

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	S	DEMAND OTHER	JUDGE	JURY	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR								NUMBER	DEM.	YR.	NUMBER
1085/4	75	0326	07	22	75	4	890	1	1:3			Interpleader	8509		75	0326-B

PLAINTIFFS

REPUBLIC BANK AND TRUST COMPANY,
A State Bank

DEFENDANTS

J.P. MORGAN INTERFUNDING CORP.,
A Corporation;
EASTLAND ASSOCIATES II,
A Limited Partnership; and
EASTLAND INVESTMENT COMPANY, INC.,
A Corporation

CAUSE

28 USC Sect. 1335
Interpleader

ATTORNEYS

Joel L. Wohlgemuth
RIZLEY, PRICHARD, FORD, NORMAN
& REED
1100 Philtower Building
Tulsa, Oklahoma 74103
(918-583-7571)

101 Season A.M. Covington (Eastland Assoc. & Inv.)
216 Pythian Building
Tulsa, Oklahoma 74103 *583-1211*
(R. Dobie Langenkamp-Atty. for
Atlas Building Trustees of
Tulsa, OK *74103* Eastland Inv
583-1211 Co)
Mr. James R. RYAN
Conner, Winters, Ballaine, Barry,
McGowen
2400 First National Tower
Tulsa, Oklahoma *74103*
(J. P. Morgan Interfunding Corp.)
B. Hayden Crawford
1714 First Natl. Bldg.
Tulsa, OK 74103
(Eastland Associates II)

A. J. Ringold
Rosenstein, Fist & Ringold
Pepsico Place
Tulsa, Oklahoma 74103

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	8-1-75
				JS-6	5-1-78

DATE	NR.	PROCEEDINGS
7-22-75	1.	Complaint, filed. v (o)
7-22-75	2.	Interpleader Bond, filed. Republic Bank & Trust Co. is Principal and St. Paul Fire & Marine Insurance Co. is Surety, both are bound to Clerk of Court for the sum of \$350,000.00. v
7-23-75	3.	Order, filed, that Defts. interplead their claims arising from letter of credit (exh. "A" to compl.). Ordered that the interpleader bond is accepted. Further ordered that Defts. have 20 days to interplead. Further ordered that Defts. are enjoined from instituting any proceedings in any state or federal Court against Pltf. in re the letter of credit. (AEB-J)v -summons issued w/compl. & order
7-29-75		US Marshals service returned & executed on US Corporation Company, Service Agent for J. P. Morgan Interfunding Corp., by serving James Kincaid on 7-25-75 W/fees of \$3.00, filed. mm
7-29-75		US Marshals service returned & executed on A. M. Covington, 216 Pythian Building, Tulsa, Oklahoma 74103, Attorney for Eastland Associates II, W/fees of \$3.00 on 7-25-75, filed. mm
7-29-75		US Marshals service returned and executed on A. M. Covington, 216 Pythian Building, Tulsa, Oklahoma on 7-25-75 W/fees of \$3.00, filed. mm
8-12-75	4.	Answer of Defendant Eastland Investment Company, Inc., filed. mm against pltf.
8-12-75	5.	Answer & Counterclaim of J. P. Morgan Interfunding Corp/, filed. mm
8-13-75	6.	Application for Order by deft, Eastland Associates II, for ext. of time until 8-27-75 to plead and answer Complaint w/Order granting application for ext. of time. (JCS-Clk), filed. lm
8-29-75	7.	Plaintiff's Reply to Counterclaim, filed. mm
9-8-75	8.	Appl. for order permitting w/drawal of counsel, fld. by A.F. Ringold. v (o)
9-8-75	9.	Answer of Eastland Associates, II., filed. mm
9-10-75	10.	Order, filed, permitting w/drawal of A.F. Ringold as atty of record for Eastland Associates II, and further ordered that copies of order served on A.M. Covington, general counsel for said deft, and attys of record for the other parties in this case. (AEB-J)lm cps mld.
9-17-75		Deposition of <u>Wesley R. McKinney</u> on behalf of the deft. J.P. Morgan Interfunding Corp., taken before Loyd J. Christesson on 8-11-75 W/fees of \$75.00 pd by J. P. Morgan Interfunding, filed. mm
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 mail
11-25	11.	Appl. for ext. of time w/in which to file PTO, fld. by Deft. J.P. Morgan Interfunding Corp. v -o as part of appl. to Judge.
11-28		Order, filed, striking Pre-Trial Order until further order of the Court. (AEB-J) ph cps mld. (pd ...)
11-28	12.	Order, filed, that the motion to hold in abeyance contained in the Answer filed by the deft., Eastland Investment Co., Inc., be and the same is hereby overruled and denied. (AEB-J) ph cps mld
12-1-75	MO:	It is ordered by the court that the parties are directed to hold pre-trial conference on or before 12-22-75 & file an agreed pre-trial order on or before 12-31-75. (AEB-J) ph ltr mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-326</u>
Republic Bank		J. P. Morgan Interfunding	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1975</u>			
12-30	13.	Appl. of deft. Eastland Inv. Co. for ext. of time to file Pre-Trial Order, filed. ph	
12-31	14.	Deft. J. P. Morgan Interfunding Corp.'s proposed pre-trial order, filed. ph	
<u>1976</u>			
1-5	15.	Pltf's Suggested Revision to Proposed PT Order, filed.jj	
1-7	16.	Consent to and Supplement of Proposed Pre-Trial Ord. (of Deft. <u>Eastland Inv.</u> filed. to	
1-8	17.	Mo. of Deft. Eastland Associates II to permit filing amended answer, filed. ph (and an add in file)	
1-9	MO:	It is ordered by the Court that the/ Parties file a responsive brief within five days to Deft. Eastland Associates II mo. to permit filing amended answer. (AEB-J)ph cps. mld.	
1-12	18.	Appl. of def. Eastland Inv. Co. for leave to file amended answer, (w/Amended Answer attached), filed. rm	
1-12	19.	Consent of def. Eastland Inv. Co. to motion to permit filing amended answer, filed. rm	
1-12	20.	Response of pltf. to mo/permit filing amended answer for Eastland Associates II, filed. rm	
1-14	21.	Order, filed, granting deft. Eastland Inv. Co. permission to file amended answer. (AEB-J)hm (copies mailed)	
1-14	22.	Amended ans. of Trustees of Eastland Inv. Co., Inc., filed. hm	
1-14	23.	Responsive Brief of Deft. J.P. Morgan Interfunding Corp. to the Mtn. to Permit Filing Amended Ans. of Eastland Associates II, filed.jj	
1-20	24.	Pltf's reply to responsive brief of deft. J. P. Morgan Interfunding Corp. to the Mo. to Permit Filing Amended Ans. of Eastland Asso. II, filed. ph	
1-21	MO	Case referred to Mag. Bradford for F&R re pending motions. (AEB-J)k	
1-22	25.	Reply of Eastland Asso. II to responses to motion to amend, filed.ph	
3-3	MO	Case set for hrg. on Deft. Eastland Assoc. II's mot. to file amended answer on 3-24-76 at 9:30 a.m. (MLB-Mag)k ntc by KT	
3-24	MO	Case called for hrg. before Mag. on deft. Eastland Assoc II's mot. to file amended answer. Parties present. Mag. finds that mot. should be sustained. Deft. counsel to prepare F&R and proposed Order w/in 5 days. (MLB-Mag)k	
4-13	26.	Findings and Recommendations of Magistrate, filed. (MLB-Mag)k cps ml	
5-17	27.	Order, filed, that the Appl. of Eastland Assoc., II, to file Amended Ans. as tendered be sustained & is ordered filed. (AEB-J)v -cps. mld.	
5-17	28.	Amended answer of deft. Eastland Associates II, filed.k	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE 1976	NR.	PROCEEDINGS	
6-22	MO:	Parties are directed to hold PT conf. on or before 8-5-76 & file PT Order on or before 8-11-76. (AEB-J)k cps by cert ml	
8-17	29	Pre-trial order, filed. (AEB-J)b	
9-21	MO:	Case set for N/J Trial on 10-26-76 at 10:00 a.m. (AEB-J)v -notices mld. cert.	
10-6	30	Motion of Deft. J. P. Morgan Interfunding Corp. for S/J against pltf. on deft's counterclaim, filed.s	
10-6	31	Brief in support of Deft. J. P. Morgan Interfunding Corp's mot. for S/J, filed.s	
10-6	MO	It is ordered by the Court that the Pltf. file a responsive brief in support of deft. J. P. Morgan Interfunding Corp's motion for S/J.s (AEB-J) cps. mld.	
10-14	MO	Case continued from non-jury docket of 10-26-76; to be reset on Nov. non-jury docket.s (AEB-J) notices by phone	
10-15	32	Pltf's response to deft. J. P. Morgan Interfunding Corp.'s motion for summary judgment on its counterclaim, filed.s	
10-15	33	Pltf's motion for summary judgment on counterclaim of deft. J. P. Morgan Interfunding Corp., filed.s	
10-15	34	Pltf's memorandum brief in support of pltf's mot. for S/J on counterclaim of deft. J. P. Morgan Interfunding Corp, in response to mot. of deft. J. P. Morgan Interfunding Corp's for summary judgment on its counterclaim against pltf., and as pltf's trial brief in connection with non-jury trial, filed.s	
10-15	MO	It is ordered by the Court that the deft. J. P. Morgan Interfunding Corp., is granted 10 days to file a responsive brief to pltf's mot. for S/J on the counterclaim of deft. Morgan. (AEB-J)k cps mld	
10-19	35.	Brief of Eastland Associates II, a limited partnership, filed. lm	
10-26	36.	Deft. J. P. Morgan's ans. brief to pltf's mot. for S/J on the counterclaim of deft. Morgan, filed.s	
1977			
1-19	37.	Pltf's Reply to F/F & C/L submitted by defts J. P. Morgan Interfund- ing Corp. and Eastland Investment Co., filed. lm	
1-19	38.	Deft. Eastland Associates, II's motion to require production of certain memoranda, filed.s	
2-24	MO	After the conference had on 2-23-77, the Court has determined, w/ the agreement of parties, that the briefs filed by the parties concern- ing the mots. for S/J should be supplemented by briefs directed specifically to the question of the propriety of this interpleader action. IT IS ORDERED that the parties file simultaneous briefs within 15 days on the specific question of propriety of the inter- pleader action to supplement briefs previously submitted on mots. for S/J. The Clerk is directed to notify Joel L. Wohlgemuth, James L. Kincaid and B. Hayden Crawford of this minute order by telephone this date. (AEB-J)k ntc by phone 2-25	
3-11	39.	Memorandum brief of Pltf. in support of Federal Interpleader jurisdiction, fld. v	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE

NR.

PROCEEDINGS

1977

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|-------------|-----|---|
| 3-11 | 40 | Deft. J.P. Morgan Interfunding Corp. Brief in opposition to interpleader jurisdiction. fld. ho |
| 3-16 | 41 | Notice of appearance of B. Hayden Crawford as atty. for deft. Eastland Associates II, a limited partnership, and as co-counsel with A.M. Covington, Esq. fld. ho |
| 3-16 | 42 | Request of the deft. Eastland Associates II, to the deft., J.P. Morgan Interfunding Corp., to produce documents. fld. ho |
| 3-16 | 43 | Response of Eastland Associates II, a limited partnership, to briefs of J.P. Morgan Interfunding Corp., a corporation, and Republic Bank and Trust Co., a state banking corp., with regard to Interpleader jurisdiction. fld. ho |
| 3-17 | 44 | Pltf's reply to deft. Morgan's brief in opposition to interpleader jurisdiction, filed.k |
| 6-23 | 45. | Joint motion of pltf. and deft. J. P. Morgan Interfunding Corp. and Order, filed, abating case pending further order of this Court. (AEB-J)k cps mld |
| <u>1978</u> | | |
| 1-13 | MO | Case set for report to the Court on status of case on 2-1-78 at 10:00 a.m. (AEB-J)k cps by cert ml |
| 2-1 | | Case called for hearing status report before Mag. Rizley, upon order of the Court. Parties rep. Pltf. makes statement. Settlement agreement can be completed after sale in bankruptcy matter. Parties request case be held in abeyance. Mag. recommends report be filed in 90 days if matter not completed. (RSR-Mag) b |
| 4-21 | 46 | Stipulation for dismissal, fld. ho 0 to J. |
| 4-21 | 47 | Order of dismissal, fld. & entered, Ordered that Compl. for interpleader is dismissed w/prejudice, Further ordered that Deft. J. P. Morgans counterclaim & claim for relief against the Pltf. are dismissed w/prejudice. It is Further ordered that the claims for relief set forth in the ans. of Eastland Inv. Co. & Eastland Asso. II are dismissed w/prejudice. The Ct. further directs that each party shall bear its own costs. (AEB-J)ho c/m |
| 9-20 | 48 | Pltf. mot. to exonerate interpleader bond, fld. ho 0 to J. |
| 9-22 | 49. | Order, filed, that the interpleader bond executed by pltf. and St. Paul Fire & Marine Ins. Co. in the sum of \$350,000.00, is exonerated. (AEB-J)k cps mld to movant |

1980

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| 7-30 | -- | DEPOSTION of J. P. Morgan returned to deft's counsel. (RYAN)mm |
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