BOHANON 74-C-135

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
THE J. E. AND L. E. MABEE FOUNDATION, INC. v. UNITED STATES OF AMERICA	For plaintiff: Donald P. Moyers 582-5281 John H. Conway, Jr. 920 National Bank of Tulsa Bldg. Tulsa, Oklahoma 74103 For defendant: Nathan G. Graham ~~Robert P. Santee~~ Fred W. Schwendimann Tax Division, Dept. of Justice Washington, D. C. 20530 Eugene G. Sayre, Tax Div., Dept. of Just 8E2 Federal Office Bldg. 1100 Commerce St. Dallas, Texas 75202

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 4-1-74	Clerk			3/12/74	Moyers	15.00	
				3-14-74	C/D #35		15 00
				3/13/75	Moyers	5.00	
J.S. 6 mailed 2-1-75	Marshal			2-2-82	Costs paid	53 75	
Basis of Action: overpayment of income tax in amt. of $379,963.51	Docket fee						
	Witness fees						
Action arose at:	Depositions						

FPI MI—1-3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-12-74	1. COMPLAINT filed, SUMMONS issued.jj	
3-13-74	Summons, ret. and filed. served on U.S.A., Washington, D. C. on 3-13-74. Served U.S. Dist. Atty. for NorthernDst.Tulsa, Okla. (USM $3.00) (copy to U.S. Atty., Tulsa)	
5-13-74	2. ANSWER of deft. U.S.A., filed. e	
6-4-74	Case set for pre-trial hearing 6-17-74 at 9:30 a.m. (LB-J)hm	
6-17-74	Case called for pre-trial hearing. Pre-trial hearing passed and parties to file stipulation, take depositions and file briefs within 90 days or by 9-16-74. Case to then be submitted to Court for decision. (LB-J)hm	
9-18-74	3. Pretrial order, filed. (LB-J)hm (ready for non-jury trial - EST:½day)	
10-22-74	DEPOSITION of C.D. Forrest on behalf of Deft. taken on 9-6-74 before Loyd J. Christesson with fees of $31.50, filed. v	
11-25-74	Case set for non-jury trial 12-17-74 at 10:00 a.m. (LB-J)hm	
11-27-74	Case stricken from non-jury setting of 12-17-74 and reset at 11:00 a.m. on 12-19-74 in Oklahoma City. (LB-J)hm (letter written)	
12-2-74	4. Trial brief for plaintiff, filed. hm	
12-2-74	5. Stipulation of facts, filed. hm	
12-16-74	6. Deft's trial memorandum of fact and law, filed. hm	
12-17-74	7. Pltf's response to deft's trial memorandum of fact and law, filed.hm	
12-19-74	Case tried to the Court in Okla. City. Parties announce ready. Opening statements made. Pltf. presents case in chief with testimony of witnesses. Pltf's exhibits 1 thru 5 admitted. Pltf. rests. Parties rest. Pltf/& defs to submit proposed F/F & C/L within 30 days & to be filed on or before 1-21-75. Case taken under advisement & Court to file final F/F & C/L and Judgment. (LB-J)hm (per Bud Bailey)	
12-19-74	Trial exhibits, filed. hm	
1-6-75	Transcript of trial proceedings held 12-19-1974, filed. Frank M. Sickles, reporter. ds	
1-21-75	8. Pltf's proposed F/F & C/L, filed. hm	
1-21-75	9. Memorandum to accompany pltf's proposed F/F & C/L, filed. hm	
1-22-75	10. Proposed FF & C/L of def., filed. rm	
1-31-75	11. Memorandum Opinion, filed and entered.(LB-J)b	
1-31-75	12. Judgment, filed and entered, that Internal Revenue Service assessment for 1971 was legal & proper, & prayer for refund of taxes and interest timely paid is denied, & Pltf's action is dismissed.(LB-J)b	
3-13-75	13. Notice by pltf. of appeal to 10th Circuit from final judg. of 1/31/75, filed. rm (Copies to counsel and USCA)	
3-13-75	14. Bond for cost on appeal ($250 cash), filed. rm	

D. C. 110A Rev. Civil Docket Continuation

Sheet 2

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-3-75	Appeal record (2 vols.) sent to USCA. g	
5-6-76	Mandate & Opinion of USCA affirming judgment of 1-31-75, filed and spread of record. g	
5-6-76	Statement of Costs by USCA, filed; costs taxed against plaintiff-appellant and in favor of appellee, USA in amt. of $53.75. g	
5-17-76	Appeal record (2 vols.) recd from USCA. g	
2-5-82	ORDER for return of appeal bond,order is entered for the payment of Cash bond for $250.00 to pltf. (JOE-for HDC-J) dm c/m	
7-30-82	DEPOSITION returned to Govt. counsel. hm	

DATE	PROCEEDINGS	Date Order or Judgment Note