BARROW 74-C-162

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 5-15-74 (deft.)

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
TECHNOLOGY INCORPORATED, HF PHOTO SYSTEMS DIVISION, a corporation, Plaintiff, vs PHOTO SERVICE INTERNATIONAL, a corporation, Defendant.	For plaintiff: Gatra Marvin Ungerman, Grabel & Ungerman Sixth Floor Wirght Bldg. Tulsa, Okla. 74103 For defendant: C. Rabon Martin Baker, Baker & Martin Mayo Building Tulsa, Okla. 74103 Rick Lowenherz (receiver) Philtower Bldg. Tulsa (582-0018)

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 5-1-74	Clerk		4-9-74	Ungerman.	15 00	
			4-11-74	C/D #40		15 00
J.S. 6 mailed 12-1-74	Marshal					
Basis of Action: Money judgment on open account	Docket fee					
	Witness fees					
Action arose at:	Depositions					

FPI MI—1-3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-9-74	1. COMPLAINT, filed. SUMMONS issued. e	
4-11-74	2. Request for issuance of additional (alias) summons, filed. g Summons issued.	
4-15-74	U.S. Marshals Service returned and filed. Executed by serving Summons and Complaint upon J.E. Daugherty by serving wife Kathyline, 4-10-74 at Tulsa, Okla. (USM $1.92)jj	
	U.S. Marshals Service returned and filed. Executed by serving Alias Summons and Complaint upon J.E. Daugherty personally, 4-10-74 at Tulsa, Okla. (USM $3.00)jj	
4-18-74	3. Motion for Extension of Time to Answer and Brief in Support Thereof, filed. e (o to j)	
4-25-74	4. Order granting deft. an additional 20 days to answer, filed. (AEB-J)g cpies mailed.	
5-13-74	5. Deft's Request for Production of Documents, filed. e	
5-15-74	6. ANSWER & COUNTERCLAIM of deft., filed.jj with DEMAND FOR JURY TRIAL	
5-21p74	7. Motion of Pltf. Technology Inc., HF Photo Systems Division, For Enlargement of Time, filed, with Brief in Support thereof incorporated.	
5-22-74	8 Order, filed, granting plaintiffs until 7-1-74 to comply with Request for Production of Documents. (AEB-J)g cpies mailed.	
7-1-74	9 REPLY to counter-claim, filed with leave of Court. g	
7-3-74	10. MO: Parties directed to hold pre-trial conference on or before 8-12-74 and file pre-trial order on or before 8-19-74. (AEB-J)k	
8-12-74m	11. Motion of Pltf. Technology Inc., HF Photo Systems Div. to strike pending action from current pre-trial docket. b	
8-12-74	12. Order, filed. striking action from current pre-trial docket. (AEB-J)g	
9-4-74	MO: Parties are directed to hold a pre trial conference on or before 10-16-74 & file PT order on or before 10-23-74. (AEB-J)k copies sent by certified mail	
11-7-74	13. Journal entry of judgment, filed and entered, that pltf. have judg. of def. in sum of $13,459.24, w/int. at 10% from 6/22/73, $2,000 atty. fees to be taxed as costs, and all costs.(AEB-J)rm	
11-14-74	14. Bill of costs in the amt. of $2,025.00, filed by pltf., and hearing on costs before Clerk set 11-25-74 at 10:00 a.m. hm	
11-25-74	Cost hrg. held before Clerk. Pltf. appeared by counsel of record; def. not present or represented. Costs taxed in favor of pltf. in amt. of $2,025. (JCS-Clk)rm	
1-6-75	15. Applic. for citation to disc. assets & show cause (receiver),filed.hm	
1-6-75	16. Order to appear and answer as to assets & show cause why a receiver should not be appointed, filed, setting hearing for 1-15-75 at 10:45 a.m. (AEB-J)hm	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-7-75	Marshal's service of Order to appear and answer to assets, ret. & filed: served J. E. Daugherty 1-7-75. (USM $5.40)g	
1-15-75	Case called for hearing on pltf's motion for appointment of a receiver and hearing of assets. Parties represented by counsel. Upon agreement of parties, it is ordered by the Court that the hearing is hereby continued to 2-11-75 at 10:30 a.m. (AEB-J)k	
2-11-75	Case called for hearing on Pltf's mot. for appt. of Receiver & hearing of assets. Pltf represented by Gatra Marvin. Deft not represented. Pltf counsel announces that by mutual agreement with Deft. they wish to have a Receiver appointed regarding certain equipment. Court appoints Rick Loewenherz as Receiver. Order to be prepared by G. Marvin .(AEB-J)b	
2-24-75	17. Order, filed, appointing Rick Lowenherz Receiver for deft. Photo Service International, to serve without bond and without compensation (AEB-J)g	
2-26-75	18. Reclamation petition of J. E. Daugherty and Edgar Sanditen,filed.rm	
2-28-75	MO: Ordered by the Ct. that parties are granted 10 days to respond to reclamation petition, w/ brief if opposed. (AEB-J)rm-ltr.	
3-10-75	Mot. for ext. of time to respond to reclamation petition of pltf., filed. rm	
3-10-75	19. Order, filed, granting pltf. to 3-20-75 to respond to reclamation petition of J. E. Daugherty and Edgar Sanditen. (AEB-J)rm	
3-20-75	20. Response to Reclamation Petition, filed. mm	
3-28-75	21. Response to Pltf's Brief in Opposition to Reclamation Petition, filed. jj	
6-25-75	22. Order, filed, denying petition for reclamation filed by J. E. Daugherty and Edgar Sanditen. (AEB-J)k cps. mld.	
7-7-75	23. Defts. J. E. Daugherty & Edgar Sanditen's Motion for new trial, filed, re decision of Court. k	
7-11-75	24. Brief on Motion for New Trial on Order Denying Petition for Reclamation filed by J. E. Daugherty and Edgar Sanditen with Brief in Response to Motion, filed. mm	
7-11-75	MO: It is ordered by the Court that the plaintiff file a responsive brief within 10 days to the defendant's motion for new trial.	
7-21-75	25 Brief in opposition to mot. for new trial on order denying petition for reclamation, filed. sf	
8-26-75	26. Order overruling motion for new trial, filed. (AEB-J)g c mld.	
9-12-75	27. Creditor's Claim of J. E. Daugherty & Edgar Sanditen requesting they be listed as unsecured creditors of a Houston-Fearless model ACM 26-PX/14 Flexicolor Processor, that the Court order asset to be sold and proceeds to be distributed to all creditors holding a claim on the asset, filed. mm	
11-14-75	28. Brief of Daugherty and Sanditen in support of creditor's claim, filed. ph	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1975		
11-17	MO: It is ordered by the Court that the Plaintiff file a responsive brief within 5 days to the brief in support of creditor's claim of J. E. Daugherty and Edgar Sanditen. (AEB-J) ph ltr.	
11-20	29. Pltf's motion for ext. of time to file brief in resp. to brief in support of creditors' claims, filed. ph	
11-26	30. Order, filed, granting pltf. ten days to file responsive brief to brief in support of Creditors' Claims. (AEB-J)k	
11-26	31. Pltf's brief in opposition to creditor's claim, filed.k	
1-12-76	MO: Case referred to Mag. Bradford for F&R re pending motions. (AEB-J)k	
2-18	MO: Case set for hrg. before Mag. Bradford on creditor's claim of J. E. Daugherty and Edgar Sanditen on 2-25-76 at 10:00 a.m. (MLB-Mag)k ntc by KT	
2-25	MO: Case called for hrg. before Mag. Bradford on creditor's claim. Parties present. Hrg. passed upon request of parties to 3-10-76 at 10:00 a.m. pending settlement. (MLB-Mag)k	
3-4	32. Appl. of Receiver, Rick Lowenherz, to relocate personal property, filed.k	
3-4	33. Order, filed, granting appl. of Receiver to relocate one Houston-Fearless model ACM 26-PX/14 Flexicolor Processor. (MLB-Mag)k cps mld	
3-10	MO: Case called for hrg. before Mag. on creditors claims of J. E. Daugherty and Edgar Sanditen. Parties present. It is the finding of the Mag. that said creditors claims should be stricken by agreement of parties as having been prematurely filed. (MLB-Mag)k	
3-12	Findings & Recommendations, filed.(MLB-Mag)b	
3-23	MO: It is ordered by the Court that the creditors' claims of J. E. Daugherty and Edgar Sanditen are hereby ordered stricken as having been filed prematurely, to be reset when appropriate. (AEB-J)k	
4-15	34. Application for Termination of Receivership,filed.t O-J	
5-17	35. Order for Termination of Receivership,filed.t (AEB-J)t cps. mld.	
1-14-77	36. Deft's motion & brief to dismiss receivership, filed.k	
1-14-77	MO: It is ordered by the Court that the pltf. file a responsive brf. w/in 10 days to deft's mot. to dismiss receivership. (AEB-J)k cps mld	
1-24	37. Pltf's response to deft's mot. to terminate receivership, filed.s	
2-7	38. Deft's reply to pltf's brf. on termination of receivership, filed.s	
6-14	39. Order, filed, dissolving receivership and ordering return of property to pltf. pursuant to agreement of all parties. (AEB-J)k cps mld	