BARROW

70 - C - 36

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 9-3-71 (Pltf.)
10-20-72 (Pltf)

C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
Paul Wm. Polin and Marsha Polin, v. Dun & Bradstreet, Inc., A Delaware Corporation.	**For plaintiff:** Pro Se 5008 South Irvington Place Tulsa, Oklahoma 74135 ~~Woodson & Gasaway, Don Gasaway~~ ~~1600 Fourth National Bank Buildi~~ ~~Tulsa, Oklahoma 74119~~ 1843 E r Charles A. Whitebook ~~415 Wright Bldg.~~ 1700 4th Natl. Bank Bldg. Tulsa, Oklahoma 74103 R. James Unruh NBT Building Tulsa, Okla. 74103 Robert Blackwood 1311 South Guthrie, Tulsa, Okla 74119
Pltfs' Atty. ~~Frederick L. Boss, Jr.~~ 8-21-81 ~~4401 South Harvard~~ ~~Tulsa, Oklahoma 74135~~ X Donald E. Gasaway P.O. Box 14070 Tulsa, OK 74104 742-0548 Royce Savage - Special Master World Building Tulsa, OK 74103 587-0000	**For defendant:** X ~~Jack N. Hays~~ Arthur E. Rubin Gable, Gotwals, ~~Hays~~, Rubin & Fox 2010 Fourth Natl. Bank Bldg. Tulsa, Okla. 74119 582-9201 ~~John Kinslow~~ c/o Wade + Kinslow ~~Hastie, Kirshner & Kinslow~~ ~~Suite 880-C~~ ~~First Natl. Center~~ 7th Ave. ~~Oklahoma City, OK 73102~~ ~~(405) 524-0363~~ Lawton, OK 73501 X John Kinslow, WADE, KINSLOW & MACKEY 431 C Ave., P.O. Box 2515 Lawton, OK 7350 2 405/357-7700

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed 2-1-70 4-1-75 1-1-81	Clerk		1-29-70	Polin	15	00	15	00
			2-5-70	C/D 34				
			5-16-74	Blackwood	5	00	5	00
J.S. 6 mailed 3-1-74 7-1-78 7-1-83	Marshal		5-23-74	C/D #46				
Basis of Action: Damages to reputation	Docket fee							
	Witness fees							
Action arose at: Tulsa	Depositions							

L C - 36

Page 2

DATE	PROCEEDINGS	Date Order or Judgment Noted
-29-70	Complaint, filed. x summons issued x	
-9-70	Return on service of writ, filed. Served Dun and Bradstreet, Inc., by serving The Corporation Company in Okla. City, Okla. on 2-6-70. (Fees: $4.00)m	
2-26-70	Application for extension of time within which to plead or answer and order granting deft. until 3-13-70 to plead or answer. (MME-Cle[illegible])m	
3-13-70	Defendant's motion to dismiss, filed. g	
3-13-70	Brief in support of motion to dismiss, filed. g	
3-13-70	Plaintiff directed to file responsive brief within 10 days. (AEB-J)g	
3-20-70	Application for and order granting plaintiffs until April 10, 1970, to file responsive brief, filed. (MME-Clk)g	
3-20-70	Plaintiffs' interrogatories pursuant to FRCP No. 33, filed. g	
3-30-70	Application For Extension of Time to file Objections & Answers to Interrogatories, Order extension of time granted 14 days until 13th of April 1970 (MME-C). filed js	
4-10-70	Plaintiffs' responsive brief to the defendant's motion to dismiss, filed. b	
4-13-70	Defendant's objections to plaintiffs' interrogatories, filed. b	
4-13-70	Brief in support of defendant's objections to plaintiffs' interrogatories, filed. b	
4-13-70	Ordered by the Court that the plaintiff respond, with brief, to the defendant's objections to plaintiffs' interrogatories within 10 days from date. (Allen E. Barrow - Judge) b letter writen.	
6-10-70	Reply brief of defendant, filed. m	
6-10-70	Application for extension of Time and Order, deft is granted 15 days until June 25, 1970. filed. (AEB-J)v	
6-24-70	Application for extension of time in which to answer interrogatories, and Order granting 15 days extension. filed, (AEB-J)v	
7-9-70	Application of defendant for extension of time in which to answer interrogatories, filed. b	
7-9-70	Order (a part of application) that the defendant is granted until July 19, 1970 within which to answer interrogatories not objected to, filed. (Allen E. Barrow - Judge) b copies mailed. b	
7-21-70	Answers to interrogatories of pltf. pursuant to Federal Rules of Civil Procedure No. 33, filed. m	
7-27-70	Amendment to answers to interrogatories of plaintiff, filed. g	
10-20-70	Hearing held. It is ordered THAT PLAINTIFF IS GRANTED 10 days to file amended complaint if he chooses. Defendant's motion to dismiss is sustained if amended complaint is not filed in 10 days and case will be dismissed at that time. Defendant's objections to plaintiffs' interrogatories is moot and subject to refiling.(AEB-J)h	
11-5-70	Amended complaint, filed. ds	
11-9-70	Motion to Dismiss filed by the Deft. Filed. v	
11-9-70	Defendant's Brief in support of Motion to Dismiss, filed. v	
11-9-70	Ordered that pltf is granted 10 days from this date to respond to deft's Motion to Dismiss, (AEB-J)v	
11-19-70	Application For Extension of Time, by Plt.filed. ds	
11-19-70	Order that plaintiff is granted 10 days until 11-29-70 to respond to defendant's motion to dismiss, filed. (Allen E. Barrow-Judge)b	
12-7-70	Application of pltfs to file second amended complaint, with order allowing filing of second amended complaint instanter & directing defts. to answer or plead within 10 days, filed. (AEB-J)m	
12-7-70	Second amended complaint, filed. m	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-15-70	Motion of defendant to vacate order and motion to dismiss filed.h	
12-15-70	Brief in support of motion to vacate order and motion to dismiss filed.h	
12-15-70	It is ordered that plaintiff is granted 10 days to respond to defendant motion to vacate, etc. (AEB-J)h (Letter mailed)	
12-28-70	Application for extension of time to file brief in opposition to motion to vacate order and Motion to Dismiss, filed by the Plaintiff. Filed. v	
12-28-70	Ordered by the Court that Deft. is granted 10 days from this date to respond to Plaintiff's Application for extension of time to file brief in opposition to Motion to vacate order and Motion to Dismiss. (AEB-J)v	
12-29-70	Order Extending time to file brief in opposition to motion to vacate order and motion to dismiss filed.(AEB-J)h copies mailed.	
1-6-71	Plaintiff's memorandum brief in oppositon to Motion to vacate order and Motion to dismiss. filed. r	
1-14-71	Defendant's response to plaintiffs' memorandum brief in opposition to motion to vacate order and motion to dismiss, filed. b	
1-29-71	Defendant's Interrogatories to Plaintiff's and their attorneys, filed. r	
2-10-71	Plaintiffs' Motion for Protective Order under Rule 26(c) filed. h	
2-10-71	Brief in support of Plaintiffs' motion for protective order, etc. filed.h	
2-10-71	It is ordered that defendants will respond to plaintiffs' motion for protective order, etc., within 10 days .(AEB-J)h Letter mailed.	
2-22-71	Defendant's brief in opposition to plaintiffs' motion for protective order filed. h	
4-5-71	Supplement to response to pltfs' memorandum brief in opposition to motion to vacate order and motion to dismiss, filed. m	
7-21-71	Plaintiffs' supplemental brief in opposition to motion to vacate order and motion to dismiss, filed. g	
7-29-71	Response to Plaintiff's Supplemental Brief, filed. js	
7-29-71	Ordered by the Court that hearing on pending motions shall be conducted by Magistrate Bradford. (AEB-J)m	
7-29-71	Hearing held on deft's motion to dismiss; deft's motion to vacate order and motion to dismiss; and pltf's motion for protective order under Rule 26(c). Court rules that deft's motion to dismiss is overruled; deft's motion to vacate order is sustained and the order is vacated as to the February, 1969, publication only. Pltf. to prepare order striking that part of second amended complaint. Pltf's motion for protective order under Rule 26(c) is overruled. Pltf. given 5 days to file new set of interrogatories and Court will advise deft. length of time allowed to answer same. Pltf. directed to answer interrogatories propounded by deft. and time allowed to do this will be set by Court - pltf. will be advised. Pltf. to file order on hearing. (MLB-Mag)m	
8-4-71	Application of plaintiffs for extension of time to prepare and serve interrogatories, filed. m	
8-4-71	Order granting plaintiffs additional time to prepare and serve interrogatories until 8-5-71, filed. (MLB-Mag)m	
8-5-71	Interrogatories to Defendant Dun and Bradstreet, Inc., and ~~Motion~~ REQUEST to produce documents filed.h	
8-18-71	Application for extension of time in which to file Deft.'s answer, filed. v	
8-18-71	Order granting Deft. 15 days extension until the 24th day of August, in which to answer. ~~interrogatories not objected to, filed~~.(JHP-CC)v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-23-71	Nunc pro tunc order. It is ordered that the minute order entered on 7-29-71 be amended nunc pro tunc to read as follows: Hearing held on defendant's motion to dismiss, and plaintiff's motion for protective order under Rule 26(c). U. S. Magistrate recommends that defendant's motion to vacate order should be sustained and it is recommended that the order be vacated as to the February, 1969, publication only. It is the recommendation of the Magistrate that the Court enter an order to be prepared by plaintiff, striking that part of the second amended complaint. It is the recommendation of the Magistrate that the plaintiff's motion for protective order under Rule 26(c) should be overruled and the Magistrate recommends to the Court that an order be entered granting plaintiff five days to file a new set of interrogatories and thereafter, on direction of theCourt, the Magistrate will advise defendant length of time allowed to answer same. The Magistrate recommends to the Court that plaintiff be directed to answer interrogatories propounded by defendant and the Court will direct the Magistaate on the time allowed to do this. Plaintiff to file order on hearing in conformity with this nunc pro tunc minute order. (AEB-J)	
8-24-71	Answer filed by defendant. h	
8-26-71	Deft's Answers to Interrogatories, filed. r	
~~9-3-71~~	~~Deft's Notice of Taking oral depositions of Michael Schlossberg and Albert Rubenstein in Georgia at 9:30 on the 10th of Sept., '71, filed.v~~	
9-3-71	Plaintiff's Demand for jury trial pursuant to rule 38, filed. v	
9-22-71	Memorandum Brief on settling order of the Court on hearing of July 30, 1971, filed. v	
9-23-71	Answers to interrogatories of Deft., filed. r	
10-6-71	Motion of Deft. for order compelling answer of Interrogatories to Both parties, the Plaintiffs, filed. v	
10-6-71	Brief in support of motion for order compelling answers to interrogatories to plaintiffs, Paul Wm. Polin and Marsha Polin, filed. v	
10-6-71	Order by the Court that Plaintiff is granted 10 days from this date to respond to Defendant's Motion for order compelling answer of Interrogatories to both parties, the Plaintiffs. (AEB-J) v	
10-8-71	Order, filed, that deft's motion to vacate order of 12-7-70 and motion to dismiss are overruled, except that all references by pltfs. in 2nd amended complaint to publication of deft. in Feb. of 1969 are stricken; that pltfs' motion for protective order pursuant to rule 26(c) is overruled; that pltfs. are granted 5 days from date to prepare & serve interrogatories and request for prod. of documents on deft; deft. shall answer interrogatories on or before 8-27-71. (AEB-J)m (copies mailed) Whitebrook v Rubenstein	
10-18-71	Application For Extension of Time To Prepare and File Response to Deft. Motion for Order Campelling Answer to Interrogatories, filed. js	
10-26-71	Requests of Deft., Dun & Bradstreet, Inc., for Admission of Facts, filed. v	
10-27-71	Answers of Plaintiff, Marsha Polin, to Interrogatories of Deft., filed in open court. v	
10-27-71	Response of Plaintiffs to deft.'s motion for order compelling answers to interrogatories, filed in open court. v	
10-27-71	Order by Court that Magistrate hear motion of Deft. for order compelling answer of interrogatories to both parties, the Plaintiffs. (AEB-J)v	

(Continued)

D. C. 110A Rev. Civil Docket Continuation

Page 5

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-27-71	This motion having been referred to the United States Magistrate for hearing and recommendation, the United States Magistrate recommends that, concerning the motion of Deft. for order compelling answer of interrogatories to both parties, the Plaintiffs, the Magistrate will rule summarily. ---Plaintiff represented by Charles A. Whitebook and R. James Unruh; with the Defendant represented by Arthur E. Rubin. (MLB-U.S.Mag.)v	
10-28-71	Supplemental Response of Plaintiffs to Deft.'s Motion for order compelling answers to interrogatories, filed. v	
10-29-71	Reply to Responsive brief of Plaintiffs to Defendant's Motion for order compelling answer to interrogatories, filed. v	
11-1-71	Response to supplemental response of Plaintiffs to defendant's Motion for order compelling answers to interrogatories, filed. v	
11-1-71	Order, extending time for ten days, until 10-28-71 , for plaintiffs to respond to defendant's motion for order compelling answer to interrogatories to both parties, filed. (AEB-J) ds copies mailed.	
11-29-71	Application of pltfs for leave to file third amended and supplemental complaint, filed. m	
11-29-71	Order that the Plaintiffs be and they are hereby grated leave to file, Instater, their Third Amended and Supplemental Complaint; Further ordered that the Deft. shall have and is hereby granted 20 days from this date to plead or Answer to said Third Amended and Supplemental Complaint, filed. (AEB-J)v copies mailed.	
11-29-71	Third amended and supplemental complaint, filed. m	
11-29-71	Pltfs' redraft of answers to certain interrogatories of deft., filed.m	
11-29-71	Pltfs' response to request for admission of facts, filed. m	
12-8-71	Order filed that Defendant's motion for Order Compelling Answers to Interrogatories overruled in part/ sustained in part. Further ordered that Plaintiffs file said answers on or before Nov. 24, 1971.(AEB-J) copies mailed	
12-16-71	Motion of def. to Strike, pursuant to Rule 12, filed. rm	
12-16-71	Brief in support of def.'s Motion to Strike, filed. rm	
12-16-71	Motion of def. to hold plaintiffs in contempt for failure to obey order compelling answers and for additional appropriate relief,filedrm	
12-16-71	Brief in support of Mo. to hold pltfs. in contempt, etc., filed. rm	
12-16-71	Motion of def. to Dismiss and Motion to Vacate Order, filed. rm.	
12-16-71	Brief in support of Motion to Dismiss, and Brief in support of Motion to Vacate Order, filed. rm	
12-16-71	Ordered by the Court that plaintiffs are granted 10 days from this date to respond to def.'s Motion to Strike, Motion to Hold Pltfs. in contempt for failure to obey order compelling answers and for additional appropriate relief, Motion to Dismiss and Motion to Vacate Order. rm (ltr. mailed)	
12-27-71	Application for extension of time to file response to defendant's motions to strike and for other relief, filed. ds (order to Judge)	
12-30-71	Order, extending time for plaintiffs to respond to defendant's motion to strike, motion to hold plaintiffs in contempt and for appropriate relief, to dismiss and vacate order, to 1-10-72, filed. (AEB-J) ds copies mailed	
1-10-72	Pltfs' Response to Defts' Motion to Strike, Motion to Dismiss, Motion to Vacate Order, and other relief, filed. r	
1-17-72	Brief in Reply to Plaintiffs' Response to Deft.'s Brief on Motion to Dismiss, filed. v	

(continued)

Page 6

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-3-72	Findings and Recommendations of Magistrate that Court strike those portions of the Third Amended & Supplemental Complaint which Mag. has found to be emmaterial--further recommended that Pltf.s pay Deft. $100.00 and Pltf.s given 5 days from filing of order in which to answer interrogatories, filed. (MLB-Mag.)v	
4-3-72	Ordered by the Court that parties have 10 days to object to rec. of Mag., filed. (AEB-J)v -copy of Rec. & Order mailed to parties.	
4-14-72	Order, filed, approving recommendations & findings of Mag, and ordered that pltfs' 3rd amended & suppl. complaint be modified; that pltfs. pay to deft. its expenses re compelling answers to its interrogatories in amt. of $100.00 within 10 days of signing of this order, in default of which this action shall be dismissed with prejudice, and ordered that within 5 days of order pltfs. answer certain interrog. (AEB-J)hm (copies mailed) → Whitebook is having them prepared	
4-20-72	Appl. of pltfs. for ext. of time to ans. add. interrogatories, filed. rm - Order to J	
4-24-72	Answer of the the Deft. to the 3rd Amended & Supplemental Complaint, filed. v	
5-9-72	Notice by def. to take deposition of Charles Whitebook on 5/24/72 in Tulsa, filed. Subpoena issued. rm	
5-10-72	Corrected notice to take deposition, filed. hm	
5-12-72	Pltfs' additional answers to interrogatories of deft., filed. hm	
5-23-72	Mo. of pltf. for protective order or alternate relief, filed. rm	
5-26-72	Parties directed to hold pre-trial conference prior to 7-10-72 and file pre-trial order not later than 7-18-72. (AEB-J)hm	
5-26-72	Ordered that Magistrate conduct hearing on pltf's motion for protective order or alternate relief. (AEB-J)hm	
5-26-72	Hearing held on above motion. Motion for protective order or alternate relief is granted & pltf. counsel to prepare findings & recommendations within 5 days. (MLB-Mag)hm	
5-26-72	Return of Marshal's service of deposition subpoena, filed. Unable to serve Paul Wm. or Marshal Polin in Tulsa on 5/19/72 (USM $10.80) rm	
6-5-72	Recommendations ~~Findings~~ for protective order per Rule 26(c), filed. (MLB-Mag)hm (copies mailed Unruh) orig to Marilyn W. orders	
6-6-72	Order, filed, that pltfs' motion for protective order is sustained and motion for alternate relief is denied. (AEB-J)hm (copies mailed)	
7-7-72	Stipulation and Application for Order Striking Case from Pre-Trial Setting, filed. v	
7-11-72	Order, filed, that this case be stricken from the list of cases for Pre-Trial attached to the Court's Pre-Trial Order of May 26, 1972, filed. (AEB-J)v (dated: 7-6-72) -copies mailed.	
7-25-72	Parties directed tohold pre-trial conference prior to 9-6-72 and file pre-trial order not later than 9-13-72.(AEB-J)h	
8-17-72	Reporter's record of conference held on 8-15-72, filed. hm	
8-17-72	Request for production of documents and papers under Rule 34, filed. ds	
9-5-72	Motion of the Deft. for Summary Judgment, filed v	
9-5-72	Brief, filed. v	
9-5-72	Ordered by the Court that Plaintiff is granted 10 days to respond to Deft.'s Motion for Summary Judgment. (AEB-J)v -copies mailed.	
9-8-72	Appl. for extension of time to respond to Deft.'s Mot. for Summary Judgment, filed. v order to be brought in	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-15-72	Response to Plaintiffs' request for production of documents filed.h	
9-20-72	Order filed that plaintiff is granted until Oct. 5, 1972 to respond to def's motion for S/J. (AEB=J)h Copies mailed	
10-3-72	Oral deposition of Marsha Polin, taken on behalf of def. 6/21/72,filed.rm (Fee $111 pd. by def.)	
10-3-72	Oral deposition of Paul Polin taken pursuant to protective order of 6/6/72 on behalf of def. on 6/20/72, w/exhibits attached,filed.rm (fee pd. by def. $316)	
10-4-72	Pltf's Sppl. for additional ext. of time to respond to deft's Motion for S/J, filed. r	
10-12-72	Order, filed, that the pltf.s are granted until 10-16-72, to respond to Deft.'s Motion for Summary Judgment. (AEB-J)v Copies mailed.	
10-16-72	Appl. of pltf. for final ext of time to respond to def.'s mo/SJ,filed.rm	
10-17-72	Order, filed, that Pltf.s be granted until 10-20-72, within which to respond to Deft.'s Motion for Summary Judgment. (AEB-J)v Copies mailed.	
10-20-72	Pltf's DEMAND FOR TRIAL BY JURY, filed. r	
10-20-72	Pltf's Response to deft's Motion for S/J, including Brief & authorities in support thereof and Demand for Trial by Jury. filed. r	
1-10-73	Defendant's reply brief , filed. ds	
1-16-73	Order by the Court that Magistrate conduct hearing on deft's motion for S/J.(AEB-J)h	
1-16-73	Hearing held on deft's motion for s/j. It is recommended that motion be overruled & pltf to prepare & file F&R within 5 days.MLB-Mag) h Pltf to complete all discovery by 2-15-73.	
1-19-73	Motion of pltfs. to require def. to submit to Magistrate for in camera inspection of documents and papers requested for production by pltfs.,filed.r (Per MLB - no date)	
1-23-73	Findings and recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed)	
2-5-73	Order overruling def.'s mo/for SJ without prejudice; pltf. granted to 2/15/73 to complete discovery. (AEB-J)rm - copies mailed	
7-9-73	It is recommended by the Magistrate that after conducting an in camera inspection of documents referred to in pltfs' motion, the documents requested should not be submitted. Pltf. counsel to prepare proper F&R within 5 days. (MLB-Mag)hm	
7-24-73	Findings and Recommendations of Magistrate, filed. Mag. recommends that the Court enter order sustaining Deft.'s Objection to the production of documents listed & overruling Pltf.s' Mot. to produce. (MLB-USMag)v ~~-order to Judge.~~ (Copies mailed)	
8-8-73	Order filed, sustaining recommendations of magistrate. (AEB-J) ds Copies mailed	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-7-73	Parties directed to hold PT Conference prior to 10-22-73 & file PT order not later than 10-29-73. (AEB-J)v -notice mld.	
11-7-73	Joint appli. to strike from pre-trial docket and to file motion, filed. ds	
11-8-73	Order striking case from pre-trial docket and granting leave to file motions for summary judgment, filed. (AEB-J) ds Copies mailed	
12-7-73	Motion of def. for summary judgment, filed. rm	
12-7-73	Brief of def. in support of its mo/SJ, filed. rm	
12-7-73	Motion of pltf. for summary, judgment, filed. rm	
12-7-73	Affidavit of Paul Wm. Polin, filed. rm	
12-7-73	Brief of pltf. in support of its mo/SJ, filed. rm	
12-10-73	Ordered that parties are directed to respond to respective motions for summary judgment within 10 days. (AEB-J)rm	
12-20-73	Joint Appl. of Pltfs. and Defts. for Add. Time to Prepare and File Responses to the Resp. Motions for Summary Judgment, w/ Briefs in Support Thereof, filed.a	
12-20-73	Order, filed, extending time to respond to respective motions for S/J and to file briefs in support thereof. 20 days from this date (1-9-74) (AEB-J)jj copies mailed	
1-8-74	Appl. for Addtl. Time to Prepare and File Responses to Respective Mtns. for S/J, with Briefs in Support Thereof, filed.jj O to J	
1-10-74	Order ext. time to 1-19-74 for pltfs. to file responses to motions for summary judgment, filed. g Copies mailed	
1-21-74	Pltf's Response to Deft's Mtn. for S/J, filed.jj	
1-21-74	Brief in Support of Pltf's Response to Deft's Mtn. for S/J, filed.jj	
1-21-74	Brief in Opposition to Deft's Opening Brief in Support of its Mtn. for S/J, filed.jj	
1-21-74	Mtn. to Strike Affidavit filed by Deft.jj	
1-21-74	Opening Brief in Support of Deft's Mtn. to Strike Pltf's Affidavit, filed.jj	
1-21-74	Response to Pltfs' Mtn for S/J, filed.jj	
2-26-74	Order sustaining deft's motion for S/J, filed and entered. (AEB-J)hm (copies mailed)	
2-26-74	Judgment, filed and entered, that judgment is entered in favor of deft. and against pltfs. (AEB-J)hm (copies mailed)	
3-6-74	Mtn. of Pltfs for New Trial and to Amend Jgmt. filed.jj	
3-6-74	Brief in Support of Mtn. for New Trial and Mtn. to Amend Jgmt, filed.jj	
3-6-74	MO: It is ordered by the court that deft. is granted 10 days in which to respond to pltfs. Mtn. for New Trial and Mtn. to Amend Jgmt. (AEB-J)jj	
3-18-74	Response to plaintiffs motion for new trial, filed. g	
3-28-74	Plaintiff's response to defendant's response to plaintiff's motion for new trial, filed. ds	

(contd)

D. C. 110A Rev. Civil Docket Continuation

Page 9

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-7-74	ORDER, filed and entered, Overruling Pltf's Motion for New Trial. (AEB-J)e	
5-16-74	Notice of appeal, by pltf., filed. rm	
5-17-74	Bond for costs on appeal ($250 surety), filed. rm	
5-24-74	Designation of record on appeal by pltf., filed. g	
6-3-74	Counter-designation of record on appeal by def., filed. rm	
6-20-74	Transcript of proceedings had on 7/30/71 on various motions, before Magistrate Morris L. Bradford, filed. (Larry Marks - Ct. Rptr) rm	
6-24-74	Appeal record (5 vols.) sent to USCA. rm	
3-31-75	Mandate and opinion of USCA, filed and spread of record, that the judgment of District Court is reversed and cause remanded for further proceeding in accordance with opinion of USCA. rm	
3-31-75	Statement of costs from 10th Circuit, filed and taxed in amt. of $65.00 in favor of pltf.-appellants and against defendant-appellee. rm	
5-28-75 6-3-75	Renewed Motion for Summary Judgment, filed by Deft. Brief is attached. v MO: It is ordered by the Court that Plaintiffs are granted 10 days from this date to respond to the Renewed Mot. for Summary Judgment filed by Deft. (AEB-J)v	
6-5-75	Pltf's Application for ext. of time to submit responsive brief and file additional motions and affidavits herein, filed. lm (o to J)	
6-6-75	Order, filed, granting pltfs. until 7-7-75 to file a responsive brief. (AEB-J)g cpies mailed.	
6-26-75	Appeal record (5 vols.) rec'd from USCA. g	
7-7-75	Pltf's Brief in Opposition to Deft's Renewed Mtn. for S/J, filed. jj	
7-7-75	Mtn. of Pltfs. to Reinstate 3rd Amended & Suppl. Complaint as Orig. filed. jj	
7-7-75	Mtn. of Pltfs. to Reinstate Pltf's Mtn. for S/J as Originally filed. jj	
7-7-75	MO: It is Ordered by the Court that the deft. file a responsive brief within 10 days to the plaintiff's Mtn. to Reinstate Pltf's Mtn. for S/J as Originally filed and Pltfs. Mtn. to Reinstate 3rd Amended & Suppl. Complaint as Orig. filed. (AEB-J)jj	
7-17-75	Deft's appl. for time of 15 days to respond to pltfs' mots. to reinstate, filed. k	
7-21-75	Order, filed, granting deft. 15 addl. days from 7-18-75 to respond to pltfs' motions and briefs. (AEB-J)g mld.	
8-4-75	Deft's response to pltfs' mot. to reinstate pltfs' mot. for S/J as originally filed, filed. g	
8-4-75	Deft's response to pltfs' mot. to reinstate Third Amended and Suppl. Complaint as originally filed, filed. g	

DATE	PROCEEDINGS	Date Order or Judgment Note
8-4-75	Defendant's reply brief, filed. g	
8-20-75	Appl. of pltfs. to File Suppl. Briefs, filed.jj O to J	
8-26-75	Order, granting appl. of the Pltf to file supplemental brief on 8-26-75 & giving the defts. 15 days thereafter to file any response briefs, filed. (AEB-J) mm cps mld	
8-26-75	Plaintiff's Supplemental Brief, filed. mm	
9-9-75	Defendant's application for time til 9-20-75 to respond to pltfs' supplemental brief of 8-26-75, filed.k O to J	
9-10-75	Order, filed, granting deft. add. 10 days to 9-20-75 to respond to pltf's Supplemental Brief. (AEB-J) cps mld.	
9-22-75	Deft's Reply to Plaintiff's Supplemental Brief, filed, mm	
11-10-75	Attachment of pltf. to supplemental brief (brief of Stuart M. Speiser in Nader v. GM Corp. case), filed. rm	
12-2	Renewed mo/SJ and request for jury trial on issue of damages by pltf., filed. rm	
12-3	MO: Ordered by the ct. that def. is granted 10 days to respond to pltf. renewed mo/SJ and req. for jury trial on issue of damages. (AEB-J)rm-letter	
12-11-75	Pltfs. Request for Pre-trial conference,filed. tc	
12-11	MO: It is ordered by the Court that Deft., is granted (5) days from this dt. to resp. to Pltfs. Request for Pre-Trial Conference.(AEB-J)tc ltr. mld.	
12-12	Def.'s brief in response to pltf. renewed mo/SJ & req. for jury trial on issue of damages, w/adoption of previous briefs, filed. rm	
12-12	Appl. of def. for ext. of time to respond to pltf. req. for pretrial conference, filed. rm	
12-15	Order, filed, granting deft. until 12-22-75 to respond to Pltfs' request for Pretrial Conference. (AEB-J)ph cps. mld.	
12-22	Deft's response to pltfs' request for pretrial conference, filed.g	
1976		
2-10	Supplemental affidavit of Cullen J. Mancusco, PHD, in support of pltf's motion for S/J, filed.k	
2-10	Suppl. affidavit of Paul A. April, M.D., in support of pltf's mot. for S/J, filed.k	
2-11	Order, filed, overruling deft's renewed mot. for S/J; sustaining pltf's mot. to reinstate third amended & supplemental compl, and said compl. be filed w/in 5 days of this date; pltfs' renewed mot. for S/J be overruled; pltfs' request for jury trial on issue of damages be denied; and pltfs' request for PT conference be sustained insofar as the Court orders that a pre-pre-trial conf. be had in the Conference Room of Chief Judge Allen E. Barrow, on 3-15-76 at 10:00 a.m. (AEB-J)k cps mld	
2-17	Third Amended and Supplemental Complaint re-filed per order of 2-11. g	
2-17	Motion to amend and supplement pltf's third amended and supplemental complaint as originally filed. g	
2-17	MO. Ordered that Deft. file response to pltf's mot. to amend and supplement 3rd amended and suppl. complaint within 5 days. (AEB-J)g	

BARROW

D. C. 110A Rev. Civil Docket Continuation

DATE 1976	PROCEEDINGS	Date Order or Judgment Noted
2-17	Pltf's demand for jury trial, filed. g	
2-23	Deft's response to pltf's motion to amend and supplement pltf's (sic) Third Amended and Supplemental Complaint as originally filed, filed.lm	
3-5	Ans. of Deft. to 3rd Amended & Suppl. Compl., filed. v	
4-14	Deft's breif on issue of whether Plaintiffs made timely demand for Jury trial, filed. b	
4-16	Brf. on the Issue of Pltfs' Demand for Jury Trial,filed.t	
4-16	Withdrawal of Request for Inj. Relief,filed.t	
4-16	Proposed PreTrial Order,filed.t (Pltfs)	
4-16	Proposed PreTrial Order,filed.t (Defts)	
4-21	Deft's Trial Brf.,filed.t	
4-21	Reply Brf on Issue of Whether Pltfs' have made timely Demand for Jury Trial,filed.t	
4-29	Robert Blackwood's Mot. to Withdraw as Atty of Record,filed.t O-J	
4-29	Addendum to Pltf's Pretrial Order,filed. (Pltfs)	
5-10	Deft's Interrog. to Pltfs,filed.t	
5-10	Deft. request for Admission of facts,filed.t	
5-10	Motion for order shortening time to answer Interrog, and request for for admission of facts,filed.t o-J	
5-13	Order, filed, allowing Robert Lee Blackwood to withdraw as atty. of record for Pltf. Paul Polin. (AEB-J)k cps mld	
5-13	Order, filed, that pltfs' time to answer Interrog. and Request for Admissions of Facts be and is hereby shortened to and including the 1st day of June, 1976. (AEB-J)k cps mld	
5-17	Notice of taking dep. of Sally Johnston and John Cleary on 5-21-76, filed. g	
5-17	Proposed pretrial order, filed. g	
5-19	Notice of Taking of Oral Depo of Sally Johnston & John Cleary on May 21st, 1976,filed.t Sub. issued.	
5-19	Request for Production of Documents by Pltfs,filed.t	
5-19	Mot. for Order shortening time to ans. interrog. & request to produce Documents for Admission of Facts,filed.t(Pltfs' Mot.) O-J	
5-19	Interrogatories to Deft. Dun & Bradstreet, Inc. & Request to produce Documents,filed.t	
5-19	Return on depos. sub., filed. Served Sally Johnston on 5-17 in Tulsa.hm	
5-19	Return on depos. sub., filed. Served Rep. Bank & Trust by serving Pres., Tom Kitchin on 5-19. hm	
5-21	Order, filed, shortening time for deft. to ans. interrog. & req. for admissions until 6-1-76. (AEB-J)hm (copies mailed)	
5-21	Deft.'s notice of taking oral depositions of A. N. DeMarea and Larry J. High at Topeka, KS, on 5-28-76, filed.k	
5-21	Return on USM service, subpoena, filed. Served Sally Johnston on 5-18-76 at Tulsa, Oklahoma, w/ fees of $3.68.k	
5-21	Return on USM service, subpoena, filed. Served John Cleary on 5-20-76 at Tulsa, Oklahoma, w/ fees of $7.52.k	

DATE	PROCEEDINGS	Date Order or Judgment Note
1976		
5-24	Pltf's req. for admission of specific facts by def. Dun & Bradstreet Inc., filed. s	
5-25	Supplemental interrogatories to def. Dun & Bradstreet, Inc., filed. s	
5-25	Motion for order shortening time to answer supplemental interrogatories and req. to produce documents, filed. s O to J.	
5-26	MO: Case is set for jury trial on 6-23-76, at 10:00 A.M.(AEB-J)b nts mld w/affid.	
5-27	Pltfs' notice of taking oral deposition of Wilson Eden on 5-29-76 at Dallas, Tex., filed. s Subpoenae issued	
5-27	Pltfs' amended notice of taking oral deposition of Wilson Eden at Tulsa, Oklahoma on 5-29-76, filed.s	
5-27	Order filed that defendant answer interrogatories and request for production of documents by 6-1-76, filed.s (AEB-J) cps. mailed.	
6-1	Deft's response to req. for production of documents, answer & objections to interrogs and suppl. interrogs & response to req. for adm. of facts, filed. g	
6-1	Return on USM Service, subpoena, filed. Served Wilson Eden on 5-27-76 at Dallas, Texas, w/fees of $22.00.	
6-1	Pltf's. answers to Deft's. interrogatories 5 and 6, and Pltf's. objections to Deft's. interrogatories 1, 2, 3, and 4, filed.s	
6-1	Pltf's. response to request for admission of facts and Pltf's. objections to request for admission of facts, filed.s	
6-3	Brief in support of deft's response and objections to pltfs' discovery, filed.k	
6-7	Pltfs' mot. for order compelling deft. to respond to discovery, filed. g	
6-7	Memo. brief in response to deft's objections to interrogatories, req. for production of documents & req. for adm. of specific facts, filed. g	
6-7	Deposition of Larry High, on behalf of deft., filed. ($122.50)g	
6-7	Deposition of August N. DeMarea, on behalf of deft., filed.($66.)g	
6-15	Pltfs' trial brief, filed.s	
6-16	Deposition of Wilson N. Eden on behalf of pltfs., filed. ($42.50)g	
6-17	Pltf. mo/continuance of trial date, filed. rm	
6-17	Order, filed, striking case from trial date of 6/23/76, to be tried on a later date. (AEB-J)rm-copies mailed	
6-17	Motion of pltf. to reconsider mo/order to compel, filed. rm	
6-17	Brief in support of mo/reconsider- filed. rm	
6-18	MO: Ordered by the Ct. that defs. are granted 10 days to respond to pltf. mo/reconsider. (AEB-J)rm-letter	
6-21	Deft's response to pltf's request for award of expenses and attorneys fees, filed.s	
6-24	Deft's application for extension of time to submit deft's brief in response to its motion to reconsider and motion to compel, filed.s O to J	

PLAINTIFF	DEFENDANT	DOCKET NO.
Polin, Paul Wm. et. al.	Dun & Bradstreet Inc.	PAGE 13 OF ____ PAGES

DATE 1976	NR.	PROCEEDINGS
6-28		Order, filed, granting deft. till 7-8-76 to respond to pltfs' motion to reconsider and pltfs' motion to compel by brief. (AEB-J)s cps mld
7-8		Deft.'s brief and response to pltfs' mot. to reconsider & to motion to compel production of documents & answers to interrogs., filed.k
7-9		Deposition of John G. Cleary, taken on behalf of deft. on 5-21-76 before Frank L. Peterson, C.S.R., with fees of $61.50, filed.k
7-9		Release & satisfaction of judg. for costs ($65) taxed by USCA, filed. g
7-20		Deposition of Sally Johnston on behalf of deft taken before Frank L.Peterson (CSR) on 5-21-76 ($39.00)lm
7-22		Pltf's proposed pre-trial order,filed.s
7-22		Deft's proposed pre-trial order, filed.s
7-22		Pltf's pre-trial differences and reasons, filed.s
7-23		Notice of Deft. taking oral depositionsof John Kenneth Nelson at Minneapolis, Minn., on 7-29-76, filed.s
7-23		Deft's application to limit the Pltfs' cross-examination to questions propounded by pltfs' counsel, filed.s
7-23		Deft's brief in support of application to limit the pltf's cross-examination to questions propounded by Pltfs' counsel, filed.s O to J
7-26		Order, filed, that pltfs. limit their cross-examination in the deposition of John Kenneth Nelson to questions propounded by counsel for the pltfs. (AEB-J)k service by deft. counsel
7-27		Pltfs' objections to notice of taking oral deposition and request for Order to restrain defts. from further discovery, filed.k
7-27		Deft's response to pltfs' objections to notice of taking oral deposition and request for order to restrain defts. from further discovery, filed.k
7-28		Pltfs' reply brief to deft's brief and response to pltf's mot. to reconsider order of 8-8-73 denying access to documents, and reply brief to response to pltfs' mot. to compel defts to produce documents & to ans. interrogs., filed. g
8-4		Response to pltfs' statement of pretrial differences and reasons therefor, filed. lm
8-5		Deft's motion for partial S/J, filed. lm
8-5		Opening Brief in Support of deft's motion for partial S/J, filed.lm
8-5	MO	Ordered by the Court that plaintiff is granted ten days from this date to file a response to defendant's motion for partial S/J. (AEB-J) lm ltrs mld.
8-17		Pltfs' brief in opposition to deft's motion for partial summary judgment, filed.s
8-23		Deposition of John K. Nelson, filed.k
9-14		Deft's reply brief in support of mot. for partial summary judgment, filed.s

ROYCE SAVAGE, SPECIAL MASTER

70-C-36

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE 14 OF ____ PAGES

DATE	NR.	PROCEEDINGS
1976		
10-7		Deft's mot. for S/J as to Count II, filed.s
10-7		Deft's brief in support of mot. for S/J, filed.s
10-7	MO	It is ordered by the Court that the pltfs. file a responsive brief winthin ten (10) days to deft's mot. for S/J.s (AEB-J) cps. mld.
10-18		Appli. of pltfs for additional time to prepare and file response to deft's motion for S/J as to Count II, filed. lm
10-21		Order, filed, granting pltfs. until 11-8-76 to prepare and file response to deft's mot. for S/J.s cps. mld.
11-8		Pltfs' appl. for 20 days to respond to deft's mot. for S/J on Ct. II, filed.k O to J
11-10		Order, filed, granting pltfs. until 11-28-76 to file response to deft's mot. for S/J as to Ct. II.s (AEB-J) cps. mld.
11-29		Application of pltfs. for additional time to prepare and file response to deft's motion for summary judgment as to Count II, filed.s O to J
11-30		Order, filed, granting pltfs ext of time 'til 12/1/76 to prepare and file Response to deft's Motion for S/J as to Count II. (AEB-J)lm cps mld
12-1		Pltfs' response to deft's motion for summary judgment as to Count II and brief in opposition, filed.s
12-2		Pltf's affidavit in opposition to deft's motion for S/J as to Count II and verification, filed.s
12-17		Def. reply brief to pltfs. response to def. mo/SJ as to Ct. II,filed.rm cps
1977		
3-7		Order, filed, overruling deft's mot. for S/J as to Count II. (AEB-J)k mld
3-7		Order, filed, referring case to Royce Savage as Special Master. (AEB-J)k cps mld
3-15		See letter in file for various original pleadings transmitted to Royce Savage per his request. rm
5-18		Order, fld. that the Special Master by authorized to conduct all proceedings and make all orders deemed by him to be necessary in preparing for and presiding over the trial of this cause, and that judgment will be entered in the case by this Court as recommended by such Special Master, all in accordance with the agreement and recommendation of counsel for the parties. (AEB-J) cps mld. ho
8-9	MO:	Case set for pre-trial conference before Special Master for 8/23/77 at 10 a.m. in Judge Barrow's conference room.(RHS-Sp.Master)rm-notices
8-23		Case called for pre-trial hearing. Pltf. present & rep. Deft. rep. Statements made. Pltf. to file brief by 9-23-77; deft. to ans. within 20 days. Case will then be set for further pre-trial hearing. (R.H. Savage-Sp. Master)ph
9-22		Pltfs. app. for stipulation for order ext. time w/in which to prepare & file brief on issues of Law and statement of proofs in supp. of Pltfs. petition and causes of action. fld. ho O to Special Master by atty.
10-4		Order, filed, granting pltfs. to 10/21/77 to prepare brief ofissues of law & statement of proofs in support of petition.(RHS-Sp.Mstr) copies mailed

Royce H. Savage, Special Master

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. 70-C-36
Paul Polin	Dun & Bradstreet	PAGE ____ OF ____ PAGES

DATE 1978	NR.	PROCEEDINGS
4-26		Ret. of USM service of civil sub., fld. served Ralph L. Baston on 4-25-78 in Tulsa, OK; George Clark on 4-19-78 in Tulsa, OK; Gail Clark on 4-25-78 in Tulsa, OK; John Cleary on 4-18-78 in Tulsa, OK; & Sally Cleary on 4-18-78 in Tulsa, OK. (USM $16.60)ho
5-4	---	Motion by deft. for summary judg. and/or mo/dismiss for failure to prosecute, filed. rm (copy to Savage)
5-4	---	Opening brief in support of mo/SJ and/or mo/dismiss, filed. rm
5-5	---	Copy of ltr., received, from deft.counsel, enc. copy of deft. proposed pretrial order, motions & brief. rm
5-9	MO:	Case set for hearing on defts. mo/SJ and mo/dismiss for Wed., 5/17/78 at 10 a.m. in Judge Barrow's conf. room.(RHS-SM)rm-notices
5-17	Min:	Hearing held on defts. mo/SJ and/or mo/dismiss. Counsel present. Statements made. Motions overruled. Pltf. presents proposed pretrial order to ct. Deft. directed to prepare new pretrial order setting out court's rulings on issues. Pltf. to submit any authorities in support of their issues. Pltf. to advise deft. by 6/2/78 of witnesses at trial and exchange trial exhibits. Any party not listed cannot testify. (RHS-SM)rm(unreported)
5-30		Pltf. receipt of Defts. exhipits, fld. ho
5-30		Pltf. receipt of Defts. list of witnesses & summary of intended testimony, fld. ho
5/31	ltr	Letter from John Henry Rule to Judge Savage re proposed Pretrial Order and Order Disposing of Certain Mots. Relating to Discovery. Ltr. states prop. orders were mld. to Savage for approval. v
5-31		Certificate of mailing of receipt & receipt of deft's list of witnesses & summary of intended testimony, filed. hm
5-31		Pre-trial order, filed. (RHS-SM)hm (cps mld by John Rule)
5-31		Order, filed, that deft's obj. to pltfs' req. for prod. of documents is sustained & pltf's mo/compel prod. of documents is overruled; that pltfs' mo/compel deft. to ans. objected interrog. is overruled; that pltfs' mo/compel deft. to ans. suppl. interrog. is overruled; that pltfs' mo/compel deft. to admit or deny its req. for adm. of specific facts is overruled; that pltf's mo/reconsider earlier order overruling their discovery req. is overruled. (RCS-SP)hm (cps. mld by John Rule)
6-1		Plaintiffs' proposed PT order, filed. hm
6-2		Receipt of deft. exh. 9 and 10, filed by pltf. counsel.rm
6-7		Pltfs. motion to reconsider pretrial order, filed.rm
6-7		Defts. renewed mot. for S/J. fld. ho O toJ. by atty.
6-7		Order, fld. & entered It is ordered that the Pltfs. mot. to reconsider is denied & that Defts. renewed mot. for S/J is sustained. It is further ordered that judgment is entered in favor of the Deft. as against these Pltfs. further, that Pltfs. take nothing on their compl. (RHS-SM)ho
6-7		Judgment in favor of the deft. and against pltfs., filed & entered. (AEB-J)k cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. 70-C-36-B
PAUL POLIN	DUN & BRADSTREET	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1977 10-21		Appl. of pltf. for ext. of time to file brief on issues of law, filed. rm (O to Savage)
10-21		Order, filed, granting pltf. to 11/11/77 to file brief of issues of law. (R. Savage-Mag)rm - copies mailed
11-11		Appl. for ext. of time to file brief on issues of law, etc/. filed. g
11-11		Order, filed, ext. time to 12/15/77 for pltfs. to file brief on issues. (R. Savage-SM)g cpies mld by counsel
12-15		Appl. of pltf. for ext. of time to file brief, filed.rm
12-15		Order, filed, granting pltf. to 1/14/78 to file brief.(RHS-SM)rm copies mailed by Whitebook
1-12-78		Appl. of pltf. for ext. of time to file brief, filed. rm
1-13		Order, filed, granting pltf. to2/17/78 to file brief., no further ext. will be granted.(RHS-SM)rm-copies by Whitebook
3-17	MO:	Case is set for final pre-trial conf. before Special Master Royce H. Savage for 4/3/78 at 10 a.m. in conf. room of Judge Barrow.(RHS-SM) rm - notices
4-3	MO:	Case called for final pretrial before S.M. Royce H. Savage. Counsel present. Whitebook not present. PT conf. passed to 1:30 p.m. for Mr. Whitebook to attend. 1:40 p.m. all counsel present. Ct. makes statement re issues and pending motions. Pltf. mo/re interrog. & req. for prod. of documents, filed 5/19/76 - deft. objs. sustained. Pltf. interrog. to deft. of 5/19/76 - deft. objs. sustained. Pltf. req/adm. of 5/24/76 deft. objs. sustained. Pltf. supp. interrog. to deft. of 5/25/76 - deft. objs. sustained. Pltf. mo/reconsider of 6/17/76 denied. Deft. req. for addl. depositions denied. Pltf. granted to 4/17/78 to file update list of witnesses; deft. to 4/22/78 to file list of witnesses. Parties to stip. on exhibits. Deft. counsel to prepare proposed pretrial order by 4/25/78. Final pretrial order to supersede any and all issues previously ruled on. Parties may file req. inst. if desired. No voir dire questions necessary. Case set for jury trial for Tues., 6/13/78 at 9:30 a.m.(RHS-SM)(G.Dorrough-CR)rm
4-~~10~~ 1	----	Reporter's transcript of pre-trial conf.had on 4/3/78, filed. (pp.1-56)rm
4-14	----	Copy of 1977 Annual Report for Dun & Bradstreet, filed. rm
4-20	----	Copy of proposed pretrial order received. rm
4-20	---	Affidavit of Shirley Ann Bishop, filed, served Larry J. High in Topeka Kan. by certified mail on 4/18/78. rm
4-24	--	Affid. of Shirley Ann Bishop, fld. served A.N DeMarea by cert. mail on 4-24-78. ho civil sub.

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-7-78	Notice of appeal by pltfs. from Order of 6/7/78, filed. rm - copy USCA	
7-7-78	$250 cost bond posted; $5 filing fee pd. rm	
7-11-78	Pltf. bond for costs on appeal, fld. ho	
7-19-78	Order, fld. disbursing funds, It is ordered that the Ct. Clk. disburse to the attys. for the Pltf., the original cash bond made by the Pltf. in the amt. of $250.00. (AEB-J)ho c/m	
8-11-78	Plaintiffs' designation of record on appeal, filed. rm	
8-16-78	Appeal record (13 vols) transmitted to USCA.rm	
8-17	Letter from deft. counsel, requesting addl. designation on appeal, filed. rm	
8-21	Letter from 10th Circuit, assigning No. 78-1648. rm	
1980		
12-31	MANDATE & OPINION of 10th Circuit, vacating judg. of this Ct. & remanding w/directions to review special master's report in accordance w/Rule 53(e)(4) and for further proceedings in accordance w/opinion. Judges Holloway, Doyle & McWilliams dissenting.rm	
12-31	STATEMENT OF COSTS in favor of pltfs-appellants and against deft. & taxed in amt. of $65.00.(JCS-Clk)rm	
12-31	CASE REOPENED AND ASSIGNED TO JUDGE COOK.rm	
1981 1-16	APPEAL RECORD (13 vols) received from 10th Cir. rm	
5-12	MO: CASE SET for status conf. after Mandate for Tues., 5/26/81 at 10:30 a.m.(HDC-J)rm-ntc	
5-26	Min: STATUS CONF. held. Parties to submit statement of facts & briefs in 60 days. Ct. to read record and make ruling.(HDC-J)(V.Mickey-CR)rm	
7-7	APPLICATION of Charles A. Whitebook,Atty, for order permit. w/drawal as atty for pltf. (O to J) jc	
7-8	ORDER granting Charles A. Whitebook permission to w/draw as atty for pltfs. (HDC-J) jc (c/m atty)	
7-22	APPLICATION of R. James Unruh, one of the attys. for Pltf., for order permitting withdrawal of atty. pt (O & withdrawal)	
7-27	DEFT'S BRIEF of facts & issues. pt	
7-27	ORDER granting R. James Unruh permission to w/d as counsel for pltf.(HDC-J)rm c/movant	
7-27	WITHDRAWAL by R. James Unruh as counsel for pltf. rm	
8-12	APPLICATION of Frederick L. Boss, Jr. to w/draw as atty of record for pltfs. (O to J) jc	

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COOK

DATE 1981	PROCEEDINGS	Date Order or Judgment Note
8-17	ORDER granting pltf atty Frederick L. Boss, Jr., to w/draw. (HDC-J) jc (c/movt)	
8-21	WITHDRAWAL of Frederick L. Boss,Jr. Atty for pltf. jc	
1982 3-5	MO: CASE set for disposition for failure of pltf. counsel to file stip. of facts pursuant to Order of 5/26/81, for Wed., 4/14/82 at 1:30 p.m.(HDC-J)rm-ntc	
4-15	Min: DISPOSITION hrg. held. Parties rep. Deft. to prepare proper Order for entry of Ct. pursuant to Mandate.(HDC-J)(VM-cr)rm	
1983 6-30	ORDER, entered, stating Deft. is entitled to summary judg. in this action. (HDC-J) pt cps/mld	
6-30	JUDGMENT, entered, dismissing this action & stating that Pltfs. take nothing. (HDC-J) pt cps/mld&10th Cir. Librarian	
7-29	NOTICE OF INTENT TO APPEAL by pltfs. from judg. of 6/30/83. rm - c/m ($70 fees pd)	USCA
8-8	CERTIFICATE OF DESG. OF RECORD ON APPEAL by Deft. pt	
8-11	LTR. recd. from 10th Cir. assigning Appeal No. 83-1952. pt	
8-18	DEMAND of Deft. (Appellee) pursuant to Rule 10(b)(3) that Pltfs. (Appellants) order transcript. pt	
8-19	LTR. recd. from 10th Cir. to Pltfs. re transcript order. pt	
9-6	LTR. recd. from John Kinslow re change of address. pt	
10-28	LTR. recd. from 10th Cir. ordering the Pltfs. to make appropriate arrangements w/this Court for transmittal of the record & transcript w/in 10 days. pt	
11-8	CERTIFICATE by Pltf of designation of record on appeal. pt (13 vols. recd. 8-11-83 & the O. of 6-30-83. pt	
11-23	APPEAL RECORD, Vols. I thru XIV, transmitted to 10th Cir. pt	
1984 5-17	MANDATE recd. from 10th Cir. dismissing the appeal for lack of prosecution pursuant to R. 15 of U.S. Ct. of Appeals for 10th Cir. pt (O to J for OK)	
5-23	ORIGINAL RECORD (VOLS I THRU XIV) rec'd from Tenth Circuit. hm	
5-23	LTR. recd. from Deft. to 10th Cir. re reinstatement of appeal. pt	

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DATE 1984	PROCEEDINGS 70-C-36-C COOK 70-C-36-C	Date Order or Judgment Noted
6-25	ORDER recd. from 10th Cir. recalling the mandate filed (Dist. Ct.) 5-17-84 & reinstating the appeal; appellant's brief tendered 5-18-84 is ordered filed as of this date; appellee's brief due 7-16-84; the Ct. concludes that denying reinstatement would punish the clinets rather than the recalcitrant lawyer in this appeal; at the time the case is heard, the Ct. will entertain a motion by appellee to charge appellants' atty. for double costs & attys. fees. pt (O to J for OK)	
6-6-85	**APPEAL RECORD**, Vols. I thru XIV, re-transmitted to the 10th Cir. pt	
~~6-5~~	~~**TRANSCRIPT** of proceedings held on 10-5-84 before Judge Brett (pp. 1-67, orig. & Clk's copy). (Melanie Smith-CR) pt~~ EIE	
8-23	**MANDATE & OPINION** recd. from 10th Ciur. affirming the judg. of this Ct. pt (O to J for OK)	
1986 1-16	APPEAL RECORD (Vols. I thru XIV) rec'd from Tenth Circuit. hm	
1-16	DEPOSITIONS returned to counsel. hm	

DATE	PROCEEDINGS	Date Order or Judgment Note