DAUGHERTY 72-C-357

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: by defts on 2-14-73

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
AMERICAN HOST CORPORATION, vs. OKARK, INC., KIRK LARKIN and JOHN DOE	For plaintiff: Jeff Nix Langerman, Geabel etc - Wright Bldg. ~~Kothe and Eagleton, Inc.~~ ~~204 Philtower Building~~ 584-6101 Tulsa, Oklahoma 74103 ~~(584-5182)~~ For defendant: Mitchell O'Donnell (Okark & Larkin) 1001 Petroleum Club Bldg. Tulsa, Oklahoma 74119 (584-4716)

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 10-1-72	Clerk		9/29 10-5-72	J.Nix C.D No.16	15.00	15 00
J.S. 6 mailed 8-1-73	Marshal					
Basis of Action: trademark infringement; restraining order	Docket fee					
	Witness fees					
Action arose at:	Depositions					

FPI MI—1-3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-29-72	Complaint, filed. Summons issued. rm	
9-29-72	Application for temporary restraining order by pltf., filed. rm	
10-5-72	Marshal's return of service of summons and appl. for restraining order, filed. Served Okark, Inc. in Tulsa on 10/3/72 (USM $6.00) rm Served Kirk Larkin in Tulsa on 10/3/72 (USM $6.00)rm	
10-4-72	Order filed, denying the Pltf's Appl for Temp Restraining order, filed. (FD-J)r (Copy mailed to pltf.)	
10-24-72	Defts' Motion to make more definite & certain & strike, filed. r	
10-24-72	Defts' Brief in support of Motion, filed. r	
10-30-72	Letter dated 10-27-72 from J. D. to Jeff Nix (Pltf), directing pltf to respond to Deft's Motion within 10 days (11-9), filed. r	
11-7-72	Application for Order For Extension of time to answer, filed by the Plaintiff. Order as part of pldg. to Judge. v	
11-13-72	Order granting permission to file the response to the deft's Motion by Nov. 20, 1972, filed. (FD-J)r (Copies mailed)	
12-14-72	Pltf's Appl for leave to file Amended Complaint, filed. r	
12-14-72	Pltf's Confession of Motion to make more definite & certain & Strike, filed. r	
12-14-72	Ordered by the Court, granting pltf leave to file Amended Complaint. Defts are directed to Reply to pltf's Amended complaint within 20 days (1-3-73) (FD-J)r (Attys notified by letter)	
12-14-72	FIRST AMENDED COMPLAINT, filed. r	
1-8-73	Defts' application for order for extension of time to further plead or answer pltf's first amended complaint, filed, with order granting deft. 30 days from today to plead to first amended complaint. (FD-J)hm (copies mailed)	
1-10-73	Deposition of Kirk Larkin on behalf of pltf., filed. g	
2-8-73	Answer and Counterclaim of Deft. Ozark, Inc., filed. v	
2-9-73	Answer of def. Kirk Larkin to complaint and first amended complaint, filed.rm	
2-14-73	DEMAND for Jury Trial by Okark, Inc., filed. r	
2-14-73	DEMAND for Jury Trial by Larkin (deft), filed. r	
3-7-73	Answer to counterclaim of Okark, Inc., filed. g	
5-8-73	Deposition of Word W. Hogan, on behalf of defs., taken on 4/3/73, filed.rm ($55 fee pd by def.)	
5-24-73	Ordered by the Court that this case is set on the Pre-Trial docket of June 13, 1973, at 9:45 A.M. (FD-J)v -notices mailed.	
6-13-73	Pre-Trial hearing stricken, pdg settlement. (FD-J)r	
7-23-73	Pltf's Mtn. to Dismiss, filed. jj	
7-23-73	Order, filed and entered, dismissing cause of action with prejudice (FD-J)jj	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-27-73	Defts' Motion to Dismiss Counterclaim, filed. r, Copy w/Order Mailed	
8-2-73	Order filed, that defts' Motion to Dismiss Counterclaim w/prejudice is granted and defts action set forth in their counterclaim is dismissed. Filed & Entered. (FD-J)r (Copies mailed)	

DATE	PROCEEDINGS	Date Order or Judgment Noted