

|                 |             |            |   |     |   |    |    |    |                                  |       |              |           |     |               |
|-----------------|-------------|------------|---|-----|---|----|----|----|----------------------------------|-------|--------------|-----------|-----|---------------|
| DISTRICT OFFICE | FILE NUMBER | FILED DATE | J | N/S | O | R  | 23 | \$ | DEMAND                           | OTHER | JUDGE NUMBER | JURY DEM. | YR. | DOCKET NUMBER |
| 1085/4          | 75- 0151    | 04-17-75   | 4 | 190 | 2 | 43 |    |    | 750 & dissolution of corporation |       | 8509         | D         | 75- | 0151-2        |

PLAINTIFFS

DEFENDANTS

Richard L. HUDSON

SWAN ENGINEERING AND SUPPLY CO., INC., a Kansas corporation, SEALCO, INC., an Oklahoma corporation; H. A. SMITH and EUGENE P. MITCHELL

CAUSE

Breach of contract.

ATTORNEYS

R. Dow Bonnell  
Paul McBride  
P. O. Box 1439 *5555 So Perma*  
Tulsa 74101 *74105*  
587-3361 *749-7568*

Joseph A. Sharp  
200 Franklin Bldg. *300 Old Capital*  
Tulsa 74103  
582-8877

George T. O'Laughlin  
6666 Penn Tower  
Kansas City, Missouri 64111

Mr. Robert H. Bingham  
4508 W. 66th St.  
Shawnee Mission, Kansas 66208  
913/262-9500

500 Thomas S. Crewson (Swan Engrg.)  
Mid-Continent Bldg.  
Tulsa 74103  
585-1181

☐ CHECK HERE  
IF CASE WAS FILED IN FORM PAUPERIS

FILING FEES PAID

| DATE | RECEIPT NUMBER | C.D. NUMBER |
|------|----------------|-------------|
|      |                |             |
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STATISTICAL CARDS

| CARD | DATE MAILED    |
|------|----------------|
| JS-5 | 5-1-75 11-1-76 |
| JS-6 | 7-1-76 4-1-77  |

| DATE     | NR. | PROCEEDINGS   |
|----------|-----|---|
| 4-17-75  | 1.  | Petition for removal, filed. rm   |
| 4-17-75  | 2.  | Bond on removal, filed. rm  |
| 4-17-75  | 3.  | Notice of filing, filed. rm   |
| 4-17-75  | 4.  | Answer of def., Eugene P. Mitchell, with demand for jury, filed. rm   |
| 4-17-75  | 5.  | Answer of def., Swan Eng., with demand for jury, filed. rm  |
| 4-17-75  | 6.  | Answer of def., H. A. Smith, with demand for jury, filed. rm  |
| 4-18-75  | 7.  | Acknowledgment of Clerk of Tulsa Co. D.C., filed. rm  |
| 5-5-75   | 8.  | Pltf's motion to remand, w/brief., filed. hm  |
| 5-5-75   | MO: | Ordered that deft. file responsive brief to mo/remand within 10 days. (AEB-J)hm   |
| 5-21-75  | MO  | Case referred to Mag. Bradford for hrg/rec re pending mots. (AEB-J)k  |
| 7-16-75  | 9   | Deft.s Swan Engineering & Supply Co., H. A. Smith & Eugene P. Mitchell's brief in opposition to pltf's mot. to remand, filed.k  |
| 9-17-75  |     | Case called for hearing before Magistrate on pltf's motion to remand. Parties represented. Pltf's motion to remand denied as to Swan Eng., H. A. Smith & Eugene P Mitchell. Pltf's motion to remand sustained as to Sealco, Inc. Pltf to prepare order & F&R in 10 days. (MLB-Mag) b  |
| 9-22-75  | 10  | Findings and Recommendations of the Magistrate, filed. (MLB-Mag)k cps mld   |
| 10-6-75  | 11  | Order, filed, granting pltf's motion to remand with respect to Sealco, Inc.; and denying pltf's motion to remand with respect to Swan Engineering & Supply Co., H. A. Smith and Eugene P. Mitchell. (AEB-J)g cpy to counsel; cc cpy to Clerk of Dist. Ct. of Tulsa County.  |
| 10-9-75  | MO  | Parties are directed to hold PT conf. on or before 11-19-75 & file PT Order on or before 11-26-75. (AEB-J)k cps by cert ml of the Pltf. Richard L. Hudson   |
| 10-15-75 | 12. | Objection to Findings & Recommendations of the Magistrate & Order of the Court & Motion for Hearing, filed. mm  |
| 10-15-75 | 13. | Brief in Support of Objection to Jurisdiction of the Court, filed. mm   |
| 1976     |     |   |
| 3-8      | 14  | Order, filed & entered, overruling Pltf's objections to Mag. F&R and Order of Court and Mot. for Hrg. Further, that the Order of Court entered on 10-6-75 shall remain in full force and effect as the Order of this Court. (AEB-J)k cps mld  |
| 4-15     | MO  | Parties are directed to hold PT conf. on or before 5-27-76 & file PT Order on or before 6-3-76. (AEB-J)k ntc by cert ml   |
| 6-15     | 15  | Order Dismissing Cause of Action and Complaint for Failure to Prosecute filed & entered, (AEB-J). js cps mld  |
| 6-22     | 16  | Pltf's motion to vacate judgment rendered 6-15-76, filed.s  |
| 6-22     | 17  | Brief in support of motion to vacate order dismissing cause of action 6-15-76, filed.s  |
| 6-22     | MO  | It is ordered by the Court that the Defts. file a responsive brief within ten (10) days to the motion to vacate judgment of Pltf. Hudson. (AEB-J)s cps mld  |
| 7-20     | 18  | Order, filed, that Pltf's Mot. to Vacate be and same is hereby sustained and the order of 6-15-76, is hereby vacated, with the proviso that an agreed pre-trial order be filed by pltf. within 14 days from this date, with no further extensions to be granted, failing which the Ct. will once again finally dismiss this action. (AEB-J)s cys. mailed by cert. mail. |

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF         |      | DEFENDANT   | DOCKET NO. <u>75-C-151</u>                        |
|-------------------|------|---|---|
| Richard L. Hudson |      | Swan Engineering & Supply Co.   | PAGE <u>3</u> OF <u>2</u> <del>PAGES</del> sheets |
| DATE              | NR.  | PROCEEDINGS   |   |
| 1976              |      |   |   |
| 8-2               | 19   | Plaintiff's proposed pre-trial order, filed.k   |   |
| 8-3               | 20   | Plaintiff's proposed pre-trial order, filed.k   |   |
| 1-20-77           | MO:  | Case set for jury trial on 2-22-77, at 10:00 A.M.(AEB-J)b nts by cert ml w/affid.   |   |
| 1-25              |      | Pre-trial Order, (Pldg. #19), filed.(AEB-J)b  |   |
| 2-15              | 21.  | Defts.' application for continuance and order striking case from jury trial docket for 2-22-77, filed.s (AEB-J) cps. mld.   |   |
| 2-15              | 22.  | Pltf's TRIAL BRIEF, filed. lm   |   |
| 2-25              | MO   | Case set for jury trial on 3-21-77 at 10:00 a.m. (AEB-J)k cert ml ntc by  |   |
| 3-7               | MO:  | Case moved to 3-14-77, at 9:30 A.M., for Jury trial.(AEB-J)b nts by phone w/ affid.   |   |
| 3-10              | 22.  | Pltf's Requested Instructions, filed. b   |   |
| 3-10              | 23.  | Pltf's Addition to trial brief, filed. b  |   |
| 3-11              | ltr. | Letter from Paul McBride (for Pltf.) to Clerk stating Pltf. is ready for trial. v   |   |
| 3-11              |      | Deposition of Horace A. Smith taken 5-22-73. fld. (TGB-CSR) ho  |   |
| 3-11              |      | Deposition of Melvin B. Jones taken 12-15-72. fld (FLP-CSR) ho  |   |
| 3-11              |      | Deposition of Frank J. Opatrny taken 12-15-72. fld (FLP-CSR) ho   |   |
| 3-11              | 24   | Exhibit aff., filed by pltf. counsel.k  |   |
| 3-14              | 25   | Defts requested instruction. fld. ho  |   |
| 3-14              | 26   | deft trial memorandum & statement of facts. fld ho  |   |
| 3-14              | 27   | Exhibit affid. filed by Deft. counsel. b  |   |
| 3-15              | 28   | Addition to pltf. trial breif breach of contract by deft. argument and authority & pltf. requested instructions. fld. ho  |   |
| 3-17              |      | Case tried to Jury on 3-14,3-15,3-16 & 3-17-77. Parties present & announce ready. Jury selected & sworn. Parties make opening statements. Pltf. presents case in chief; witnesses sworn & testify. Pltfs. exhibits 4,4a,b & c, 5,9,15A,15B, 16 thru 24 & 29-32 admitted. Pltf. rests. Outside hrg. of jury, at no objection by Pltf. defts' motion for dismissal as to Mitchell, granted. Defts motion for dismissal as to Smith overruled & motion for directed verdict overruled. Deft. presents case in chief; witnesses sworn & testify. Defts exhibits 4,5,7,8,12,13, 14,16,17 & 18 admitted. Deft. rests. Parties rest. Outside hrg. of jury, Pltf's motion for directed verdict overruled. Defts renewed motions overruled. Ct. sustains pltf's motion for dismissal of counterclaim. Ct. rules Smith remains in case but acted only as officer of corp. Closing arguments made; Ct. instructs jury & Bailiff sworn. Attys make record. Jury retires to deliberate at 12:00 P.M. Ct. orders Marshal to take jury to lunch & return to deliberate at 1:30 P.M.(2:45)Jury returns with Verdict finding in favor of Pltf. & against Defts & assess damages in the amt. of \$200,000.00. Jury is discharged. Ct. recessed at 2:50 P.M.(AEB-J)b |   |
| 3-17              |      | Verdict, filed. b   |   |
| 3-17              |      | Trial exhibits, filed. b (in vault) <i>ex room (also to Circuit, also 3 arrangements returned)</i>  |   |
| 3-17              | 29   | Judgment, filed & entered, finding in favor of the Pltf & against Defts & assess damages in amt. of \$200,000.00.(JCS-CLK) b cps mld  |   |
| 3-24              | 30   | Defts' motion for judgment NOV, filed.k   |   |
| 3-24              | 31.  | Defts' motion for new trial, filed.k  |   |
| 3-24              | 32.  | Defts' appl. for time til 4-8-77 to file brief in support of mots. for judgment NOV and for new trial, filed.k O to J   |   |
| 3-25              | 33   | Pltf's bill of costs in amt. of \$511.57, filed. Hrg. for taxation of costs set on 4-5-77 at 10:30 a.m. before Jack C. Silver, Clerk.k cps by pltf. counsel   |   |

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF |     | DEFENDANT   | DOCKET NO. _____          |
|-----------|-----|---|---------------------------|
|           |     |   | PAGE _____ OF _____ PAGES |
| DATE      | NR. | PROCEEDINGS   |                           |
| 1977      |     | as part of appl.  |                           |
| 3-28      |     | Order. fld./granting Defts. Swan Engineering & Supply Co., Inc., & H. A. Smith, an ext. of time until 4-8-77 to file their brief in support of their motion for new trial and judgment non obstante verdicto. (AEB-J) cps mld. ho   |                           |
| 4-5       | MO: | Cost hearing set for this date passed to 4/12/77 at 10 a.m. (JCS-Clk)rm   |                           |
| 4-12      | MO: | Cost hearing passed to be reset by Clerk upon request of parties. (JCS-Clk)rm   |                           |
| 5-12      | 34  | Pltf. appl. for order striking the mot. for new trial and mot. for Judgment non obstante verdicto fld. by Defts. fld. O to J. ho  |                           |
| 5-17      | 35. | Deft's appl. to file brief in support of mot. for judgment NOV & for new trial out of time, filed.k O to J  |                           |
| 5-24      | 36. | Order, filed, allowing Deft. to file brief in support of motion for new trial & Judgment Non Obstante Verdicto out of time. (AEB-J)b cps mld  |                           |
| 5-24      | 37. | Brief in support of Defendants' motion for new trial, filed. b  |                           |
| 5-24      | MO: | The Court having this date entered an Order permitting the defendant, Swan Engineering & Supply Company, to file its brief out of time, IT IS ORDERED that the application filed by the Plaintiff on May 12, 1977, be overruled as being moot. IT IS FURTHER ORDERED that Plaintiff respond to the motin for new trial within ten (10) days from this date. (AEB-J)b ltr mld  |                           |
| 6-15      | MO: | Case set for disposition for failure of Pltf. to respond to motion for new trial on 7-7-77, at 10:00 A.M. (AEB-J)b nts mld cert.  |                           |
| 7-6       | 38. | Appl. of Pltf. for an order permitting his brief replying to defts.' mot. for new trial be filed out of time, fld. Defts. have no obj. v (o & brief to J)   |                           |
| 7-6       | MO  | Case stricken from 7-7-77 disposition docket. (AEB-J)k ntc by phone   |                           |
| 7-7       | 39  | Order, fld. granting Pltf. permission to file his response brief to Defts. various post-trial mots. out-of-time. (AEB-J) cps mld. ho  |                           |
| 7-7       | 40  | Pltf. reply to Defts. mot. for new trial, mot. for judgment non obstante verticto, and brief in supp. thereof. fld. ho  |                           |
| 9-29      | 41. | Order, filed, that Motion for Judgment Non Obstante Verdicto be & same is hereby overruled. IT IS FURTHER ORDERED that Pltf. remit the sum of \$100,000.00 of the \$200,000.00 verdict w/in 10 days in writing, or in the alternative the Court will grant motion for new trial. If Pltf. does remit the stated sum, then it is Ordered that the Motion for new trial be & same is hereby overruled. (AEB-J)b cps mld |                           |
| 10-11     | 42  | Pltf. mot. to reconsider and brief in supp. fld. ho   |                           |
| 10-12     | MO  | It is ordered that the Defts. are granted 10 days to file a responsive brief to Pltfs. mot. to reconsider and brief in supp. (AEB-J) cps mld. ho  |                           |
| 10-26     | 43. | Deft. Swan's response to pltf's mot. to reconsider, filed.k   |                           |
| 12-9      | 44. | Order, filed & entered, that pltf's mot. to reconsider Court Order of 9-29-77 is overruled. Further, that pltf. remit the sum of \$100,000 of the \$200,000 verdict w/in 10 days in writing, or the Court will grant deft's mot. for new trial. If pltf. does remit said sum, then it is ordered that the mot. for new trial is overruled. (AEB-J)k cps mld   |                           |
| 12-19     | 45  | Pltf. response & request. fld. ho   |                           |
| 1978      |     |   |                           |
| 2-14      | --  | Reporter's transcript of proceedings had on 3-14, 15 & 16-77, partial transcript, filed. (GRD-CSR)k   |                           |
| 2-14      | --  | Volumes I & II of Reporter's transcript of Jury Trial had on 3-14, 15 & 16-77, filed. (GRD-CSR)k  |                           |

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF         |      | DEFENDANT   | DOCKET NO. _____        |
|-------------------|------|---|-------------------------|
| Richard L. Hudson |      | Swan Engineering & Supply Co.,<br>et al   | PAGE ____ OF ____ PAGES |
| DATE              | NR.  | PROCEEDINGS   |                         |
| 1978              |      | entered   |                         |
| 3-27              | 46   | Order, fld./It is ordered that the Pltfs. mot. to reconsider should be sustained, that the jury verdict of \$200,00.00 should be reinstated, and that the mot. for a new trial should be overruled. (AEB-J)ho c/m |                         |
| 4-7               | 47   | Pltff's appl. for hrg. to allow atty's fees, filed.k  |                         |
| 4-7               | 48   | Pltff's appl. for 20 days to file brief & affidavit on appl. for allowance of atty's fees, filed.k O to J   |                         |
| 4-18              | 49   | Defts. not. of appeal, fld. ho  |                         |
| 4-18              | 50   | Defts. bond for costs on appeal, fld. ho  |                         |
| 4-18              | 51   | Defts. mot. for stay of execution of judgment pending appeal & request that amt. of supersedeas bond be set. fld. ho  |                         |
| 4-19              | 52.  | Order, filed, staying execution of judg. pending appeal provided the deft. file within 30 days a supersedeas bond in sum of \$250,000. (AEB-J)rm-copies to movant   |                         |
| 4-21              | 53   | Affid. of Kenneth C. Ellison, fld. ho   |                         |
| 5-1               | MO:  | Case is set for taxation of costs before the Clerk for Wd., 5/17/78 at 10 a.m.(JCS-Clk)rm-parties notified by letter  |                         |
| 5-12              | 54   | Defts. appl. to complete record on appeal, fld. ho  |                         |
| 5-18              | 55   | Defts. appl. for additional time to file supersedeas bond, fld. O as part of appl. to J. ho   |                         |
| 5-17              | ---- | Cost hrg. held before Clerk. Costs taxed in amt. of \$365.57 in favor of pltf. and against deft.(JCS-Clk)rm   |                         |
| 5-19              | ---- | Letter from 10th Circuit, assigning No. 78-1375. rm   |                         |
| 5-22              | --   | Order, fld. as part of appl. granting Defts. an additional 10 days to file Supersedeas Bond. (AEB-J)ho cps. to movant.  |                         |
| 5-24              | 56   | Order filed, granting defts. appl. to complete record on appeal.(AEB-J)rm-copies mailed   |                         |
| 5-25              | ---  | Orig. appeal record (5 vols. + Suppl. Vol. I) transmitted to USCA.rm  |                         |
| 5-31              | 57   | App1. & Order, filed, granting defts. until 6-15-78 to file a supersedeas bond. (AEB-J)k cps mld to movant  |                         |
| 6-9               | 58   | Defts. supersedeas bond, fld. (AEB-J)ho   |                         |
| 6-21              | --   | Reporters transcript of proceedings had on 3-14, 15 & 16, 1978, excerpts from Jury trial, before Judge Allen E. Barrow. fld. (GRD-CSR)ho 60 pgs.  |                         |
| 1980              |      |   |                         |
| 4-17              | 59   | MOTION of pltf. for judg. against surety on bond or undertaking.  |                         |
| 4-18              | 60   | BRIEF in support of mo/judg. against surety. rm   |                         |
| 4-21              | MO:  | ORDERED that deft. are granted to May 4, 1980 to respond to pltf. mo/judg. against surety.(HDC-J)rm <i>Judge &amp; motion are filed</i>   |                         |
| 4-21              | 61   | MANDATE & OPINION of 10th Circuit, filed and spread of record,affirming<br>rm   |                         |
| 4-21              | ---- | APPEAL RECORD (5 vols., + Suppl. Vol. I) received from USCA.rm  |                         |
| 4-21              | --   | Received \$264,204.98 from Deft. Judgment & interest. ho  |                         |

(CONTD.)

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF         |      | DEFENDANT  | DOCKET NO. <u>75-C-151</u> |
|-------------------|------|--|----------------------------|
| Richard L. Hudson |      | Swan Engineering   | PAGE ____ OF ____ PAGES    |
| DATE              | NR.  | PROCEEDINGS  |                            |
| <u>1980</u>       |      |  |                            |
| 4-21              | 62.  | NOTICE by Court of deposit by deft. Swan, of \$264,204.98 into registry of Court in pmt. of Judg. & interests. (HDC-J)rm-c/m   |                            |
| 4-22              | 63.  | RECALL by pltf. of mo/judg. against surety as moot. rm   |                            |
| 4-22              | 64.  | APPLICATION of pltf. for Order directing Clerk to make disbursement of money in registry. rm   |                            |
| 4-22              | 65.  | BRIEF of pltf. in support of mo/atty fees. (motion filed 4/7/78)rm   |                            |
| 4-22              | MO:  | ORDERED that defts. are granted to 5/5/80 to respond to pltf. appl. & brief for attys. fees. (HDC-J)rm-ltr.  |                            |
| 4-23              | 66   | ORDER, for recall of mot. for judgment against surety on bond or undertaking. (HDC-J)ho c/m  |                            |
| 4-23              | 67   | ORDER, It is ordered that the Clk. pay to Richard L. Hudson \$264,204.98. (HDC-J)ho c/m  |                            |
| 5-1               | ---- | LTR. received from pltf. counsel for setting on it's mo/attys. fees. rm  |                            |
| 5-8               | 68   | ENTRY OF APPEARANCE of Robt. H. Bingham atty. for Defts.. ho   |                            |
| 5-8               | 69   | APPLICATION of Defts. for ext. of time to respond to Pltfs. appl. for atty. fees. ho O to J.   |                            |
| 5-8               | 70   | ORDER, granting Defts. an ext. of time until 5-15-80 to respond to Pltfs. appl. for atty. fees. (HDC-J)ho c/m to movant.   |                            |
| 5-16              | 71   | BRIEF of Deft's in Opposition to Pltf's Motion for Attys' fees.jc  |                            |
| 5-23              | 72   | RESPONSE to Deft's Brief in Opposition to Pltf's Motion for Attorneys fees.jc <i>file in J</i>   |                            |
| 6-19              | MO:  | CASE set for hrg. on pltf. appl/atty fee for Mon., July 7, 1980, at 1:30 p.m. (HDC-J)rm-ntc  |                            |
| 7-7               | Min: | HRG. on pltf. appl/atty fee. Pltf. to file verified statement of time & exp. within 10 days; deft. 15 days to respond w/objs. Matter may be set for hrg. if necessary. (HDC-J) (T.Bloxom-CR)rm |                            |
| 7-16              | 73   | ENTRY OF APPEARANCE of Thomas S. Crewson for deft.mm   |                            |
| 7-17              | 74   | AFFIDAVITS of R. Dow Bonnell and Paul McBride re: attorney fees.mm   |                            |
| 7-23              | --   | TRANSCRIPT of hrg. held 7-7-80; P.P. 1 - 20. (TGB, RPR) mm   |                            |
| 7-25              | 75   | APPLICATION of Deft. to release supersedeas bond. ho O to J.   |                            |
| 7-25              | 76   | STIPULATION of Parties re: atty. fees if granted & who will pay. ho  |                            |
| 7-28              | 77   | ORDER that the Supersedeas Bond in the amt. of \$250,000 executed by deft. Swan Eng. & Aetna is released & held void. (HDC-J)k.c/mv+   |                            |

DC 111A  
(Rev. 1/75)

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF         |       | DEFENDANT  | DOCKET NO. _____        |
|-------------------|-------|--|-------------------------|
| RICHARD L. HUDSON |       | SWAN ENGINEERING & SUPPLY CO.  | PAGE ____ OF ____ PAGES |
| DATE<br>1980      | NR.   | PROCEEDINGS  |                         |
| 7-29              | 78    | AFFIDAVIT of Ed. Partks, III, re: atty. fees. ho   |                         |
| 8-4               | 79    | APPLICATION of deft. for ext of time to file response to affidavits filed by pltf.(FRANK THEIS, JUDGE)mm   |                         |
| 8-8               | 80    | ORDER, granting Deft. an ext. of time until 8-19-80 to respond to Affids. filed on behalf of the Pltf. (HDC-J)ho c/m to movant.                                    |                         |
| 8-18              | 81    | APPLICATION of deft for an ext. of time to file response to Affids. filed on behalf of the pltf.mm (O)   |                         |
| 8-19              | 82    | ORDER, granting deft. until 9-3-80 to respond to affids. filed on behalf of pltf.(HDC-J)mm c/m to movant.  |                         |
| 9-2               | 83    | SUPPLEMENTAL BRIEF of pltf. in support of atty fee.mm  |                         |
| 9-2               | 84    | RESPONSE of deft. to pltf. affidavits for atty fees.mm   |                         |
| 9-11              | 85    | APPLICATION of deft. for ext of time. To file response to pltf's supplemental brief in support of atty fee & affidavit of Ed Parks, III.mm (O)                     |                         |
| 9-15              | 86    | ORDER, granting deft. until 9-27-80 to file response of affidavit. (HDC-J)mm c/m to movant.  |                         |
| 9-22              | 87    | RESPONSE of pltf. to deft's response to pltf's affidavits for atty fees.mm   |                         |
| 9-26              | 88    | APPLICATION of deft. for ext of time to file response to pltf's supplement brief in support of atty's fees & response to affidavit of Ed Parks, III.mm (O)         |                         |
| 9-30              | 89    | ORDER, granting pltf. until 10-12-80 to file response to pltf's supp. brief in support of atty fee and response to affid. of Ed Parks, III.(HDC-J)mm c/m to movant |                         |
| 10-10             | 90.   | SUPPLEMENTAL BRIEF of deft. in response to pltf's supplemental brief in support of atty fees.mm  |                         |
| 10-10             | 91    | APPLICATION of deft. for a hrg on pltf's applic. for atty fees. (O)mm  |                         |
| 10-14             | 92    | ORDER setting hrg. on pltf. appl/atty. fees for Thurs., 10/23/80 at 2 p.m.(HDC-J)rm-c/m  |                         |
| 10-22             | 93    | JOINT appl. to pass hrg. of 10/23/80. rm (O)   |                         |
| 10-23             | 94    | ORDER, hrg. is passed to 10 Nov. 80, 1:30 p.m.(HDC-J)mm c/m  |                         |
| 11-4              | MO:   | HRG. on atty fee passed to Thurs., 11/13/80 at 1:30 p.m.(HDC-J)rm-ntc  |                         |
| 11-13             | Min:  | HRG. on pltf. appl/atty fees. Exhibits adm. Ct. awards pltf. \$75,000 atty fees. Pltf. counsel to prepare order in 10 days.(HDC-J) (VM-1CR)                        |                         |
| 11-13             | ----- | PLTF. EXHIBITS.(in file)rm   |                         |

## CIVIL DOCKET CONTINUATION SHEET

| PLAINTIFF          |  | DEFENDANT        | DOCKET NO. <u>75-C-151</u>      |
|--------------------|--|------------------|---------------------------------|
| Richard L. Hudson. |  | Swan Engineering | PAGE <u>7</u> OF <u>4</u> PAGES |

| DATE                 | NR.           | PROCEEDINGS  |
|----------------------|---------------|--|
| 1980                 |               |  |
| 12-12                | 95            | /and ENTERED<br>JOURNAL ENTRY OF JUDGMENT. It is ordered, deft. pay to pltf.<br>\$75,000.00, the same representing a reasonable attorney's<br>fee. (HDC-J)mm C/m   |
| 12-22                | 96            | MOTION of deft. for reconsideration, to alter or amend judgment<br>and to amend findings.mm (O)  |
| 12-22                | 97            | BRIEF of deft. in support of deft's motion to reconsider.mm  |
| 12-22                | MO            | ORDER, pltf to respond to deft's motion to reconsider by 1-5-81.<br>(HDC-J)mm c/m  |
| 1-5-81               | 98            | RESPONSE of pltf. to motion to reconsider, alter and amend.mm  |
| 1-12                 | 99            | APPL. of deft. for ext. of time to file reply to pltf. response,<br>re mo/reconsider.rm(O)   |
| 1-13                 | 100           | ORDER<br>GRANTING Deft. 20 days from the filing of the hearing transcript<br>to file a reply and supplemental brief. (HDC-J) pt<br>cps mvt   |
| 1-13                 | ---           | TRANSCRIPTS of hrg on atty's fees on 11/13/80. 48 pgs, VM-CSR.<br>(HDC-J)am  |
| 1-30                 | 101           | APPLICATION by deft. for hrg. on oral argument on deft's motion for<br>reconsideration to alter or amend judgment and to amend<br>findings.nd 02BN   |
| 2-2                  | 102           | DEFENDANT'S REPLY MEMORANDA.nd   |
| 25                   | 103           | RESPONSE of pltf to deft's application for hearing on oral argument<br>on deft's motion for reconsideration to alter or amend judgment<br>and to amend findings.nd   |
| 5-11                 | 104           | ORDER entered that motion of deft. Swan Engineering for reconsideration,<br>to alter & amend judgment & to amend findings is overruled; further<br>that deft's applic/hrq. on said motion is denied. (HDC-J)hm (c/m) |
| 6- 5                 | 105           | NOTICE of Appeal by deft.cs  |
| 6-5                  | --            | Dkt. fees & filing fees pd.cs  |
| 6-11                 | 106           | JT. designation of record on appeal.rm   |
| 6-15                 | --            | LTR. from 10th Cir., assigning No. 81-1647. rm   |
| 6-23                 | 107           | NOTICE of transcript order (no tr. necessary for appeal)[attached<br>to jt. designation of record)rm - c/m USCA  |
| 6-24<br>1982<br>5-19 | --<br><br>108 | APPEAL RECORD (3 vols) transmitted to 10th Cir. rm<br><br>SATISFACTION of jmn't filed by pltf.jc   |



## CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

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| PLAINTIFF         | DEFENDANT        | DOCKET NO. <u>75-C-151</u> -C |
| Richard L. Hudson | Swan Engineering | PAGE ____ OF ____ PAGES       |

| DATE | NR. | PROCEEDINGS   |
|------|-----|---|
| 1982 |     |   |
| 6-1  | 109 | MANDATE of 10th Cir. dismissing appeal on jt. motion of parties; appellant to pay its own costs. rm                             |
| 6-7  | --  | APPEAL RECORDS, Vols. I-III, received from 10th Circuit. pt   |
| 9-9  | --  | DEPOSITIONS & exhibits of pltf destroyed, purs. to instr. from Mr. Bonnell; EXHIBITS returned to deft counsel. hm               |
| 1983 |     |   |
| 1-20 | 110 | APPLICATION of Joe A. Sharp for order disbursing monies posted as cost bond. (O to J)hm   |
| 1-24 | 111 | ORDER granting Clerk of Court to pay Joseph A. Sharp the sum of \$250.00 for cost bond. (HDC-J) Ck mailed by Clerk of Court. bv |

CIVIL DOCKET CONTINUATION SHEET

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