BARROW 73-C-244

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
EMPIRE RESOURCES INTERNATIONAL, INC., an Oklahoma corporation vs WILLIAM H. PARISH, J. DANETTE PARISH, JOSEPH A. PATRICK, and THE FIRST NATIONAL BANK & TRUST COMPANY OF TULSA, a national banking association	For plaintiff: Richard T. Sonberg 815 Thompson Building Tulsa, Oklahoma 74103 584-4421
James L. Kincaid (For FNB&TR.) 2400 First National Tower Tulsa, Okla. 74103	For defendant: Rosenstein, Fist & Ringold (Parishes) Gene L. Mortensen 300 McFarlin Bldg Tulsa, Okla 74103 585-9211 - for Parishes Horace D. Ballaine (1st Natl.) James L. Kincaid 2400 First National Tower Tulsa, Oklahoma 74103 John L. Arrington, Jr. (Patrick) 510 Okla. Natural Bldg. Tulsa, Okla. 74119

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 8-1-73	Clerk		7-30-73	Sonberg	15 00	
			8-2-73	C.D. 1		15 00
J.S. 6 mailed 5-1-74	Marshal					
Basis of Action: Violation of Sec. & Exch. Act of 1934	Docket fee					
	Witness fees					
Action arose at:	Depositions					

FPI MI—1-3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-30-73	Complaint, filed. Summons issued. hm	
8-16-73	Summons ret. & filed: served Wm. H. Parish, J. Danette Parish and First National Bk. & Tr., Co. at Tulsa, Ok. 8-3-73; served Joseph A. Patrick, New York, 8-9-73. (USM $15.28)g	
8-22-73	Motion of defendant J. Danette Parish for more definite statement, filed. ds	
8-22-73	Brief in support of motion for more definite statement, filed. ds	
8-22-73	Motion of defendant William H. Parish to dismiss cause for lack of jurisdiction over subject matter, failure to state claim on which relief can be granted and the claim is barred by the doctrine of res judicata, filed. ds	
8-22-73	Brief in support of motion to dismiss, as above, filed. ds	
8-23-73	Appl. for order extending time to answer, filed by Deft., First Ntl. v	
8-23-73	Order, filed, granting Deft. 1st Ntl Bnk & Trust Co. of Tulsa to & including 9-7-73. (JCS-CC)v -copies mailed.	
8-23-73	Appl. for Direction, filed by 1st Ntl. v	
8-23-73	Brief in Support of Appl. for Direction, filed. v	
8-24-73	Mtn. of Dft. Joseph A. Patrick for Enlargement of Time to Plead or Ans., filed. jj	
8-24-73	Order, filed, allowing Extension of Time until 9-13-73 to Plead or Ans. (JCS-Clk)jj	
9-4-73	Pltf's Brief in Opposition to Mtn. to Dismiss of Wm. H. Parish, filed. jj	
9-5-73	Applic. of deft. First Natl. Bank for order extending time to answer, filed. hm Ozg	
9-10-73	Reply Brief of deft Parish, filed. r	
9-10-73	Order extending time to answer, filed, ext. to 10-7-73 for deft. First Natl. Bank & Trust Co. to answer. (AEB-J)hm (copies mailed)	
9-11-73	Motion of defendant Joseph A. Patrick for enlargement of time to plead or answer, filed. Order to Judge. ds	
9-13-73	Pltf.'s Supplemental Brief in opposition to Mot. to Dismiss by Deft. Parish, filed. v	
9-17-73	Minute Order:Ordered that pltf. is granted 10 days from this date to respond to def. First Natl. appl. for direction. (AEB-J)rm per rule	
9-17-73	Order, filed, enlarging time within which deft. Joseph A. Patrick may plead or answer, an additional 10 days from 9-13-73. (AEB-J)v	
9-21-73	Motion to Dismiss for lack of subject matter jurisdiction of deft Joseph A. Patrick, filed. r	
9-21-73	Brief of deft Joseph Patrick in support of Motion to Dismiss, filed.	
9-21-73	Ordered by the Court that Pltf respond to deft. Joseph A. Patrick's Motion to Dismiss for lack of subject matter jurisdiction , within 10 days from this date. (AEB-J)r	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
9-25-73	Memorandum brief of pltf. in response to Application for Direction of First Natl. Bk & Tr. Co. of Tulsa, filed. g	
9-28-73	REPLY Brief of 1st Nat'l Bank, in support of Appl for Direction, filed.r	
10-10-73	Response brief of pltf. to def. Patrick's mo/dismiss, filed. rm	
10-30-73	Supplemental brief of plaintiff regarding application for direction by defendant bank, filed. ds	
11-2-73	Request for Production of Documents for inspection and copying filed.h (filed by plaintiff)	
11-7-73	Order, filed- (permitted Conner, Winters, et al to represent 1st Nat'l Bk) (AEB-J). js Copies to Kincaid & Sonberg	
11-29-73	Deft. Parish, Response to Pltf's Request for Production of Docs., filed.jj	
12-11-73	Notice to Take Dep. of the Party Pltf. Joseph J. Solon, filed. jj	
12-11-73	Notice to Take Dep. of the Pty. Pltf. Lee Evans, filed. jj	
12-18-73	Motion to quash depositions, filed. ds	
12-18-73	Memorandum brief of plaintiff in support of motion to quash depositions, filed. ds	
12-19-73	Mot. to compel discovery by oral deposition; Mot. to Dismiss; and Mot. to tax costs, filed by Deft., Wm. H. Parish. v	
12-19-73	Brief in support, filed. v	
12-19-73	Ordered by the Court that Pltf. is granted 10 days from this date to respond to Deft. Parish's Mots; Mot. to compel discovery, Mot. to dismiss, and Mot. to tax costs. (AEB-J)v	
12-21-73	Reply Brief of Pltf. Corp. in Opposition to Deft. Parish's Mtn. to Compel Discovery, filed.jj	
12-21-73	Order, filed, overruling pltf. mo/quash depositions; further that Wm. Parish issue add. Notice to take Dep. to Lee Evans. (AEB-J)rm copies mailed	
12-21-73	Order, filed, sustaining mo/compel discovery by oral deposition, overruling mo/dismiss and order deferring hearing on motion to tax costs. (AEB-J)rm copies mailed	
12-27-73	Second Notice to take depo. of the Party Pltf, fld. by Deft. Wm. Parish. v	
12-28-73	Mot. of Empire Resources International for Protective Order, filed. v	
12-28-73	Brief in Support, filed. v	
12-28-73	Ordered by the Court that Defendants are granted 10 days from this date to respond to Plaintiff's Mot. for Protective Order. (AEB-J)v	
12-31-73	Deft. William H. Parish's Resp. to Pltf's Motion for Protective Order; Motion to Strike Pltf's Motion for Protective Order; Motion to Find Pltf in Contempt of Court; Motion to Dismiss Action; and Motion to Tax Costs, filed.a	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-31-73	Affidavit of Mailing, filed.a	
1-4-74	Table of Contents for Brief of Defendant Joseph A. Patrick in Support of Motion to Dismiss for Lack of Subject Matter Jurisdiction filed.	e
1-7-74	Order granting First Natl. Bk. & Trust leave to file answer out of time, filed. (AEB-J)g	
1-7-74	Answer of The First Natl. Bank & Tr. Company of Tulsa, filed. g	
1-8-74	Pltf's Aff. in Support of Mot. for Protective Order, filed. v	
1-10-74	Pltf's Suppl. aff. in support of mot. for protective order, filed. v	
4-16-74	Stipulation & Notice of Dismissal With Prejudice, filed. v	
4-16-74	ORDER DISMISSING cause with prejudice, filed and entered. (AEB-J)v	