72-C-125

BARROW

**CIVIL DOCKET**

**UNITED STATES DISTRICT COURT**

**Jury demand date:** ~~5-18-72 by defendants~~ withdrawn 6-8-72

D. C. Form No. 106A Rev.

| TITLE OF CASE | ATTORNEYS |
|---|---|
| JAMES D. HODGSON, Secretary of Labor, United States Department of Labor<br><br>vs.<br><br>JOHN A. and LOUIS J. HARRISON, individually, and as partners, doing business as HIGHLANDER CENTER, | **For plaintiff:**<br>Richard F. Schubert, Solicitor of Labor<br>Harry Campbell, Jr. Deputy Regional Solicitor<br>Roger D. Marshall, attorney<br>Regional Solicitor Richard Collier<br>Office of Solicitor<br>U. S. Dept. of Labor<br>Room 7C52, 1100 Commerce St.<br>Dallas, Texas 75202<br><br>**For defendant:** Pitch 918-256-7511<br>Pitcher, Lowry & Logan<br>Professional Building<br>Vinita, Oklahoma 74301 |

| STATISTICAL RECORD | COSTS | | | DATE | NAME OR RECEIPT NO. | REC. | | DISB. | |
|---|---|---|---|---|---|---|---|---|---|
| J.S. 5 mailed 5-1-72 | Clerk | | | | | | | | |
| J.S. 6 mailed 4-1-73 | Marshal | | | | | | | | |
| Basis of Action: violation of Fair Labor Standards Act of 1938, as amended | Docket fee<br>Witness fees | | | | | | | | |
| Action arose at: | Depositions | | | | | | | | |

72-C-125

BARROW

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
|---|---|---|
| 4-10-72 | Complaint, filed. Summons issued. rm | |
| 4-10-72 | Plaintiff's first set of interrogatories, filed. rm | |
| 4-26-72 | Return of Marshal's service of com., sum. & Interrog., filed. Served John A. Harrison in Vinita on 4/24/72 (USM $3.00) rm | |
| 4-26-72 | Return of Marshal's service of compl., sum. & Interrog., filed. Served Louis J. Harrison in Vinita on 4/24/72 (USM $18.60) rm | |
| 5-15-72 | Defendants' answer, filed. ds | |
| 5-18-72 | Defendants' demand for jury trial, filed. ds | |
| 5-26-72 | Pltf's motion to strike defts' demand for jury trial, filed. hm (with brief) | |
| 5-26-72 | Parties directed to hold pre-trial prior to 7-10-72 and file pre-trial order not later than 7-18-72. (AEB-J)hm | |
| 6-5-72 | Defendant's motion for withdrawal of demand for jury trial, filed. ds (Copy of motion and order to Judge Barrow) | |
| 6-8-72 | Defendants' answers to plaintiff's first set of interrogatories, filed. ds | |
| 6-8-72 | Order permitting withdrawal of demand for jury trial, filed. (AEB-J)hm (copies mailed) | |
| 6-20-72 | Amended Answer with permission to file by the plaintiff filed.(Per MC)h | |
| 6-27-72 | Defendant's motion for summary judgment, filed. ds | |
| 6-27-72 | Affidavit in support of motion for summary judgment, filed. ds | |
| 6-27-72 | Defendant's brief in support of motion for summary judgment, filed. ds | |
| | Ordered by the Court that plaintiff respond to defendant's motion for summary judgment with a reply brief within ten days of this date.(AEB-J) ds | |
| 7-11-72 | Ordered by the Court that Government shall have until August 1, 1972, in which to respond to Plaintiff's Motion for Summary Judgment. (AEB-J)v Parties notified. | |
| 7-31-72 | Statement in opposition to Deft.s' Motion for Summary Judgment, and affidavits, filed. v | |
| 7-31-72 | Pretrial order, filed. (AEB-J) ds Copies mailed. | |
| 8-7-72 | Plaintiff's first request for admissions, filed. ds | |
| 8-7-72 | Plaintiff's second set of interrogatories, filed. ds | |
| 9-5-72 | Defts.' Answers to Pltf.'s First Request for Admissions, filed by Deft.s. v | |
| 9-5-72 | Dft.s' Answers to Pltf.'s Second Set of Interrogatories, filed. v | |
| 11-15-72 | Ordered that Magistrate conduct hearing on deft's motion for S/J.(AEB-J)hm | |
| 11-15-72 | Hearing held on deft's motion for S/J. It is recommended that motion be overruled & pltf. to prepare F&R within 5 days. (MLB-Mag)hm | |
| 11-20-72 | Findings and Recommendations of Magistrate, filed. (MLB-Mag)hm (copies mailed) | |
| 12-4-72 | Order approving recommendations of Magistrate and overruling defendants' motion for summary judgment, filed. (AEB-J)g cpies mailed. | |
| 1-26-73 | Ordered by the Court that this Case is set for Non-Jury Trial on February 7, 1973, at 10:00 A.M. (AEB-J)v -notices mailed. | |
| 1-31-73 | It is ordered that this case is stricken from n/j docket of 2-7-73 pending settlement.(AEB-J)h | |

3-22 Judgment to Judge

D. C. 110A Rev. Civil Docket Continuation

Sheet # 2

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
|---|---|---|
| 3-28-73 | Judgment filed and entered. Upon consent of parties, it is ordered that the defendants, agents, etc., are permanently enjoined from violation of provisions of Fair Labor Standards Act of 1938, etc.(AEB-J)h (copies mailed) | |

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
| --- | --- | --- |