

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 11-26-73

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>Rudolph J. Wolf vs. Jane Phillips Episcopal-Memorial Medical Center, David Clemans(Medical Dir.), Wesley Burch(Admin.), Donald D. Doty, William C. Douce, Robert P. White, Homer L. Dowell, Glenn B. Schuber, John Van Aken, Warren L. Felton, John Kane, Sam Chestnut, Robert Baughman, Harold C. Price, Jr. C. T. Hardwick, Sergei Arutunoff, James W. Zeiders, William M. Aldredge, Robert G. Allen, Virginia Shipman Allen, Elvin M. Amen, Jared L. Bryngelson, Kieffer Davis, H. E. Denyer, William H. Dougherty, Jr., R. C. Emmott, Charles D. Holland, Camp S. Huntington, C. L. Johnson, Jr., George R. Kennedy, Forrest C. Lawrence, Clair Liebrand, Esther Groom Liebrand, William R. R. Loney, J. Riley McFarland, George L. Norris, H. Leo Owen, Kenneth R. Peters, John E. Scott, John R. Smithson, James R. Taylor, V. Lee Vinyard, Brock R. Westbrook, James S. Williams, L. B. Word, C. C. Young, James W. Young</p>	<p>For plaintiff:</p> <p>Gerald E. Kamins 1810 East Fifteenth Street Tulsa, Oklahoma 74104 918-936-2182</p> <p>For defendant:</p> <p>John R. Richards 584-2583 400 Thurston Natl. Bldg. Tulsa, Okla. 74103</p> <p>Alfred B. Knight (for Bryngelson) 584-6457 310 Beacon Bldg., Tulsa, Ok. 74103</p> <p>DAN A ROGERS 583-5111 117 East Fifth Tulsa, Oklahoma 74103</p> <p>Joseph A. Sharp 582-8877 Joseph F. Glass 200 Franklin Building Tulsa, Oklahoma</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 12-1-73	Clerk		11-26-73	J. Kamins	15 00	
J.S. 6 mailed 7-1-74	Marshal		11-29-73	C/D #19		15 00
Basis of Action: Sherman and Clayton Antitrust Act	Docket fee		6-27-74	G. Kamins	5 00	
Action arose at:	Witness fees		7-8-74	C/D #1		5 00
	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-26-73	Complaint, filed; Sukmons issued. a	
11-26-73	<u>Demand for Jury Trial.</u> a (by Pltf.)	
12-13-73	Application and brief for enlargement of time to plead or answer of defts. and order granting defts. 70 days from 12-12-73 to answer. (LB-J)hm (copies mailed)	
12-17-73	Answer of Jared L. Bryngelson, M.D., filed. g	
1-7-74	U.S. Marshal's service returned and filed. Executed by serving the following on 11-29-73 at Bartlesville: V. Lee Vinyard, Geo. L. Norris, J. Riley McFarland, Esther Groom Liebrand, Clair Liebrand, Camp S. Huntington, Jared L. Bryngelson, James W. Zeiders, Harold C. Price, Jr., Sam Chesnut, Warren L. Felton, Homer L. Dowell, Donald D. Doty, Chr. of Bd. and Ind. Complaint upon Served Complaint upon the following on 12-5-73 at Bartlesville: James W. Young, C.C. Young, L.B. Word, James S. Williams, Brock R. Westbrook, James R. Taylor, John R. Smithson, Kenneth R. Peters, John E. Scott, H. Leo Owen, Wm. R.R. Loney, Forrest C. Lawrence, Geo. R. Kennedy, C.L. Johnson, Jr., Chas. D. Holland, R.C. Emmott, Wm. H. Dougherty, Jr., H.E. Denyer, Elvin M. Amen, Wm. M. Aldredge David Clemans, Wesley Burch and Wm. C. Douce. Served Complaint upon the following on 12-11-73 at Bartlesville: Kieffer Davis, Virginia Shipman Allen, Robt. G. Allen, Sergei Arutunoff, Robt. Baughman, John Kane, John Van Aken, Robt. White. Served Complaint upon Glenn B. Schuber, 12-11-73 at Dewey, Okla.; and UNABLE to serve C.T. Hardwick. (USM \$184.40)jj	
2-20-74	Motion To Dismiss for Lack of Jurisdiction Over the Subject Matter and Failure to State a Claim, filed with Brief attached. e	
3-1-74	Notice to produce documents with list of documents requested, filed. v	
2-21-74	^{of Δs} Motion to Dismiss, filed. s	
2-21-74	Brief in Support of Motion to Dismiss, filed. s	
3-11-74	MO: It is ordered by the Court that Gerald Kamins is granted a 30 day extension of time to file a reply brief to the Motion to Dismiss filed on 2-21-74. (LB-J)v -copies mld.	
3-27-74	MO: Ordered by the Court that this case is stricken from the Motion Docket of April 1, 1974. (LB-J)v	
4-1-74	Pltf's Notice of Deposition of Roger Box, filed. e	
4-1-74	Pltf's Notice to take depositions of Dr. Geo. R. Kennedy, Dr. Elvin M. Amen, Dr. H. E. Denyer & Dr. J. Riley McFarland, filed. Summons issued. g	
4-3-74	Mot. to vacate notice to take deposition & brief in support thereof, filed by Defts. v	

(continued)

D. C. 110A Rev. Civil Docket Continuation

SHEET NO. 2, PAGE NO. 3

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-3-74	Ordered by the Court that motion to vacate notice to take deposition is hereby sustained; case is stayed on discovery until after deciding issue of jurisdiction on motion to dismiss. (LB-J)hm=	
4-4-74	Deposition of Wesley Dubois Burch, on behalf of pltf. on 3-14-74, filed. (\$594.00 - pd. by pltf.) e	
4-4-74	Exhibits to Deposition of Wesley Burch, taken 3-14-74, filed. e	
4-8-74	Pltf's Answer to Defts' Jane Phillips Episcopal-Memorial Medical Center, et al, Motion to Dismiss for Lack of Jurisdiction Over the Subject Matter and Failure to State a Claim, filed. e (c to j)	
4-8-74	Pltf's Answer to Defts' Warren L. Felton et al, Motion to Dismiss, filed. e (c to j)	
4-8-74	Joint Memorandum in Support of Pltf's Answer to Defts' Motion, filed. e (c to j)	
6-14-74	Memorandum Opinion, filed. g	
6-14-74	Judgment, filed and entered, dismissing case without prejudice. (AEB-J)g	
6-24-74	Bill of Costs in the amount of \$252.50 filed. Tax costs hearing on July 5, 1974 at 10 a.m. lm	
6-24-74	Bill of Costs in the amt. of \$257.60 filed. Tax hearing set for 7-5-74 at 10:00 A.M.jj	
6-27-74	Notice of appeal by plaintiff, filed. cpies to all counsel & USCA.g	
6-27-74	Bond on appeal (\$250 cash), filed. g	
6-28-74	Stipulation of parties that tax hearing set for 7/5/74 at 10 a.m. may be moved to 7/15/74 at 10 a.m., filed. (rm)	
7-8-74	Application to Order Up Documents for Appeal, filed.k for J. Richards defs.	
7-15-74	Costs taxed in the amount of \$257.60/k	
7-15-74	Costs taxed in amt. of \$257.60 for J.Glass defs. rm	
7-19-74	Mot. of pltf. to retax costs, to strike items of costs as improper, filed. g	
7-19-74	Affidavit and Brief in support of motion to retax costs to pltf., filed. g	
7-25-74	Hearing held on pltf's motion to retax costs. Parties represented. Court take ruling under advisement and will enter an order. Motion to withdraw application for deposition for inclusion in record on appeal, with order approving motion, filed in open court. (LB-J)hm	
7-25-74	Motion to withdraw application for deposition for inclusion in the record on appeal, with order approving motion, filed in open court. (LB-J)hm	
7-30-74	Order, filed, that pltf's motion to retax costs is hereby denied. (LB-J)hm (copies mailed)	
8-2-74	Release of cost judg. by defs. shown on Ex. A (J.Glass defs.)rm	

SHEET NO. 2, PAGE 4

DATE	PROCEEDINGS	Date Order or Judgment Note
8-8-74	MO: Ordered by the Court that parties are granted an ext. of time to 8/17/74 in which to docket and transmit record on appeal. (LB-J)rm	
8-19-74	Designation of record for appeal re portions of deposition of Wes Burch, w/portions attached, filed. rm	
8-19-74	Appeal record (1 vol.) transmitted to USCA. rm	
6-12-75	Mandate and Opinion of USCA affirming judgment of 6-14-74, filed and spread of record. g	
6-16-75	Appeal record (1 vol.) rec'd from USCA. g	
<u>1981</u>		
1-7-81	APPLICATION to req. order of the Court directing the clerk to disburse appeal bond monies. (0)	
1-8	ORDER directing Clerk to refund \$250.00 appeal bond monies to Gerald E. Kamins. (HDC-J)k cpy & ck/Kamins	