BOHANON 74-C-30

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
MARIANNE BALLARD v. THE PETROLEUM PUBLISHING COMPANY, a domestic corporation	For plaintiff: 235-3131 Terry A. Pendell, Jim Mitchell Pendell, Pritchett & Graham 1215 Fidelity Plaza Oklahoma City, Oklahoma 73102 For defendant: Robert F. Biolchini 1200 Atlas Bldg. Tulsa, Okla. 74103 585-5541

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 2-1-74	Clerk		1/18/74	Ballard	15.00	
			1-24-74	C/D #28		15 00
J.S. 6 mailed 5-1-75	Marshal					
Basis of Action: Discrimination in wages based upon sex	Docket fee					
	Witness fees					
Action arose at:	Depositions					

FPI MI—1-3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-18-74	Complaint filed, summons issued.jj	
1-18-74	U.S. Marshals Service returned and filed. Executed by serving summons to Pet. Publ. Co. (P.C. Lauinger, Pres.), 1-18-74 at Tulsa, Okla. (USM $3.00)jj	
2-7-74	Answer, filed.s	
2-12-74	First Amended Answer, filed.s	
2-20-74	Plaintiff's interrogatories to defendant, filed. ds	
3-19-74	Motion (Application) to Extend Time to Answer Interrogatories, filed e (2 to Judge)	
3-22-74	Order, filed, extending time to answer interrogatories. Deft. has has until 4-11-74 to ans. (LB-J)v -cops. mld.	
3-22-74	Case set for PT hearing on 4-1-74 at 9:30 A.M. (LB-J)jj	
3-28-74	MO: Ordered by the Court that this cause is stricken from the PT docket of 4-1-74 at request of Deft's counsel. (LB-J)v	
4-18-74	Answers ~~to~~ of Deft. to Pltf's Interrogatories, filed. v	
4-18-74	Objections to Pltf's Interrogatories, filed. v	
4-18-74	Brief in support, filed. v	
4-30-74	Deposition of Marianne Ballard on behalf of deft., filed. ($237.00)g	
6-4-74	Case set for pre-trial hearing 6-17-74 at 9:30 a.m. (LB-J)hm	
6-14-74	Plea in Abatement, filed.s	
6-14-74	Brief in support of Plea in Abatement, filed.s	
6-14-74	Ordered by the Court that this case is stricken from the Pre-trial Docket of June 17, 1974. (LB-J)v	
6-17-74	Case called for pre-trial hearing. Deft. counsel present; pltf. counsel not present. Pre-trial hearing passed pending the filing of an amended complaint within 20 days; deft. to file answer thereafter. (LB-J)hm	
7-5-74	Amended Complaint, filed.k	
7-16-74	Motion to dismiss Class Action or for more Definite Statement, filed.k	
7-16-74	Brief in support of def.'s motion to dismiss class action or for more definite statement, filed.k	
8-5-74	Pltf's application for extension of time, filed.k	
8-6-74	Deft's opposition to pltf's application for extension of time, filed.k	
8-8-74	Ordered by the Court that pltf. is granted until 8-15-74 to file answer brief. (LB-J)hm (letter written)	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
8-16-74	Pltf's brief in opposition to deft's mot. to dismiss, filed. g	
8-28-74	Reply Brief in Support of Mtn. to Dismiss Class Action or for More Definite Statement, filed.jj	
9-10-74	Case called for hearing on deft's motion to dismiss class action or for more definite statement. Statements made. Pltf. counsel to file responsive brief to deft's brief within 5 days. Court takes motion under advisement and will enter an order after response brief filed. (LB-J)hm	
9-18-74	Pltf's applic. for extension to file (reply brief), filed. hm	
9-18-74	Opposition to pltf's application for extension of time, filed. k	
9-18-74	Depositions of Robert Glen Lair, Margaret Jill Tenzythoff & James Benjamin Avants, Jr., on behalf of pltf., filed. g ($66.00)	
9-18-74	Deposition of Max Lee Batchelder, taken on behalf of pltf., filed. ($55.50)	
9-18-74	Deposition of Alvaro Franco, on behalf of pltf., filed. ($54.00)g	
9-18-74	Deposition of Vernon L. Lang, on behalf of pltf., filed. ($73.50)g	
9-20-74	Order granting ten (10) day extension to Plft. to file reply to Deft's Reply Brief. (Due 9-30-74) b	
9-23-74	Reply Brief in Opposition to Deft's motion to dismiss Class Action or for more definite statement, filed. b	
10-3-74	Order, filed, that Deft.'s Motion to Dismiss is Overruled. Further Ordered the Deft.'s Mot. for More Definite Statement Defining the Class Pltf. represents should be & is held in abeyance until Pltf. has completed discovery &will be adjusted at Pre-Trial Conference order on issues. (LB-J)v -copies mailed.	
10-7-74	Pltf's application for amendment, filed. hm	
10-9-74	Order, filed (part of applic) granting applic. to strike from amended complaint. (LB-J)hm (copies mailed)	
10-15-74	Amswer to amended complaint, filed.k	
10-16-74	Interrogatories to def., filed. rm	
10-21-74	Interrogatories to Pltf., filed. v	
11-15-74	Ans. of Deft. to Pltf's Ints., filed.jj	
11-18-74	Deft's objections to interrogatories, filed. g	
11-18-74	Brief in support of deft's objections to interrogatories, filed. g	
11-21-74	Pltf's answers to interrogatories, filed. g	
11-25-74	Case set for pre-trial hearing 12-17-74 at 9:30 a.m. (LB-J)hm	
12-2-74	Deft.'s interrog. to pltf, filed.k	
12-17-74	Pre-trial hearing held. Statements made. Pltf. to prepare proper	

DATE	PROCEEDINGS	Date Order or Judgment Note
	motion for discovery within 10 days. Court to enter order on motion. Pltf. to answer deft's interrogatories within 10 days from today. Pltf. to file a motion to establish class action. Pre-trial order waived and case to be set for non-jury trial after discovery complete. Further pre-trial hearing possible. (LB-J)hm	
12-30-74	Pltf's Proposed Pretrial Order, filed. lm	
12-30-74	Memo. Accompanying Pltf's Proposed Pretrial Order, filed. lm	
12-30-74	Motion to Establish Class Action - Facts, filed. lm	
12-30-74	Brief in Support of Motion to Determine Class, filed. lm	
12-30-74	Request for Production of Documents, Etc. Under Rule 34, filed. lm	
1-2-75	Pltf's answers to interrogatories, filed. g	
1-8-75	Brief of def. in opposition to mo/determine class action,filed.rm	
1-8-75	Hearing held on pltf.'s motion to establish class action. Parties rep. by counsel of record. Parties stipulate that Ct. will consider depositions as evidence and read same. Pltf. granted 10 days to respond to def. brief in opposition to mo/class action. Ct. to set matter down for evidentiary hrg. at later date. (LB-J)rm	
1-15-75	Letter from LB to parties, of 1/13/75, that no further pre-trial necessary unless req. by parties, same to be held in Okla. City; case to be set on next non-jury docket, filed. (LB-J)rm	
1-24-75	Reply brief of pltf. in support of mo/determine class, with Leave of Ct. to file out of time. (LB-J)rm	
1-28-75	Response of Deft. to Pltf.'s Request for Production of Documents Under Rule 34, filed. v	
1-28-75	Brief in Support of Deft.'s Objections to Pltf.'s Request for Production of Documents, filed. v	
2-19-75	Pltf's motion to compel production of documents, filed. g	
2-19-75	Brief in support of mot. to compel and in answer to deft's brief, filed. g	
2-25-75	MO: Ordered by the Ct. that this case is set for final pre-trial conf. in Okla. City on Monday, 3/3/75, at 10 a.m. in conf. room of Judge Bohanon on 3rd Fl. of Fed. Bldg. Ct. will consider and rule on pltf. mo/compel and will set final trial date.(LB-J)rm	Parties notified by phone
2-26-75	Order, filed, setting case for further and final pre-trial in Okla. City on Monday, 3/3/75, at 10 a.m.; Ct. to rule on mo/compel; will set date certain for trial and will rule on mo/class action.(LB-J)rm	Copies mailed
2-28-75	Reply Brief in Support of Deft's Objections to Pltf's Request for Production of Documents, filed. b	
2-28-75	Deft's Motion for Protective Order, filed. b	
2-28-75	Brief in Support of Motion for protective order, filed. b	
3-4-75	MO: ORDERED BY THE COURT that this case is set for Nonjury trial on 3-24-75 at 9:00 A.M. (LB-J)v -notices mld.	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
	(LB-J)	
3-4-75	PROTECTIVE ORDER,/filed.jj copies mailed	
3-5-75	Final pre-trial conf. held on 3/3/75 in Okla. City. Parties rep. by counsel of record. Protective Order to be filed; def. to ans. pltf. requests in 10 days. Case set for trial for 3/24/75 at 9 a.m.(LB-J)rm	
3-11-75	Order and stipulation of parties per final pre-trial conf., filed. (LB-J)rm - copies mailed	
3-21-75	Motion to Quash Subpoena Duces Tecum DIRECTED to Vernon Lang, filed. mm	
3-21-75	Brief in Support of Motion to Quash Subpoena Duces Tecum Directed to Vernon Lang, filed. mm	
3-21-75	Motion to Quash Subpoena Duces Tecum Directed to Alvaro Franco, filed. mm	
3-21-75	Brief in Support of Motion to Quash Subpoena Duces Tecum Directed to Alvaro Franco, filed. mm	
	(of Deft.)	
3-21-75	Trial/Memorandum, filed.mm	
3-21-75	Plf's Trial Memorandum, filed. mm	
3-24-75	Notice to court by members of proposed class not to participate,filed.rm	
3-25-75	Non-jury trial held 3/24/75 and 3/25/75. Parties present in person and rep. by counsel of record. On Ct.'s own motion, pltf.'s counsel sworn to practice in No. District. Parties make opening statements. Plaintiff presents case in chief with testimony of witnesses and pltf. and def. exhibits admitted. After pltf. rests, deft. moves for dismissal. Ct. allows closing arguments. Ct. issues its findings of fact and grants def. mo/dismissal. Pltf. mo/class action denied. Parties granted 10 days to file proposed FF & CL; 5 days thereafter to object. Court will prepare final judgment. Appeal time to not run until entry of final judgment (12:15 p.m. 3/25/75). (LB-J)rm (Frank Sickles-CR)	
3-25-75	Plaintiff's trial exhibits, filed in open court. rm	
3-25-75	Defendant's trial exhibits, filed in open court. rm	
3-25-75	Copy of information supplied by def. pursuant to order and stipulation, filed in open court. rm	
4-4-75	Proposed FF & CL of def., filed. rm	
4-14-75	Pltf's response to deft's proposed FF & CL, filed.k	
4-16-75	MO: Ordered by the Ct. that pltf. Exhibits 10, 11, 13 & 14 and def. Exh. 3 & 5 were not offered in evidence during the course of the trial and therefore are not received in evidence. Further, Pltf. Exh. 2, 6 & 7 and def. Ex. 2 were presented, offered and obj. to but were not immediately ruled upon. The ruling of the Ct. is that these Exhibits are admitted in evidence.(LB-J)rm-letter md.	
4-28-75	Findings of Fact and conclusions of law, filed and entered.(LB-J)rm copies mailed	
4-28-75	Judgment, filed and entered, that pltf. is denied all monetary relief; that pltf. prayer for injunction is denied; prayer for declaratory relief is denied; req. for class action is denied; and that costs	

(contd)

DATE	PROCEEDINGS	Date Order or Judgment Note
4-28-75	(contd) are assessed against the pltf. (LB-J)rm - copies mailed	
4-30-75	Bill of Costs, filed. Taxation to be 5-12-75 at 10:00 a.m. v	
5-2-75	Minute: Cost hearing set for 5/12/75 is stricken by the Clerk and reset for 10 a.m., 5/13/75. (JCS-Clk)rm	
5-13-75	Costs taxed in amt. of $316.00 in favor of def. (JCS-Clk)rm	
12-29-77	Release & satisfaction of judgment. fld. ho	
11-19-80	EXHIBITS returned to respective parties.am	
3-4-83	DEPOS. returned to counsel. hm	