

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>G & M LAND & CATTLE COMPANY a corporation</p> <p>vs</p> <p>BANKERS LIFE AND CASUALTY COMPANY a corporation</p> <p>vs</p> <p>G & M Land & Cattle Co. a corp. and Jesse Mitchell</p>		<p>For plaintiff:</p> <p>Lawrence Johnson, 585-1181 Farmer, Woolsey, Flippo & Bailey 602 National Bank of Tulsa Bldg Tulsa, Oklahoma 74103</p> <p>For defendant:</p> <p>Richard W. Gable 582-9201 2010 Fourth Natl Bank Bldg Tulsa, Oklahoma</p> <p>Of Counsel: Kahr & Spitzer & Howard 405 Park Avenue N. Y. 10022</p>					
STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 4-1-68	Clerk			1968			
				3-25	Farmer,	15 00	
				3-28	CD 42		15 00
J.S. 6 mailed 5-1-69	Marshal						
Basis of Action: cancella- tion of contract and return of money	Docket fee						
	Witness fees						
Action arose at: Texas	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-25-68	Complaint filed and summons issued. ds	
4-3-68	Secretary of State's return, filed. Executed by forwarding copy of petition to Bankers Life and Casualty Co., New York City, on 4-2-68. ds	
4-5-68	Summons, returned and filed: served Bankers Life & Casualty co. by serving Okla. Secy. of State, at Okla. City, 4-2-68. (\$4.72)g	
4-22-68	Application for extension of time of defendant to plead or answer, filed. w	
4-22-68	Order granting extension of time to plead or answer until 5-7-68, filed. (Noble O. Hood, Clerk)w	
5-7-68	Application for extension of time of defendant to plead or answer, filed. w	
5-7-68	Order granting defendant extension of time to plead or answer until 5-13-68, filed. (M. M. Ewing, Chief Deputy)w	
5-13-68	Defendant's Answer, and counterclaim, filed. ds summons issued.	
5-27-68	Return on summons, filed. Served Jesse Mitchell by serving his wife, at Wichita Falls, Texas on 5-23-68. \$32.80. ds	
6-6-68	Reply To Counterclaim. Filed js	
7-31-68	Motion of Jesse Mitchell, to dismiss counterclaim, filed. ds	
7-31-68	Affidavit in support of motion of Jesse Mitchell, filed. ds	
7-31-68	Brief in support of special motion of defendant Jesse Mitchell, filed. ds	
8-12-68	Ordered by the Court that the counterclaimant, Bankers Life & Casualty Company respond to the motion of Jesse Mitchell's motion to dismiss the counterclaim, with brief, within 10 days from date. (Fred Daugherty-Judge) b	
8-15-68	Ordered by the Court that the counterclaimant Bankers Life & Casualty Company is granted an additional time, to September 9, 1968, to respond to the motion of Jesse Mitchell's motion to dismiss the counter claim, with brief. (Fred Daugherty - Judge) b	
8-16-68	Defendant, Banker's Life and Casualty Co.'s first interrogatories to Jesse Mitchell, filed. ds	
8-28-68	Answers of Jesse Mitchell to defendant's first interrogatories, filed. g	
9-3-68	Brief in opposition to special motion of defendant, Jesse Mitchell, filed. ds <i>given in person</i>	
10-4-68	Affidavit of J. B. Bailey, filed. e <i>mailed</i>	
10-30-68	Hearing held on Jesse Mitchell's motion to dismiss the counter-claim, Statements made. Defendant's exhibits 1 and 2 marked, offered and admitted. Ordered by the Court that the motion of Jesse Mitchell to dismiss the counter-claim is taken under advisement and case is to be set for further hearing later, if necessary. (Fred Daugherty-Judge)b	
11-12-68	Affidavit of Louis Feil, and Abram L. Garber, filed, js <i>mailed</i>	
11-18-68	Ordered that case is stricken from further hearing on motion of Jesse Mitchell to dismiss counter-claim on this date. (FD-J)m	
11-29-68	Counter Affidavit of J.B. Bailey filed. h	
12-3-68	Ordered that parties file letter brief within 15 days from date on question as to what it takes for parties to create attorney-client relationship. (FD-J)m	
12-13-68	Ordered that parties are allowed 15 additional days in which to file letter briefs on question as to what it takes for parties to create attorney-client relationship. (FD-J)m	
1-2-69	Case set for hearing on evidence and arguments on Jesse Mitchell's motion to dismiss set for Wed. 2-5-69 at 2:00 P.M. (FD-J)h	
1-14-69	Alias summons served on Jesse Mitchell. h	
1-15-69	Deposition of Stephen Mathus Gose, Jr. for defendant, taken by Mary Ann Shilling, CSR, on 12-18-68. (\$31.50 pd by defendant) ds	

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
1-24-69	Alias summons returned, filed - served Jesse Mitchell a true copy of summons and complaint at 4 miles S. E. of Chelsea, Oklahoma, on January 23, 1969. (Fee \$15.00) b	
2-5-69	Ordered by the Court that Jesse Mitchell is permitted to withdraw his motion to dismiss, that the plaintiff is granted 10 days to file an amended complaint and defendants 20 days thereafter to answer or plead. (Fred Daugherty - Judge) (LC-CSR) b	
2-17-69	Deposition of Jesse B. Mitchell on behalf of the defendant, taken before Mary Ann Shilling, a Certified Shorthand Reporter on 12-18-68. (\$32.90)h	
2-19-69	Amended Complaint filed by plaintiff G. & M Land & Cattle Co.h	
2-20-69	Answer of deft. Jesse Mitchell, filed. m	
3-6-69	Answer to Amended Complaint filed. h	
3-24-69	Case set for pre-trial hearing on Tuesday 4-8-69 at 9:45 a.m. (FD-J)m	
4-8-69	Ordered by the Court that the defendant is granted permission to file answer to the amended complaint instant; and case is stricken from the pre-trial assignment, pending settlement. (Fred Daugherty-Judge) b	
4-21-69	Dismissal by stipulation of parties, filed. ds	

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