68-C-210

CIVIL DOCKET

DAUGHERTY

UNITED STATES DISTRICT COURT

Jury demand date: 12-2-68 - by plaintiffs

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
Darrell Howard Harger, a minor, by and through his wife, and next friedn, Carol Ann Harger vs Missouri-Kansas-Texas Railroad Company, a corporation	**For plaintiff:** LU3-4136 507 Natl. Bk. Commr.B. Booth and Jay, Wright Bldg, Tulsa Frank R. Hickman, Wright Bldg. 582-9773 **For defendant:** Bonds, Matthews and Mason 444 Court Street Muskogee, Okla. 74401

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed 9-1-68	**Clerk**			8-26-68	Bond	15	00		
				8-29-68	C/D 9			15	00
J.S. 6 mailed 12-1-69	**Marshal**								
Basis of Action: Collision	**Docket fee**								
Auto - Train	**Witness fees**								
Action arose at:	**Depositions**								

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-26-68	Petition for removal from Tulsa County, Oklahoma filed.	
8-26-68	Bond on Removal in amount of $500.00 filed. Surety-Travelers Indemnity Co. h	
8-26-68	Notice filed. h	
8-26-68	Certificate of Filing Petition for Removal, Removal Bond and Notice filed. h	
9-11-68	Defendant's Answer, filed. ds	
9-20-68	Case set for pre-trial on November 18, 1968, at 11:15 A.M. (FD-J)g	
9-25-68	**Amendment of Answer filed by defendant. h**	
11-18-68	Ordered that civil action 68-C-211 be consolidated with this case for pre-trial and trial purposes. (FD-J)m	
11-18-68	Pre-trial hearing held. Ordered that plaintiff file amended complaint within 10 days setting up statute as to signal, speed, etc., and deft. is granted 10 days thereafter to file amended answer. (FD-J)(LC-CSR)m	
12-2-68	Plaintiff's Amendment to petition, filed. ds	
12-2-68	Plaintiff's request for jury trial, filed. ds	
12-6-68	**Pre-Trial Order, (FD-J), filed. js**	
12-11-68	Amended answer to the complaint and amendment to the complaint, filed. g	
2-12-69	**Case set for Jury trial on Wed. 3-12-69 at 9:30 A.M.(FD-J)h**	
2-24-69	Motion for modification of pretrial order, filed. ds mailed	
2-24-69	Brief in support of motion for modification of pretrial order, filed. ds mailed	
2-24-69	**Order filed, defendant's motion to modify pre-trial order to show witnesses as R. W. Stuff and Dr. Averill Stowell, filed. (Fred Daugherty - Judge) b**	
3-7-69	Defendant's motion for modification of pretrial order to include Mrs. Charles Martin as a witness, filed. b	
3-7-69	Defendant's brief in support of motion for modification of pre-trial order, filed. b	
~~3-7-69~~	~~Motion for Modification of Pre-trial Order filed by defendant. h~~	
~~3-7-69~~	~~Brief in support of motion for modification of pre-trial order filed. h~~	
3-10-69	Order filed that upon motion for modification, Mrs. Charles Martin may be used as witness, and motion granted. (FD-J)h	
3-11-69	Ordered by the Court that the jury trial of this case is stricken from the docket of 3-12-69 at the request of defendant. (FD-J) ds	
3-28-69	Depositions of Darrel Howard Harger and Carol Ann Harger, on behalf of the defendant, taken before Larry E. Marks, CSR, filed. $40.00 paid by defendant. ds	
8-18-69	Ordered by the Court that this case is set for jury trial on Monday, October 20, 1969 at 9:30 A. M. (Fred Daugherty - Judge) b	
10-20-69	Ordered by the Court that this case is stricken from the assignment of this date pending settlement. (Fred Daugherty - Judge) b	
11-7-69	**Dismissal by plaintiff with prejudice, filed. b**	
11-7-69	Order filed and entered (attached to dismissal) cause dismissed with prejudice at the cost of the defendant, filed. (Fred Daugherty-Judge) b copies mailed	

11-