

Jury demand date:

D. C. Form No. 106A Rev.

| TITLE OF CASE | | ATTORNEYS | | | | | |
|--|----------------------------|---|--|------|------------------------|------|-------|
| <p>UNITED STATES OF AMERICA vs AN ARTICLE OF DEVICE, CONSISTING OF ONE DEVICE, MORE OR LESS, LABELED IN PART: (metal plate on back) "DIAPULSE MODEL D101 SERIAL NO. 1518 *** DIAPULSE MANUFACTURING CORPORATION OF MAERICA NEW YORK CITY MANUFACTURED BY REMINGTON RAND DIVISION SPERRY RAND CORPORATION *** AND ALSO INCLUDING THE FOLLOWING ITEMS OF WRITTEN, PRINTED AND GRAPHIC MATTER RELATING TO THE ARTICLE: (leaflet) "OPERATION PROCEDURE OF DIAPULSE MODEL D101 ***" (leaflet) "DIAPULSE MANUFACTURING CORPORATION OF AMERICA *** BASIC SALES APPROACH INFORMATION ***" (treatment chart) "RECOMMENDED TREATMENT CHART ***"</p> | | <p>For plaintiff:</p> <p>Nathan G. Graham, U. S. Attorney Jack M. Short, Asst. U. S. Attorney</p> <p>For defendant:</p> | | | | | |
| STATISTICAL RECORD | COSTS | | | DATE | NAME OR RECEIPT NO. | REC. | DISB. |
| J.S. 5 mailed 11-1-73 | Clerk | | | | | | |
| J.S. 6 mailed 1-1-74 | Marshal | | | | | | |
| Basis of Action: Seizure & forfeiture of mislabeled device | Docket fee Witness fees | | | | | | |
| Action arose at: | Depositions | | | | | | |

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
|----------|--|------------------------------|
| 10-2-73 | Complaint, filed. g | |
| 10-4-73 | Order, filed, for warrant of arrest of property & for notice. (AEB-J)v | |
| 10-18-73 | Return on service of warrant of arrest of property filed. Took custody of 1 Diapulsa Model D101 Machine Serial No. 1518 & placed it in the USM evidence room at Tulsa, Okla. 10-17-73. Also printed and graphic matter relating to the article. (USM \$3.00 and \$7.20)h | which was used. |
| 10-18-73 | Notice, filed, that any person claiming an interest in said property must file a claim 10 days after notice of publication & must file ans. within 20 days after the filing of such claim. v | |
| 11-20-73 | Proof of publication, with publisher's fee in the amt. of \$56.95., filed. a | |
| 11-30-73 | Motion of USA for Default Judgment, fld. v | Decree to J. |
| 12-3-73 | Decree of condemnation, filed & entered: articles are condemned, and U. S. Marshal directed to destroy. (AEB-J)g | |
| 12-18-73 | U. S. Marshal's return on Decree of Condemnation, filed: Article dismantled, smashed up with a sledge-hammer and put in the Tulsa City Trash. (USM \$4.44)g | |