

CIVIL DOCKET  
UNITED STATES DISTRICT COURT

DAUGHERTY

73-C-376

Jury demand date: 4-16-74 (Def.)

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>A. V. HEARON,</p> <p>vs.</p> <p>JAMES MICHAEL DUFFELL</p>	<p>For plaintiff:</p> <p>C. B. Savage 1107 Petroleum Club Bldg. Tulsa, Oklahoma 74119 918 584-4716</p> <p>Ray Wilburn (584-6457) Beacon Bldg. Tulsa</p> <p>For defendant:</p> <p>Jack M. Thomas 200 Franklin Building Tulsa 74103 (582-8877)</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 12-1-73	Clerk		11-16-73	Savage	15.00	
			11-23-73	C/D #18		15 00
J.S. 6 mailed 6-1-74	Marshal					
Basis of Action: Personal Injury	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-16-73	Complaint filed, summons issued. jj	
11-27-73	Summons, ret. & filed; served James Michael Duffell 11-21-73. (USM \$27.36)g	
12-12-73	and cross-complaint Defendant's answer, filed. ds	
12-28-73	Response of pltf. to def. answer, and answer to cross-claim, filed. rm	
1-4-74	Mtn. of Plt. to Amend Complaint, filed. jj <i>(Amend. to cross-complaint) Orig. to</i>	
1-7-74	Amendment to Complaint with ORDER allowing this amend. to be filed. Further ordered that Deft. will ans. amend. compl. w/in 15 days from this date. (FD-J)v -cps mld.	
1-22-74	Answer to amendment to complaint, filed. ds	
3-22-74	MO: Ordered by the Court that this case is set for pretrial on 4-16-74 at 2:00 P.M. (FD-J) ds - docket mld to parties.	
3-29-74	Deposition of A. V. Hearon, taken for defendant before Harvey W. Stephens, CSR. \$60.00 pd by defendant. ds	
3-29-74	Deposition of James Michael Duffell, taken for plaintiff before Harvey W. Stephens, CSR, filed. \$73.75 pd by plaintiff. ds	
4-16-74	Pre-trial held. Pltf. rep. by Jim Elder and Ray Wilburn; def. by Jack Thomas. Ct. grants pltf. leave to amend complt. by setting out in PT Order question of "lost wages"; further that PT Order cover question of jurisdiction, negligence, and contributory negligence. Parties to have their clients available for med. exam. Def. oral demand for jury trial granted. Pltf. to prepare PT order. (FD-J)rm	
4-18-74	Case set for jury trial for 5/14/74 at 9:30 a.m. (FD-J)rm	
5-6-74	<u>PRE-TRIAL ORDER</u> , filed. (FD-J)rm	
5-8-74	of deft. APPLICATION to Strike Case from Jury Assignment, filed. e <i>6/2/74</i>	
5-15-74	Deft's Notice of Dismissal Without Prejudice of Cross-Petition, filed. e (Order to Judge as part of pleading)	
5-15-74	Case called for jury trial. Parties rep. by counsel of record. Def. counsel announces it has settled w/pltf.; further that def.'s case on counterclaim against pltf. was not ready for trial, therefore, def. counterclaim against pltf. will be dismissed wo/prej. to filing of further action. Stip. of dismissal w/prej. as to pltf. case, w/Order granting same, filed in open court. (FD-J)rm	
5-15-74	Order, filed and entered, dismissing w/prej. pltf. action against def. (FD-J)rm - copies mailed	
5-15-74	Order, filed and entered, dismissing wo/prej. def.'s counterclaim against pltf. (FD-J)rm - copies mailed	
5/29	<i>Depositions set to 5/29</i>	