defendants are protected by Eleventh Amendment sovereign immunity; and, that plaintiff has failed to state a claim for which relief may be granted. Having thoroughly reviewed this matter, the court finds as follows:

Plaintiff filed this action on April 15, 1985, seeking damages for violation of his civil rights pursuant to 42 U.S.C. §1983. Plaintiff alleges that on June 18, 1980, he was a patient at Eastern State Hospital pursuant to a LeFlore County District Court order. He further claims that on that date a hospital employee broke plaintiff's left leg and thereby violated his civil rights.

The applicable statute of limitations in this case is two years. See, Wilson v. Garcia, ___ U.S. ___, 105 S.Ct. 1938 (1985). 12 O.S. 1981 §95. Plaintiff contends that the statute of limitations has been tolled due to mental incompetency.

19

The record indicates that plaintiff was discharged from Eastern State Hospital on June 4, 1980. There is no indication of further hospitalization until May 16, 1984. Title 12 O.S. 1981 §96 provides:

If a person entitled to bring an action other than for the recovery of real property, except for a penalty or forfeiture, be, at the time the cause of action accrued, under any legal disability, every such person shall be entitled to bring such action within one year after such disability shall be removed.

The court finds that plaintiff did not file this action within the statute of limitations and has not shown the existence of a mental condition which would continue to toll the statute of limitations. The court therefore finds it unnecessary to consider the second and third grounds raised in defendants' motion to dismiss.

It is therefore ordered that plaintiff's complaint be and is hereby dismissed with prejudice.

Dated this 24th day of September, 1986.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

JOHN H. CLEVELAND,)

Defendant.)

SEP 25 1986

Jack C. Ellison
U.S. DISTRICT COURT

CIVIL ACTION NO. 86-C-398-E

O R D E R

Good cause having been shown, it is hereby ORDERED,
ADJUDGED AND DECREED that the above-referenced action is hereby
dismissed without prejudice.

Dated this 25th day of September, 1986.

s/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

MICHAEL R. HARDISON; SHELLY R.)
HARDISON, now SHELLY R. WILSON;)
COUNTY TREASURER, Rogers)
County, Oklahoma; and BOARD OF)
COUNTY COMMISSIONERS, Rogers)
County, Oklahoma,)

Defendants.)

FILED

SEP 25 1986

Jack C. Eaves, C.)
U.S. DISTRICT)

CIVIL ACTION NO. 86-C-502-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 25th day of September, 1986. The Plaintiff appears by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney; the Defendants, County Treasurer, Rogers County, Oklahoma, and Board of County Commissioners, Rogers County, Oklahoma, appear by Gene Haynes, Assistant District Attorney, Rogers County, Oklahoma; and the Defendants, Michael R. Hardison and Shelly R. Hardison, now Shelly R. Wilson, appear not, but make default.

The Court being fully advised and having examined the file herein finds that the Defendant, Michael R. Hardison, acknowledged receipt of Summons and Complaint on June 13, 1986; that Defendant, Shelly R. Hardison, now Shelly R. Wilson, was served with Summons and Complaint on July 11, 1986; and that

Defendant, Board of County Commissioners, Rogers County, Oklahoma, acknowledged receipt of Summons and Complaint on June 3, 1986.

It appears that the Defendants, County Treasurer, Rogers County, Oklahoma, and Board of County Commissioners, Rogers County, Oklahoma, filed their Answer herein on June 5, 1986; that the Defendant, Michael R. Hardison, has failed to answer and his default has been entered by the Clerk of this Court on July 7, 1986; and that the Defendant, Shelly R. Hardison, now Shelly R. Wilson, has failed to answer and her default has been entered by the Clerk of this Court on August 25, 1986.

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

The South 115 feet of the North 450 feet of the East 220 feet of Lot Eight (8), of Section 5, Township 19 North, Range 17 East of the I.B.&M., in Rogers County, Oklahoma, according to the U.S. Government survey thereof.

The Court further finds that on September 27, 1984, the Defendants, Michael R. Hardison and Shelly R. Hardison, executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, their mortgage note in the amount of \$34,500.00, payable in monthly installments, with interest thereon at the rate of thirteen and one-half percent (13.5%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Michael R. Hardison and Shelly R. Hardison, executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, a mortgage dated September 27, 1984, covering the above-described property. Said mortgage was recorded on October 3, 1984, in Book 687, Page 732, in the records of Rogers County, Oklahoma.

The Court further finds that the Defendants, Michael R. Hardison and Shelly R. Hardison, now known as Shelly R. Wilson, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Michael R. Hardison and Shelly R. Hardison, now known as Shelly R. Wilson, are indebted to the Plaintiff in the principal sum of \$34,825.60, plus interest at the rate of thirteen and one-half percent (13.5%) per annum from September 1, 1985 until judgment, plus interest thereafter at the legal rate until fully paid.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, Rogers County, Oklahoma, have a lien on the property which is the subject matter of this action by virtue of real property taxes in the amount of \$134.00, plus penalties and interest, for the year of 1985. Said lien is superior 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 the Defendants,

Michael R. Hardison and Shelly R. Hardison, now Shelly R. Wilson, in the principal sum of \$34,825.60, plus interest at the rate of thirteen and one-half percent (13.5%) per annum from September 1, 1985 until judgment, plus interest thereafter at the current legal rate of 5.63 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Rogers County, Oklahoma, have and recover judgment in the amount of \$134.00, plus penalties and interest, for real property taxes for the year of 1985, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Michael R. Hardison and Shelly R. Hardison, now Shelly R. Wilson, 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 the costs of sale of said real property;

Second:

In payment of the Defendants, County Treasurer and Board of County Commissioners, Rogers County, Oklahoma, in the amount of \$134.00, real property taxes which are currently due and owing.

Third:

In payment of the judgment rendered herein in favor of the Plaintiff.

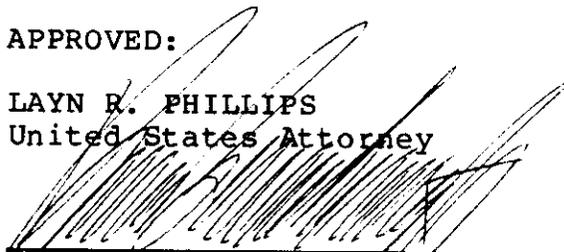
The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.

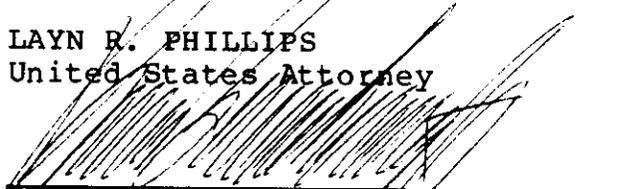
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of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

ST. JAMES O. ELISBERG

UNITED STATES DISTRICT JUDGE

APPROVED:


LAYN R. PHILLIPS
United States Attorney


PETER BERNHARDT
Assistant United States Attorney


GENE HAYNES
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Rogers County, Oklahoma

Entered

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

MELVIN T. CRAWFORD,)
)
 Plaintiff,)
)
 vs.)
)
 JEWELL ENTERPRISES, a general)
 partnership; and MELLON BANK,)
 N.A.,)
)
 Defendants.)

Case No. 86-C-7

Civil Action

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

SEP 25 1986

FILED

ORDER

NOW ON this 29th day of September, 1986, pursuant to a Journal Entry of Judgment agreed to by the parties, including MELLON BANK, N.A., and signed by the Court, the above-entitled cause came on for hearing for an Order dismissing the Defendant, MELLON BANK, N.A., from the suit to foreclose the mortgage on real property filed herein by the Plaintiff, such property being described as follows:

Lots One (1), Two (2) and Three (3), Block One (1), WOODLAND TERRACE ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

1. That the Defendant, MELLON BANK, N.A., does not claim or possess any interest in and to the real property being foreclosed herein.
2. That the Defendant, MELLON BANK, N.A., has filed its Disclaimer in this case, disclaiming any right, title or interest in and to the above property.

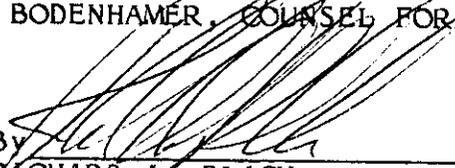
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that Mellon Bank, N.A. be dismissed as a Party Defendant pursuant

to the Disclaimer of interest previously filed herein together with the Journal Entry of Judgment as filed herein, and stipulation of counsel with the Defendant, MELLON BANK, N.A.'s, bearing its own attorney fees and costs but none of Plaintiff's attorney fees and costs.

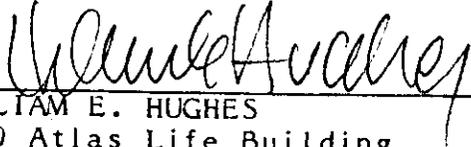

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

RICHARD A. BLACK and KENNETH D.
BODENHAMER, COUNSEL FOR PLAINTIFF

By 
RICHARD A. BLACK
5310 East 31st Street
Suite 600
Tulsa, OK 74135-5014
(918)664-0800

DOERNER, STUART, SAUNDERS,
DANIEL & ANDERSON

By 
WILLIAM E. HUGHES
1000 Atlas Life Building
Tulsa, OK 74103
COUNSEL FOR DEFENDANT, MELLON BANK, N.A.

Entered

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

MELVIN T. CRAWFORD,)
)
Plaintiff,)
)
vs.)
)
JEWELL ENTERPRISES, a general)
partnership; and MELLON BANK, N.A.,)
)
Defendants.)

CIVIL ACTION
NO. 86-788-E
SEP 25 1986
DORIS SILVER, CLERK
U.S. DISTRICT COURT

FILED

JOURNAL ENTRY OF JUDGMENT

NOW, ON THIS 23rd day of September, 1986,
this cause comes on for hearing after regular setting, the Plain-
tiff appears in person and by and through his attorneys, Richard
A. Black and Kenneth D. Bodenhamer, the Defendant JEWELL ENTER-
PRISES, a general partnership, appears by and through its attor-
ney, Robert R. Edmiston, and the Defendant, MELLON BANK, N.A.,
appears by and through its attorney, William E. Hughes.

The Court, after having examined the files, finds that the
Defendant MELLON BANK, N.A., has filed its Disclaimer herein, dis-
claiming any right, title, interest, lien or estate in and to the
real property involved in this matter. The Court further finds
that the Plaintiff's Petition is a suit upon a Contract for Deed
upon which Mortgage Tax has been paid.

~~Joe The Court further finds that the purported Assignment of
Contract for Deed between JEWELL ENTERPRISES, a Texas general
partnership and JEWELL ENTERPRISES, INC., a Texas corporation,
should be declared invalid by reason that it was not executed and
recorded in accordance with Oklahoma law as set out in 16 O.S.
§15. The Court finds that JEWELL ENTERPRISES, INC. has filed its
Disclaimer herein.~~

Thereupon, the parties stipulated that there are no material issues herein pertaining to the said Contract for Deed upon the property and that the Plaintiff is entitled to judgment against JEWELL ENTERPRISES on said Contract for Deed in the sum of Four Hundred Eighteen Thousand Six Hundred Fifty-Nine Dollars and Fifty-Six Cents (\$418,659.56) and the sum of Forty-Three Thousand Five Hundred Eighty-Six Dollars and Forty-Eight Cents (\$43,586.48) as interest at Ten Percent (10%) per annum from August, 1985 through August 15, 1986, and that after the date of this judgment, said combined amount of Four Hundred Sixty-Two Thousand Two Hundred Forty-Six and 4/100ths Dollars (\$462,246.04) shall bear interest at the rate as provided by law until paid.

The Court further finds that in addition, the Plaintiff is entitled to assess against JEWELL ENTERPRISES his costs of this action, and against JEWELL ENTERPRISES his attorney's fees of Fourteen Thousand Eight Hundred Eighty-Five and No/100ths Dollars (\$14,885.00);

The Court further finds the Plaintiff has a first and prior lien upon the real estate premises described in the said Petition against the Defendants, or anyone claiming under the said Defendants, said real estate being described as follows, to-wit:

Lots One (1), Two (2), and Three (3), Block One (1), WOODLAND TERRACE ADDITION, an Addition to the City of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

The Court further finds that the above property should be sold at foreclosure with appraisalment and the proceeds produced therefrom should be applied as follows:

1. In the payment of the costs of said sale and of this

action;

2. In payment of the judgment of the Plaintiff against JEWELL ENTERPRISES as hereinabove set out, including attorney's fees;

3. The balance remaining, if any, should be paid into the Clerk of this Court to await further order of this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff have and recover a judgment against the Defendant JEWELL ENTERPRISES, a general partnership, in the sum of Four Hundred Eighteen Thousand Six Hundred Fifty-Nine and 56/100ths Dollars (\$418,659.56) and the sum of Forty-Three Thousand Five Hundred Eighty-Six and 48/100ths Dollars (\$43,586.48) as interest at Ten Percent (10%) per annum from August 1, 1985 through August 15, 1986, and that after this date, said combined amount of Four Hundred Sixty-Two Thousand Two Hundred Forty-Six and 4/100ths Dollars (\$462,246.04) shall bear interest at the rate as provided by law until paid.

IT IS FURTHER ORDERED that in addition, the Plaintiff is entitled to assess against JEWELL ENTERPRISES his costs of this action, and attorney's fees of Fourteen Thousand Eight Hundred Eighty-Five and No/100ths Dollars (\$14,885.00);

IT IS FURTHER ORDERED that Plaintiff has a first and prior lien upon the real estate premises described in the said Petition against the Defendants, or anyone claiming under the said Defendants, said real estate being described as follows, to-wit:

Lots One (1), Two (2), and Three (3), Block One (1), WOODLAND TERRACE ADDITION, an Addition to the City of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

IT IS FURTHER ORDERED that JEWELL ENTERPRISES, INC., has no right, title, interest or estate in and to the above-described property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that upon failure of the Defendant, JEWELL ENTERPRISES, a general partnership composed of T. R. JEWELL, BILLY D. JEWELL, MORRIS EDWARDS and HAROLD W. NASH, to satisfy the said Plaintiff's judgment, attorney's fees and costs, the Marshall shall levy upon the above-described real estate, and after having the same appraised as provided by the statutes of the State of Oklahoma, shall proceed to advertise and sell the same in accordance with the law, proceeds arising from said sale to be disbursed as follows:

1. In the payment of the costs of said sale and of this action;
2. In payment of the judgment of the Plaintiff as hereinabove set out, including attorney's fees and interest accrued to date; and
3. The balance remaining, if any, should be paid into the Clerk of this Court to await further order of this Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that by reason of having filed its Disclaimer, MELLON BANK N.A. has no further right, title or interest in the said real estate. Other than the Decree that MELLON BANK N.A. has no right, title or interest in said real estate, there is in this Journal Entry of Judgment no judgment against MELLON BANK N.A. for fees, costs, damages, amounts due, or otherwise.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court

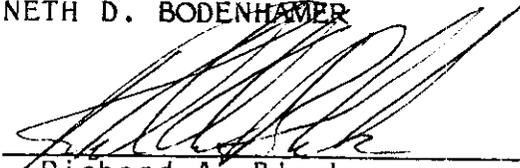
that from and after the sale of said real estate and said tenements thereunder and by virtue of this judgment and decree and, in the case of MELLON BANK N.A., by virtue of Mellon Bank's Disclaimer, that the Defendant JEWELL ENTERPRISES, a Texas partnership and MELLON BANK, N.A., and all persons claiming under them since the commencement of this action be and they are forever barred or foreclosed of and from any and every lien or right, title, interest or estate to the real estate and the tenements above-described, or any part thereof.



JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM:

RICHARD A. BLACK
KENNETH D. BODENHAMER

By: 

Richard A. Black
Attorneys for Plaintiff

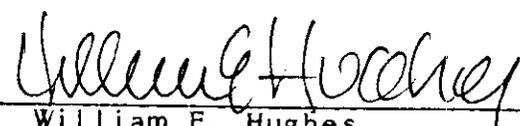
MURDOCK, SCHWABE, MONNET & EDMISTON

By: 

Robert Edmiston
Attorney for Jewell Enterprises

STINSON, MAG & FIZZELL and

DOERNER, STUART, SAUNDERS,
DANIEL & ANDERSON

By: 

William E. Hughes
Attorneys for Mellon Bank, N.A.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

MILBURN FRANK WATSON,)

Defendant.)

SEP 25 1986

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

CIVIL ACTION NO. 86-C-69-E

DEFAULT JUDGMENT

This matter came on for a continued initial status conference the 18th day of September, 1986, 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, Milburn Frank Watson, appearing not, either in person or by counsel.

The Court being fully advised and having examined the file herein finds that this matter was set for initial status conference on August 19, 1986. This conference was passed to September 4, 1986, at which time both parties appeared by counsel. The conference was again passed to September 18, 1986, for the specific purpose of permitting Defendant to advise the Court through counsel of his defense. Defendant failing to appear, it is therefore ordered that default judgment be entered in favor of Plaintiff and against Defendant.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Milburn Frank Watson, in the amount of \$2,000.00, plus interest at the current legal rate of 5.63 percent per annum from the date of judgment until paid, and the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, Milburn Frank Watson, is hereby enjoined and ordered to surrender his Airman Certificate to the Regional Counsel, Southwest Region, Federal Aviation Administration, and further that Defendant, Milburn Frank Watson, is hereby permanently enjoined from acting as a crewmember of a United States registered civil aircraft without having in his possession, at the time of such service, a current, valid, and appropriate airman certificate issued by the Administrator, Federal Aviation Administration, authorizing him to act as such.

IT IS SO ORDERED this _____ day of September, 1986.

S/ JAMES O. ELLISON

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

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

SEP 25 1986

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

UNITED STATES OF AMERICA

Plaintiff(s),

vs.

No. 85-C-58-C

O.K. GRAIN, ET. AL.

Defendant(s).

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 25th day of Sept, 19 86.


UNITED STATES DISTRICT JUDGE

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

F I L E D

SEP 24 1986

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

F. HOWARD WALSH, JR.)
)
 Plaintiff,)
)
 v.)
)
 SANTA FE-ANDOVER OIL COMPANY,)
)
 Defendant.)

No. 86-C-645-E

O R D E R

The Court has reviewed the Plaintiff's Motion to Dismiss this special proceeding. Based on the Plaintiff's representations that the dispute has been resolved and no response to the Motion to Dismiss having been received within ten days, the Court hereby grants Plaintiff's Motion to Dismiss.

It is so Ordered this 23 day of September, 1986.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 KEVIN C. LAY,)
)
 Defendant.)

SEP 24 1986

Jack C. Stevens
U.S. DISTRICT COURT

CIVIL ACTION NO. 86-C-582-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 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 24th day of September, 1986.

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney

Nancy Nesbitt Blevins

NANCY NESBITT BLEVINS
Assistant United States Attorney
3600 United States Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 24th day of September, 1986, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Kevin C. Lay, 9003 East 34th Street, Tulsa, Oklahoma 74145.

Nancy Nesbitt Blevins
Assistant United States Attorney

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

BRUCE H. HARLTON, JR.,)

Plaintiff,)

vs.)

AMERICAN HOME ASSURANCE)
COMPANY,)

Defendant.)

No. 84-C-209-E

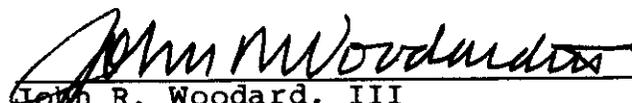
STIPULATION OF DISMISSAL WITH PREJUDICE

In payment of the sum of Ten Dollars (\$10.00) and other good and valuable consideration received by the Plaintiff from the Defendant, the parties stipulate, pursuant to Rule 41(a)(1), Fed.R.Civ.P., the above styled and numbered cause of action and any and all claims arising therefrom by and between the parties be and the same are hereby dismissed WITH PREJUDICE to future filing.

DATED this 23rd day of September, 1986.



Lloyd G. Larkin
Attorney for Plaintiff



John R. Woodard, III
Attorney for Defendant

U

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

FILED

SEP 24 1986 *pm*

WRIGHT OIL COMPANY, a Texas Corporation, and WILLIAM R. MALLORY and JUDITH MALLORY, Husband and Wife,

Plaintiffs

v.

UNITED STATES OF AMERICA,

Defendant

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

CIVIL NO. 85-C-72-C ✓

FINAL JUDGMENT

In keeping with the verdict of the jury entered and filed of record on September 16, 1986, IT IS HEREBY ADJUDGED AND DECREED that plaintiffs take nothing on their claims against the Defendant United States of America, and their complaint is dismissed with prejudice.

It is further ADJUDGED AND DECREED that all taxable costs are assessed against Plaintiffs Wright Oil Company, William R. Mallory and Judith R. Mallory, for all of which let execution issue.

This is a Final Judgment.

SIGNED this 23rd day of September, 1986,
in Tulsa, Oklahoma.

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 23 1986

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JOHNNY E. WALKER; DARLENE)
 WALKER; GILCREASE HILLS)
 HOMEOWNERS ASSOCIATION;)
 COUNTY TREASURER, Osage County,)
 Oklahoma; and BOARD OF COUNTY)
 COMMISSIONERS, Osage County,)
 Oklahoma,)
)
 Defendants.) CIVIL ACTION NO. 86-C-660-C

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 23 day
of Sept, 1986. The Plaintiff appears by Layn R.
Phillips, United States Attorney for the Northern District of
Oklahoma, through Phil Pinnell, Assistant United States Attorney;
the Defendants, County Treasurer, Osage County, Oklahoma, and
Board of County Commissioners, Osage County, Oklahoma, appear by
John S. Boggs, Jr., Assistant District Attorney, Osage County,
Oklahoma; the Defendant, Gilcrease Hills Homeowners Association,
appears by its attorney Harvey Payne; and the Defendants,
Johnny E. Walker and Darlene Walker, appear not, but make
default.

The Court being fully advised and having examined the
file herein finds that the Defendants, Johnny E. Walker and
Darlene Walker, acknowledged receipt of Summons and Complaint on
July 26, 1986; that Defendant, Gilcrease Hills Homeowners
Association, acknowledged receipt of Summons and Complaint on

July 22, 1986; that Defendant, County Treasurer, Osage County, Oklahoma, acknowledged receipt of Summons and Complaint on July 15, 1986; and that Defendant, Board of County Commissioners, Osage County, Oklahoma, acknowledged receipt of Summons and Complaint on July 16, 1986.

It appears that the Defendants, County Treasurer, Osage County, Oklahoma, and Board of County Commissioners, Osage County, Oklahoma, filed their Answer herein on July 23, 1986; that the Defendant, Gilcrease Hills Homeowners Association, filed its Answer herein on August 1, 1986; and that the Defendants, Johnny E. Walker and Darlene Walker, have failed to answer and their default has therefore been entered by the Clerk of this Court.

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

Lot Eight (8), Block Three (3), GILCREASE HILLS VILLAGE I, BLOCKS 1, 2 and 3, a Subdivision in Osage County, Oklahoma, according to the recorded Plat thereof.

The Court further finds that on June 14, 1985, the Defendants, Johnny E. Walker and Darlene Walker, executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, their mortgage note in the amount of \$59,900.00, payable in monthly installments, with interest thereon at the rate of eleven and one-half percent (11.5%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Johnny E. Walker and Darlene Walker, executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, a mortgage dated June 14, 1985, covering the above-described property. Said mortgage was recorded on June 17, 1985, in Book 678, Page 300, in the records of Osage County, Oklahoma.

The Court further finds that the Defendants, Johnny E. Walker and Darlene Walker, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Johnny E. Walker and Darlene Walker, are indebted to the Plaintiff in the principal sum of \$59,562.19, plus interest at the rate of eleven and one-half percent (11.5%) per annum from December 1, 1985, until judgment, plus interest thereafter at the legal rate until fully paid.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, Osage County, Oklahoma, have no right, title, or interest in the real property being foreclosed.

The Court further finds that the Defendant, Gilcrease Hills Homeowners Association, has a good and valid lien on the subject property in the total amount of \$297.41 as of July 31, 1986, together with any association dues accruing thereafter at the rate of \$24.10 per month until judgment, plus interest thereafter at the legal rate until fully paid. 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 the Defendants, Johnny E. Walker and Darlene Walker, in the principal sum of \$59,562.19, plus interest at the rate of eleven and one-half percent (11.5%) per annum from December 1, 1985, until judgment, plus interest thereafter at the current legal rate of 5.63 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Osage County, Oklahoma, have no right, title, or interest in the real property being foreclosed.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Gilcrease Hills Homeowners Association, has a good and valid lien on the subject property and that it be granted judgment in the amount of \$297.41, plus any association dues accruing after July 31, 1986, at the rate of \$24.10 per month until judgment, plus interest thereafter at the legal rate until fully paid.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Johnny E. Walker and Darlene Walker, 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 appraisalment 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 the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

Third:

In payment of the judgment rendered herein in favor of the Defendant, Gilcrease Hills Homeowners Association.

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

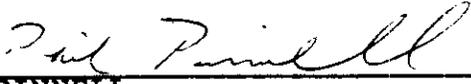
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of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

s/H. DALE COOK

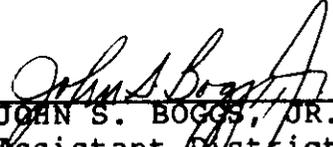
UNITED STATES DISTRICT JUDGE

APPROVED:

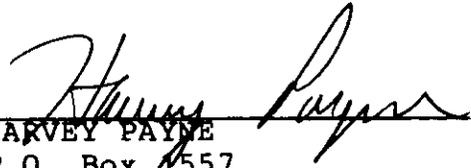
LAYN R. PHILLIPS
United States Attorney



PHIL PINNELL
Assistant United States Attorney



JOHN S. BOGGS, JR.
Assistant District Attorney
Osage County Courthouse
Pawhuska, Oklahoma 74056
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Osage County, Oklahoma



HARVEY PAYNE
P.O. Box 557
Pawhuska, Oklahoma 74056
Attorney for Defendant,
Gilcrease Hills Homeowners Association

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 23 1986

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

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

KAREN D. MORGAN,)

Defendant.)

CIVIL ACTION NO. 86-C-631-C

AGREED JUDGMENT

This matter comes on for consideration this 23
of September, 1986, 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, Karen D. Morgan, a/k/a Karen D.
Kelton, appearing pro se.

The Court, being fully advised and having examined the
file herein, finds that the Defendant, Karen D. Morgan, a/k/a
Karen D. Kelton, was served with of Summons and Complaint on
August 21, 1986. The Defendant has not filed an 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 \$798.00,
plus interest at the rate of 9 percent per annum and
administrative costs of \$.68 per month from November 16, 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, Karen D. Morgan, a/k/a Karen D. Kelton, in the amount of \$798.00, plus interest at the rate of 9 percent per annum and administrative costs of \$.68 per month from November 16, 1984, until judgment, plus interest thereafter at the current legal rate of 5.63 percent from the date of judgment until paid, plus the costs of this action.

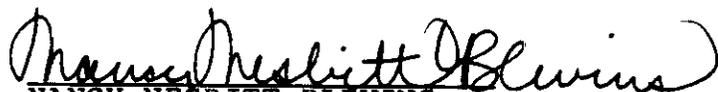
s/H. DALE COOK

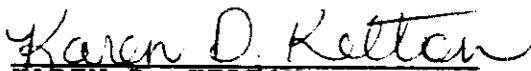
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant U.S. Attorney


KAREN D. KELTON

Entered

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

SEP 20 1986

CANADIAN OCCIDENTAL OF CALIFORNIA, INC.,
Plaintiff,
UNITED GAS PIPE LINE COMPANY,
Defendant.

U.S. DISTRICT COURT

No. 85-C-874-B

STIPULATION OF DISMISSAL PURSUANT TO FED.R.CIV.P. 41(a)(1)

COME NOW the plaintiff and the defendant and pursuant to Fed.R.Civ.P. 41(a)(1) stipulate that this action is dismissed without prejudice. This stipulation is premised upon the Agreement of the parties signed July 24, 1986 tolling the statute of limitations.

CANADIAN OCCIDENTAL OF CALIFORNIA, INC.

By *George Putnam*
its Vice President

ATTEST:

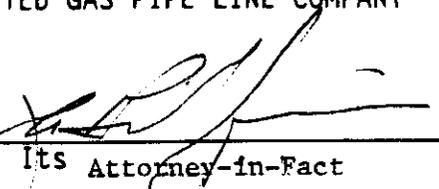
Richard H. Rosen
Its Secretary

JONES, GIVENS, GOTCHER, BOGAN &
HILBORNE, a Professional Corporation

By *Graydon Dean Luthey, Jr.*
Graydon Dean Luthey, Jr.
3800 First National Tower
Tulsa, Oklahoma 74103
918/581-8200

ATTORNEYS FOR PLAINTIFF

UNITED GAS PIPE LINE COMPANY

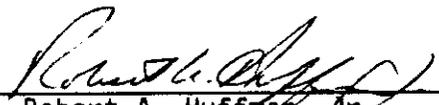
By 

Its Attorney-in-Fact

ATTEST:

Its _____ Secretary

HUFFMAN ARRINGTON KIHLE
GABERINO & DUNN

By 

Robert A. Huffman, Jr.
1000 Oneok Plaza
Tulsa, Oklahoma 74103
918/585-8141

ATTORNEYS FOR DEFENDANT

3146002001-19

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

KEITH McKINNEY,)

Defendant.)

SEP 2 1986

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION NO. 86-C-586-C

DEFAULT JUDGMENT

This matter comes on for consideration this 23 day of September, 1986, 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, Keith McKinney, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Keith McKinney, was served with Summons and Complaint on July 31, 1986. 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,

Keith McKinney, for the principal sum of \$522.00, plus interest at the rate of 12.25 percent per annum and administrative costs of \$.68 per month from February 2, 1984, and \$.67 per month from February 1, 1985, until judgment, plus interest thereafter at the current legal rate of 5.63 percent per annum until paid, plus costs of this action.

s/H. DALE COO.

UNITED STATES DISTRICT JUDGE

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

FILED

SEP 23 1983

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

LARRY A. MIDDLEBUSHER,)
)
 Plaintiff,)
)
 -vs-)
)
 UNIT CRANE & SHOVEL CORP.,)
 a corporation,)
)
 Defendant.)

No. 85C-14-C

ORDER OF DISMISSAL WITH PREJUDICE

Upon joint application of the plaintiff and defendant in the above styled action, and upon a showing that an agreed compromise settlement of all issues has been reached between the parties hereto and there remain no issues to be litigated herein, it is the finding of this Court that this action should be dismissed with prejudice to the refiling thereof;

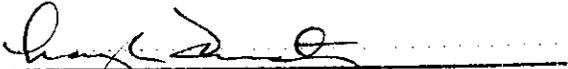
IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the above styled action be dismissed with prejudice to the refiling thereof.

s/H. DALE COOK

United States District Judge

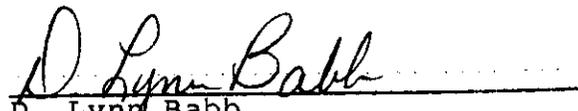
APPROVED:

LAMPKIN, McCAFFREY & TAWWATER



Larry A. Tawwater
Suite 245 Century Century
Oklahoma City, Oklahoma 73102
405/272-9611
Attorney for Plaintiff

PIERCE COUCH HENDRICKSON
JOHNSTON & BAYSINGER



D. Lynn Babb
Post Office Box 26350
Oklahoma City, Oklahoma 73126
405/235-1611
Attorney for Defendant,
Unit Crane & Shovel Corp.

Entered

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

FILED

BANK OF COMMERCE AND TRUST)
COMPANY OF TULSA, an Oklahoma)
Banking Corporation,)

Plaintiff)

v.)

UNITED STATES OF AMERICA,)

Defendant)

CIVIL NO. 83-C-795-B

SEP 23 1986

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

STIPULATION FOR DISMISSAL

It is hereby stipulated and agreed that the claim of the United States against Bank of Commerce and Trust Company of Tulsa and the claim of the Bank of Commerce and Trust Company of Tulsa against the United States in the above-entitled action be dismissed with prejudice, each party to bear its own costs.

Jeffrey D. Stoermer

JEFFREY D. STOERMER
Moyers, Martin, Santee,
Imel & Tetrick
320 South Boston, Suite 920
Tulsa, Oklahoma 74103

Attorneys for Plaintiff

Steven Shapiro

STEVEN SHAPIRO
Tax Division
Department of Justice
Washington, D. C. 20530

Attorney for Defendant

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SEP 22 1986

JACK [unclear] CLERK
U.S. DISTRICT COURT

DAYS INNS OF AMERICA)
FRANCHISING, INC.,)

Plaintiff,)

-vs-)

Case No. 85-C-1141-B ✓

ITL-GEX, INC., a Connecticut)
corporation, DENZIL ROBBINS,)
KEY INVESTMENT COMPANY, an)
Oklahoma corporation, and)
ASHLEY HOTEL CO., an)
Oklahoma corporation.)

Defendants.)

ORDER OF DISMISSAL

Pursuant to the Stipulation for Dismissal With Prejudice, it is hereby ordered that this action is hereby dismissed with prejudice, each party to bear its own costs and attorneys' fees.

IT IS SO ORDERED this 19 day of September, 1986.

Thomas P. [unclear]
UNITED STATES DISTRICT JUDGE

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

F I L E D

SEP 22 1986

FEDERAL DEPOSIT INSURANCE
CORPORATION,

Plaintiff,

vs.

GEORGE J. DALLAS, III,

Defendant.

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

No. 86-C-26-E

O R D E R

NOW on this 19TH day of September, 1986 comes on for hearing the above styled case and the Court, being fully advised in the premises finds:

Federal Deposit Insurance Corporation appeals from the order of the Bankruptcy Court entitled "Order Disallowing Vote of FDIC" and from the resulting final order, "Order Confirming Plan." Only by disallowing FDIC's vote to reject the Debtor's Plan of Reorganization was the Bankruptcy Court able to confirm the Plan.

Three issues have been raised on appeal:

1. Whether FDIC was afforded adequate notice and opportunity to be heard as to the Debtor's Motion to Disallow Vote;
2. Whether there was any evidence to support the Bankruptcy Court's finding that FDIC's vote be disallowed; and
3. Whether the Order Confirming Plan should be reversed since FDIC's vote was required to be counted and its vote in favor of the Plan was a prerequisite to confirmation.

At a minimum, FDIC prays that both orders should be reversed and the cause remanded to the Bankruptcy Court with instructions to conduct a hearing on the Debtor's Motion to Disallow Vote at which FDIC would be afforded the opportunity to present evidence with the appropriate legal standard to be applied.

Debtor filed his Plan of Reorganization on June 7, 1985. On October 18, 1985, the Debtor filed his Disclosure Statement, the adequacy of which came on for hearing on November 29, 1985. The Disclosure Statement was approved and December 27, 1985 was set as the last day for filing ballots in favor of acceptance or rejection of the Plan and December 30, 1985 was set as the date for hearing on confirmation of the Plan. On December 20, 1985 FDIC executed its ballot in favor of the rejection of the Plan which was received by Dallas on December 24, 1985. December 27, 1985 the Debtor filed a Motion to Disallow Vote pursuant to 11 U.S.C. § 1126(e). Because the Bankruptcy Code requires two-thirds of the amount of all claims within an impaired class to vote in favor of a plan of reorganization, the Plan could never be confirmed without either FDIC's vote in favor of or the disallowance of FDIC's negative vote. FDIC controls 80% of the total claims in the impaired class.

When the Motion to Disallow Vote was filed, the Bankruptcy Court did not set a hearing on the Motion or a date by which FDIC was required to object. FDIC was given no prior notice that the Motion to Disallow Vote would be heard at the confirmation hearing on December 30, 1985. FDIC's counsel became aware of the Motion to Disallow Vote on December 30, 1985, the same day that

the motion came on for hearing. Based upon this history, FDIC claims it was not afforded adequate notice and opportunity to be heard on the Motion to Disallow Vote.

The Debtor's Motion to Disallow is governed by § 1126(e) of the Code which provides for a ruling after notice and a hearing. Notice and a hearing is defined according to § 102 as "meaning after such notice as is appropriate in the particular circumstances, and such opportunity for a hearing as is appropriate in the particular circumstances ..." FDIC urges the failure to provide adequate notice prevented FDIC from presenting evidence to rebut Debtor's assertion that it had cast its ballot in a manner that would justify disallowing its vote.

FDIC also cites Supplemental Local Rule 3, Rules of Bankruptcy Court for the Northern District of Oklahoma, which provides that the party requesting a hearing shall notice other parties in interest of the date, time and place set for hearing.

FDIC next argues that there was no basis to deny FDIC's vote rejecting the Plan, there having been no evidence that FDIC had cast its ballot to secure some undue advantage. Section 1126(e) provides for disallowance of a vote made "not in good faith." The Bankruptcy Court recognized that the generally accepted interpretation of § 1126(e) clearly evidences the intent of Congress to disallow a vote if the creditor attempts to use its vote to extort some undue advantage. However, FDIC asserts there was no evidence to show this was the case. It urges the only "evidence" was statements of counsel that FDIC had voted in favor of rejection of the Plan because the Plan offered the FDIC

nothing more than a Chapter 7 liquidation and FDIC was clearly within its rights to vote in favor of rejection of the Plan for that reason.

FDIC cites In re Landau Boat Co., 8 B.R. 432 in support of its position. In that case the debtor moved to disallow the creditor's vote of rejection of the Plan on the basis that it was not made in good faith. The Bankruptcy Court denied the motion to disallow the vote noting there are many reasons why an unsecured creditor may reject a plan. That Court adopted the test set forth at 6 Collier on Bankruptcy ¶ 9.21 at 1676 (14th ed.):

The test, then, seems to be whether or not those sought to be disqualified have some "ulterior" reason for their action which looks to some special advantage ... to be gained thereby.

Acceptance of the plan in Landau would have benefitted the creditor. FDIC asserts there is no evidence in this case that FDIC would be better off were the Plan confirmed. FDIC claims that a creditor's belief that it will be better off in a straight liquidation, with a trustee managing the estate's affairs rather than the debtor in possession, is adequate reason to vote in favor of rejection. Collier notes that "the purely selfish or self-interested reasons by which men judge what is best for themselves, even though they may seem unreasonable to others, do not necessarily amount to bad faith." 6 Collier ¶ 9.21 at 1676 (14th ed.).

FDIC urges its vote should be counted and the Order Confirming Plan reversed.

Dallas urges this Court to apply Rule 8013 of the Rules of Bankruptcy which provides the standard for appellate review and uphold findings of fact entered by the Bankruptcy Court unless clearly erroneous.

Dallas asserts that the scope of review on appeal is limited to the record and to those legal issues properly presented to the Bankruptcy Court. Ordinarily appellate review should be confined to matters actually raised at trial. Dallas urges FDIC is attempting to raise on appeal for the first time whether it was afforded adequate notice and opportunity to be heard on the Motion to Disallow Vote. The issue was not raised at the time the Motion to Disallow was heard on December 30, 1985 even though FDIC had full opportunity to present to the Court at that time its objection to the hearing of the motion. FDIC failed to object or request a continuance although Dallas asserts it was discussed among counsel before the hearing.

Dallas argues lastly that the party who seeks reversal of findings of the Bankruptcy Court has the burden of showing that the findings were clearly erroneous. Dallas points out that the Bankruptcy Court recognized the gray area between lack of good faith (as required by § 1126(e)) and bad faith (which is not required by § 1126(e)).

... I note with interest the black and white being an easy comparison to compare good faith with in fact bad faith; do you have to have bad faith before you can have good faith, and I think no. That you can't have a black and white in matters of this sort, but there is in fact a gray area and the Court would be remiss, it sitting as a court of equity, not to consider the overall aspects of the benefits and detriments to any and all of the

parties involved, primarily all creditors, and with all due respect, secondarily, the debtor as debtor in possession himself, particularly when debtors are individuals. Transcript at pg. 12.

The Bankruptcy Court stated:

I cannot find a scintilla of evidence as to any benefit derived by the FDIC as to a better plan other than to gain an undue advantage, which is not contemplated by the Code. Transcript at pg. 14.

The Bankruptcy Court also considered the special power held by FDIC as its vote determined whether the Plan would be accepted by the creditors. The only reason asserted by counsel for FDIC for rejection was that there was no incentive for them to vote for the Plan as it provided nothing FDIC would not receive under a straight Chapter 7 liquidation. FDIC was aware of its unique position and the Bankruptcy Court found the rejection vote was not made in good faith.

FDIC knew the confirmation hearing for the Plan was coming up for six months. Even though it was unaware of the Motion to Disallow until the morning of the hearing and FDIC counsel informed the Court of this, this Court finds FDIC made no argument at the hearing that FDIC was being denied adequate notice and opportunity to be heard. Further FDIC never asserted at the hearing that it was prevented from presenting evidence to rebut Debtor's assertion that FDIC had cast its ballot in a manner justifying disallowance. Even though the Debtor failed to notify FDIC that the Motion to Disallow would be heard at the confirmation hearing FDIC did not raise this point. Neither did FDIC object to the hearing or request a formal continuance.

The Court finds there is sufficient evidence in the record to uphold the decision rendered below.

It is so Ordered.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 THELMA J. BELL,)
)
 Defendant.)

SEP 22 1986

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

CIVIL ACTION NO. 86-C-711-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 22nd day of Sept., 1986. 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 Defendant, Thelma J. Bell, appears not, but makes default.

The Court being fully advised and having examined the file herein finds that the Defendant, Thelma J. Bell, acknowledged receipt of Summons and Complaint on August 7, 1986.

It appears that the Defendant, Thelma J. Bell, has failed to answer and her default has been entered by the Clerk of this Court on September 18, 1986.

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

Lot Seven (7), Block Thirty-nine (39), VALLEY VIEW ACRES SECOND ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

The Court further finds that on February 1, 1974, Thelma J. Bell executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, her mortgage note in the amount of \$10,500.00, payable in monthly installments, with interest thereon at the rate of six percent (6%) per annum.

The Court further finds that as security for the payment of the above-described note, Thelma J. Bell executed and delivered to the United States of America, acting through the Administrator of Veterans Affairs, a mortgage dated February 1, 1974, covering the above-described property. Said mortgage was recorded on February 4, 1974, in Book 4105, Page 1005, in the records of Tulsa County, Oklahoma.

The Court further finds that the Defendant, Thelma J. Bell, made default under the terms of the aforesaid note and mortgage by reason of her failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendant, Thelma J. Bell, is indebted to the Plaintiff in the principal sum of \$8,749.30 as of October 1, 1985, plus interest thereafter at the rate of six percent (6%) per annum until judgment, plus interest thereafter at the legal rate until fully paid.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant, Thelma J. Bell, in the principal sum of \$8,749.30 as of

October 1, 1985, plus interest thereafter at the rate of six percent (6%) per annum until judgment, plus interest thereafter at the current legal rate of 5.63 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendant, Thelma J. Bell, 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 without appraisal 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 the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

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 Defendant and all persons claiming under her 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.


UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS
United States Attorney


NANCY NESBITT BLEVINS
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F- I, L, E, D
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UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LOWELL W. MASON,)
)
 Defendant.)

SEP 22 1986

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

CIVIL ACTION NO. 86-C-641-E

DEFAULT JUDGMENT

This matter comes on for consideration this 19th
day of September, 1985, 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, Lowell W. Mason, appearing not.

The Court being fully advised and having examined the
file herein finds that Defendant, Lowell W. Mason, acknowledged
receipt of Summons and Complaint on July 14, 1986. The time
within which the Defendant could have answered or otherwise
moved as to the Complaint has expired and has not been extended.
The Defendant has not answered or otherwise moved, and default
has been entered by the Clerk of this Court. Plaintiff is
entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that
the Plaintiff have and recover judgment against Defendant,
Lowell W. Mason, for the principal sum of \$3,162.98, plus
accrued interest of \$1,731.84, from September 21, 1982 to
June 5, 1985, with interest continuing to accrue on the

principal balance at the rate of 14-3/4 percent per annum from June 5, 1985 to date of judgment, plus interest thereafter at the current legal rate of 5.63 percent per annum until paid, plus the costs of this action.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 VINCENT KEHOE, JR., and)
 LINDA J. KEHOE, husband)
 and wife; COUNTY TREASURER,)
 Rogers County, Oklahoma; and)
 BOARD OF COUNTY COMMISSIONERS,)
 Rogers County, Oklahoma,)
)
 Defendants.)

F I L E D

SEP 22 1986

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

CIVIL ACTION NO. 85-C-702-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 22nd day of Sept., 1986. The Plaintiff appears by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney; the Defendants, Vincent Kehoe, Jr.; Linda J. Kehoe; County Treasurer, Rogers County, Oklahoma; and Board of County Commissioners, Rogers County, Oklahoma, appear not, but make default.

The Court being fully advised and having examined the file herein finds that the Defendant, Vincent Kehoe, Jr., was served with Summons and Complaint on June 23, 1986; that Defendant, Linda J. Kehoe, was served with Summons and Complaint on January 13, 1986; that Defendant, County Treasurer, Rogers County, Oklahoma, acknowledged receipt of Summons and Complaint on July 30, 1985; and that Defendant, Board of County Commissioners, Rogers County, Oklahoma, was served with Summons and Complaint on September 20, 1985.

It appears that the Defendants, Linda J. Kehoe, County Treasurer, Rogers County, Oklahoma, and Board of County Commissioners, Rogers County, Oklahoma, have failed to answer and their default has been entered by the Clerk of this Court on March 12, 1986; and that Defendant, Vincent Kehoe, Jr., has failed to answer and his default has been entered by the Clerk of this Court on September 17, 1986.

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

Lot 1 of Cameron Acres, a Subdivision in Section 30, Township 20 North, Range 17 East of the I. B. & M., according to the recorded Plat thereof, Rogers County, Oklahoma.

The Court further finds that on April 25, 1980, the Defendants, Vincent Kehoe, Jr. and Linda J. Kehoe, executed and delivered to the Midland Mortgage Company, an Oklahoma corporation, their mortgage note in the amount of \$47,000.00, payable in monthly installments, with interest thereon at the rate of fourteen percent (14%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Vincent Kehoe, Jr. and Linda J. Kehoe, executed and delivered to the Midland Mortgage Company, an Oklahoma corporation, a mortgage dated April 25, 1980, covering the above-described property. Said mortgage was recorded on May 1, 1980, in Book 577, Page 96, in the records of Rogers County, Oklahoma.

The Court further finds that the above-referenced mortgage was assigned to the Administrator of Veterans Affairs by a written assignment dated October 15, 1984, and recorded on November 2, 1984, in Book 690, Page 50, in the records of Rogers County, Oklahoma.

The Court further finds that the Defendants, Vincent Kehoe, Jr. and Linda J. Kehoe, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Vincent Kehoe, Jr. and Linda J. Kehoe, are indebted to the Plaintiff in the principal sum of \$54,162.46, plus interest at the rate of fourteen percent (14%) per annum from February 1, 1985 until judgment, plus interest thereafter at the legal rate until fully paid.

The Court further finds that the Defendants, County Treasurer, Rogers County, Oklahoma, and Board of County Commissioners, Rogers County, Oklahoma, are in default and have no right, title, or interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Vincent Kehoe, Jr. and Linda J. Kehoe, in the principal sum of \$54,162.46, plus interest at the rate of fourteen percent (14%) per annum from February 1, 1985 until judgment, plus interest thereafter at the current legal rate of 5.63 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended

during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer, Rogers County, Oklahoma, and Board of County Commissioners, Rogers County, Oklahoma, have no right, title, or interest in the subject real property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Vincent Kehoe, Jr. and Linda J. Kehoe, 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 appraisalment 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 the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

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, all of the Defendants

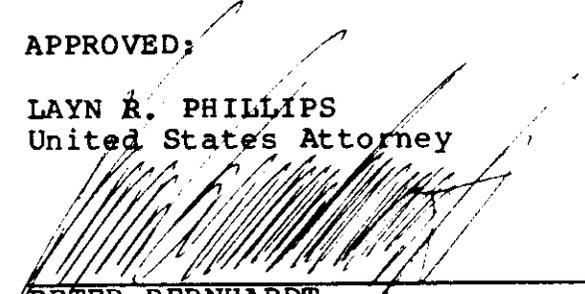
and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS
United States Attorney



PETER BERNHARDT
Assistant United States Attorney

Entered

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

FILED

SEP 22 1986

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

BANK OF COMMERCE AND TRUST)
COMPANY OF TULSA, an Oklahoma)
Banking Corporation,)

Plaintiff)

v.)

CIVIL NO. 83-C-551-C

UNITED STATES OF AMERICA,)

Defendant)

STIPULATION ^{of} FOR DISMISSAL

It is hereby stipulated and agreed that the plaintiff's claim for attorneys' fees in the above-entitled action be dismissed with prejudice, each party to bear its own costs.

Jeffrey D. Stoermer

JEFFREY D. STOERMER
Moyers, Martin, Santee,
Imel & Tetrick
320 South Boston, Suite 920
Tulsa, Oklahoma 74103

Attorneys for Plaintiff

Steven Shapiro

STEVEN SHAPIRO
Tax Division
Department of Justice
Washington, D. C. 20530

Attorney for Defendant

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

E. N. and MARGARET A.
DILLARD, JR.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant

INSULATION SERVICES, INC.,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

CIVIL NO. 85-C-117-C

E I L E D

SEP 22 1986

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

CIVIL NO. 85-C-118-C

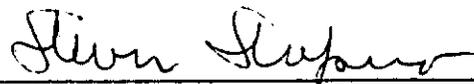
STIPULATION ^{of} FOR DISMISSAL

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



JOHN EAGLETON, Esq.
THOMAS G. POTTS, Esq.
Houston and Klein, Inc.
3200 University Tower
1722 South Carson
Tulsa, Oklahoma 74101

ATTORNEYS FOR PLAINTIFFS



STEVEN SHAPIRO
Chief, Civil Trial Section
Department of Justice
414 11th St., N.W., Room 5121
Washington, D.C. 20530

ATTORNEY FOR UNITED STATES

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

SEP 22 1986

TAMMYE SUE MAY,

Plaintiff,

vs.

ERNEST-EICHMAN MACHINERY CO.,
INC., a Missouri corporation
and BOURNE & KOCH MACHINE
TOOL CO., an Illinois
corporation,

Defendants.

Case No. 86-C-518-C

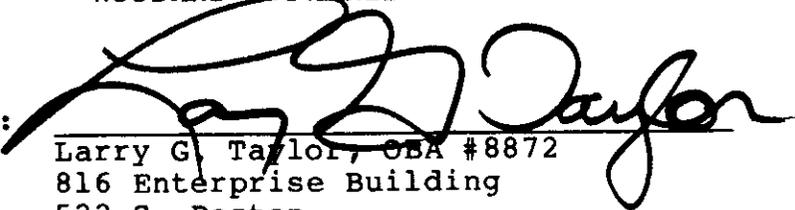
DEPUTY CLERK
U.S. DISTRICT COURT

STIPULATION OF DISMISSAL

COMES NOW the Plaintiff, TAMMYE SUE MAY, and dismisses without prejudice the Defendants ERNEST-EICHMAN MACHINERY CO., INC., a Missouri corporation and BOURNE & KOCH MACHINE TOOL CO., an Illinois corporation.

DATED this 5th day of September, 1986.

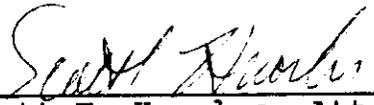
FELDMAN, HALL, FRANDEN,
WOODARD & FARRIS

BY: 

Larry G. Taylor, OBA #8872
816 Enterprise Building
522 S. Boston
Tulsa, Oklahoma 74103-4609
(918) 583-7129
ATTORNEYS FOR PLAINTIFF

ACCEPTED AND AGREED TO:


Richard D. Wagner, Attorney for
Defendant Bourne & Koch
Machine Tool Co., Inc.


Scott T. Knowles, Attorney for
Defendant Ernest-Eichman
Machinery Co., Inc.

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

E. N. and MARGARET A.
DILLARD, JR.,
Plaintiffs,

v.

UNITED STATES OF AMERICA,
Defendant

INSULATION SERVICES, INC.,
Plaintiff

v.

UNITED STATES OF AMERICA,
Defendant

CIVIL NO. 85-C-117-C

CIVIL NO. 85-C-118-C

FILED

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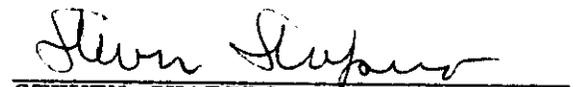
Jack C. Silver, Clerk
U. S. DISTRICT COURT

STIPULATION ^{of} FOR DISMISSAL

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


JOHN EAGLETON, Esq.
THOMAS G. POTTS, Esq.
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3200 University Tower
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ATTORNEYS FOR PLAINTIFFS


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ATTORNEY FOR UNITED STATES