

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	23	S	OTHER	NUMBER	DEM.	YR.	NUMBER
1085/4	75	0328	7	22	75	4	190	1	123		450		8510	P	75	0328-C

PLAINTIFFS

DEFENDANTS

OKLAHOMA ORDNANCE WORKS
AUTHORITY, a Public Trust

SHELTER RESOURCES CORPORATION,
WINSTON DELAWARE, INC., WINSTON
INDUSTRIES, INC. and FREIBERGER
AGENCY, INC.
WOHLREICH & ANDERSON, LTD.

CAUSE

Suit for breach of lease, negligence and misrepresentation

William H. Hinkle

ATTORNEYS

R. Dobie Langenkamp
Doerner, Stuart, Saunders,
Daniel & Langenkamp
1200 Atlas Life Building
Tulsa, Oklahoma 74103

582-1211

James M. Sturdivant (Shelter, Winston
Richard B. Noulles (Delaware & Winston
2010 4th Natl. Bank Bldg. (Industries)
Tulsa 74119
(582-9201)

John R. Richards (Freiberger)
200 Thurston Natl. Bldg.
Tulsa 74103
584-2583

Russell B. Holloway (Wohlreich & An)
Suite 1100 - 101 Park Ave.
Okla. City 73102
405-235-8593

John H. Tucker (Wohlreich & And.)
2900 4th Natl. Bank Bldg.
Tulsa 74119
582-1173

<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	12-1-77

DATE	NR.	PROCEEDINGS
7-22-75	1.	COMPLAINT filed, SUMMONS issued.jj
8-7-75		SUMMONS, ret. & filed: served Winston Ind., Inc., Okla. City. 7-25-75. (USM \$4.00) b
8-7-75		SUMMONS, ret. & filed: served C. A. Fiford, Pres. Winston Delaware, Inc. 7-28-75. (USM-\$4.00) b
8-7-75		SUMMONS, ret. & filed: served Wm. D. Mendelson, Freiburger Agency, Inc. 7-30-75. (USM \$3.00) b
8-7-75		SUMMONS, ret. & filed: served Shelter Resources Corp., et al, 7-25-75. (USM \$4.00) b
8-13-75	2.	Appl. of Defts. Shelter Resources Corp. and Winston Industries, Inc., for ext. of time to file ans., filed. v
8-13-75	3.	Order, filed, that Defts. are granted until 8-29-75 to ans. (JCS-CC)v
8-18-75	4.	Appl. by Deft. Freiburger Agency, Inc., for ext. of time to ans., filed. Order as part of appl., filed, granting Deft. until 9-3-75 to ans. compl. (JCS-CC)v
9-2-75	5.	First interrogatories to pltf. by defs., Shelter Resources, Winston Delaware and Winston Industries, filed. rm
9-2-75	6.	Appl. of defs., Shelter Resources, Winston Delaware & Winston Ind., to file ans. out of time, with <u>ORDER</u> granting same. (HDC-J)rm -copies md. by atty.
9-2-75	7.	<u>Separate Answer</u> of def., Shelter Resources, w/ <u>Motion to dismiss</u> 4th cause of action, and <u>Motion to Strike</u> para. 26, filed.rm
9-2-75	8.	Memo. brief of def., Shelter, in support of motion to dismiss and strike, filed. rm
9-2-75	MO:	Ordered by the court that pltf. is granted 10 days to respond to motion to dismiss and motion to strike of def., Shelter Resources. (HDC-J)rm
9-2-75	9.	<u>Separate answer</u> of def., Winston Industries, filed.rm
9-2-75	10.	<u>Separate Answer</u> of def., Winston Delaware, filed.rm
9-3-75	11.	Answer of deft. Freiburger Agency, Inc., filed, with Motion to Strike.lm
9-3-75	12.	Notice of Adoption of Memorandum Brief in Support of Motion to Strike, filed. lm
9-3-75	MO	It is ordered by the Court that plaintiff is given ten days to file a responsive brief to defendant's Motion to Strike. (HDC-J)lm ltr mld
9-18-75	13.	Mot. for enlargement of time to respond to respond to Deft. Freiburger Agency, Inc.'s Mots. to Strike & to Dismiss, filed. v (o)
9-22-75	14.	Order, filed, Enlarging Time for Pltf. to respond to deft's Mtn. to Strike and Mtn. to Dismiss until 9-29-75. (HDC-J)jj copies mailed
9-30-75	15.	Mot. of Pltf. to Produce for Deft. Shelter, filed. v
9-30-75	16.	Mot. of Pltf. to Produce for Deft. Freiburger, filed. v
9-30-75	17.	Brief in response to Defts.' mot. to dismiss and mot. to strike, fld.v
10-30-75	18	Order, filed, overruling motions of deft. Shelter Resources Corp. to dismiss pltf's Fourth Cause of Action, and to Strike the last sentence relating to punitive damages, and the motion of deft. Freiburger Agency, Inc. to strike said sentence regarding punitive damages. Motions may be renewed at pretrial. (HDC-J)g cpies mld.
10-31-75	19	Ans. to Defts' Interrogatories, filed.jj
11-14	20	First amendment to separate ans. of deft. Winston Industries, Inc., filed, w/leave of Court. (HDC-J)hm
11-14	21	First amendment to separate ans. of deft. Shelter Resources Corp., filed, w/leave of Court. (HDC-J)hm

(cont.)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-328</u>
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
12-3-75	MO:	Case set for pre-trial hearing 2-3-76 at 11:30 a.m. (HDC-J)hm	
12-30	22.	Pltf's notice of taking oral depositions of Gene R. Redden and Juanita Chambers at Tulsa, OK, on 1-6-76, filed. ph	
<u>1976</u>			
2-3	MO:	Pre-trial hearing held. Statements made. Parties announce possible settlement. Discovery to be complete within 60 days. Defts. Shelter Resources, Winston Industries & Winston Delaware granted leave to file second amended ans. Ct. sets case for addit. PT at 10:00 a.m. on 4-15-76. Pltf. granted leave to amend complt. by 2-17-76. (HDC-J)ph	
2-3	23.	Appl. to file second amendment to separate ans. of deft. Shelter Resources Corp., filed. ph	
2-3	24.	Second amendment to separate ans. of deft. Shelter Resources Corp., filed. ph	
2-3	25.	Appl. to file second amendment to separate ans. of deft. Winston Ind., Inc., filed. ph	
2-3	26.	Second amendment to separate ans. of deft. Winston Ind., Inc., filed ph	
2-3	27.	Appl. to file second amendment to separate ans. of deft. Winston Delaware, Inc., filed. ph	
2-3	28.	Second amendment to separate ans. of deft. Winston Delaware, Inc., filed. ph	
2-4	MO:	Case set for PT hearing 4-15-76 at 10:00 a.m. (HDC-J)hm	
2-5	29.	Defts' Shelter Resources Corp, Winston & Winston's second interrog. to pltf, filed.k	
2-6	30.	Motion of pltf. to produce to def., Freiburger, filed.rm	
2-6	31.	Pltf.'s second motion to produce to def. Shelter Resources, filed.rm	
2-6	32.	Pltf.'s first interrogatories to def. Freiburger, filed. rm	
2-6	33.	Pltf.'s first interrog. to def. Shelter Resources, filed. rm	
2-6	34.	Pltf.'s First Amended Complaint, filed, adding def. Wohlreich & Anderson, Ltd. Summons issued on orig. complt & First Am. Compltrm	
2-10		Dep. of Gene Redden on behalf of defts. taken before Frank L. Peterson 1-6-76, filed. Fee of \$169.50 pd. by defts.jj	
2-24	35.	Third Interrogs. to Pltf. from Defts., Shelter Resources Corp., Winston Delaware, Inc., and Winston Industries, Inc., filed. v	
2-27		Return on USM service, summons, orig. & first amended compls., filed. Served Wohlreich & Anderson, Ltd., by serving Corporation Co. as service agent, on 2-24-76 at Oklahoma City, OK, w/ fees of \$4.00. k	
3-4	36.	Answers to Defts' 3rd Int., filed.jj	
3-5	37.	Mot. of Defts. Winston Industries, Inc., Winston Delaware, Inc., & Shelter Resources Corp., for ext. of time to ans. interrogs., fld. v (o)	
3-5	38.	Order, filed, granting defts. Shelter Resources, Winston Delaware & Winston Industries until 3-19 to respond to pltf's 1st interrog. & to pltf's 2nd mo/produce. (HDC-J)hm (copies mailed)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-328</u>
Okla. Ordnance		Shelter Resources	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
3-15-76	39	Ans. to Pltf's First Interrog., by Deft, Freiburger Agency, Inc., filed.t	
3-30	40.	Deft. Shelter Resources Corp. Resp. to Pltf's 2nd Mtn. to Produce, filed.jj	
3-30	41.	Ans. to Pltf's 1st Int. to Deft. Shelter Resources Corp. and Affiliates and Subsidiaries, filed.jj	
4-15	42.	Pltf's ans. to defts' second interrogs, filed. ph	
4-15	MO:	Pre-trial hearing held. Statements made. PT status report filed in open court. Pltf. to file mo/produce under R. 37. Case to be set for trial after new deft. properly in lawsuit. Addit. PT to be set. (HDC-J)hm	
4-15	43.	PT status report, filed. hm	
4-27	--	Alias summons issued to Wohlreich & Anderson, LTD by serving a copy upon Vernard Daenzer in New York. ph	
4-30	44.	Memo. brief on privilege of defts. Shelter Resources, Winston Delaware and Winston Ind., filed. ph	
4-30	45.	Offer of Judgment of defts. Shelter Resources, Winston Industries, and Winston Delaware, filed. ph	
5-6	46.	Freiberger Agency, Inc.'s notice of compliance with pltf's mo/produce to deft., Freiburger Agency, Inc., filed. ph	
5-13	47.	Pltf's rejection of offer of judgment, filed. ph	
5-17		Alias summons, ret. & filed: served Wohlreich & Anderson, N.Y., N.Y. on 5-5-76. (USM \$4.32)g	
5-24	48.	Answer of Def. Wohlreich & Anderson to Complaint and First Amended Complaint, filed. rm	
6-8	MO:	Case set for PT hearing 8-17-76 at 11:00 a.m. (HDC-J)hm	
6-16	--	Deposition of Edward I. Gold taken at Cleveland, Ohio on 11-5-75, filed. (L.R. Renillo-Notary)ph	
6-16	--	Deposition of Don Morring taken at Beachwood, Ohio on 11-6-75, filed. (L.R. Rennillo)ph	
6-16	--	Deposition of Carl Glickman taken at Cleveland, Ohio on 11-5-75, filed. (L.R. Renillo-Notary)ph	
6-16	--	Deposition of Marvin R. Meit taken at Beachwood, Ohio on 11-6-75, filed. (L.R. Renillo-Notary)ph	
6-16	--	Deposition of Howard A. Glockman taken at Cleveland, Ohio on 11-5-75, filed. (L.R. Renillo-Notary)ph	
6-16	--	Deposition of Philip D. Pier taken at Cleveland, Ohio on 11-5-75, filed. (L.R. Rennillo-Notary)ph	
6-24	--	Deposition of Juanita Chambers taken on 2-2-76, filed. (F.L. Peterson-CSR)ph (\$76.50 pd by defts.)	
7-13	49.	Appl. of defs. Shelter, Winston Delaware & Winston Ind. to file third amendment to answers, filed. rm	
7-13	50.	Motion for partial summary judg. by defs. Winston Ind., Winston Delaware and Shelter Res., filed. rm	
7-13	51.	Brief in support of mo/partial SJ, filed.rm	

(contd.)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-328-C
Oklahoma Ordnance Works		Shelter Resources Corp.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
7-14-76	MO:	Ordered by the Court that pltf. is granted 10 days to respond to Motion for Partial SJ of defs., Winston Ind., Winston Delaware and Shelter Resources. (HDC-J)rm-letter	
7-14	52.	Order, filed, granting defs. Shelter Resources, Winston Delaware and Winston Ind. leave to file 3rd amend. to ans. (HDC-J)rm - copies md	
7-14	53.	Third amendment to separate ans. of def. Shelter Resources, filed. rm	
7-14	54.	Third amendment to separate ans. of def. Winston Ind., filed. rm	
7-14	55.	Third amendment to separate ans. of def. Winston Delaware, filed. rm	
7-15	56.	Appl. of Pltf. for ext. of time to file its responsive brief to mot. for partial S/J of Defts. Winston Industries, INC., et al., fld. v (o)	
7-16	57.	Order, filed, that pltf. is granted until 7-30-76 to resp. to mo/ partial S/J of Winston Ind., Winston Delaware and Shelter Res. (HDC-J)ph cps mld	
8-17	MO:	Pre-trial hearing held. Statements made. Pltf. announces settlement w/defts. Shelter Resources, Winston Delaware & Winston Industries, thereby making their mo/partial S/J moot. Deft. Freiburger allowed to amend ans. within 10 days. Pltf. allowed to amend complaint within 10 days & defts. given 10 days thereafter to ans. &/or file other pleadings. Pltf. to prepare PT order by 10-8-76 & case set for non-jury trial 11-1-76 at 9:30 a.m. (HDC-J)hm	
8-17	58.	Suggested PT order of deft. Freiburger, filed, in open court. hm	
8-17	59.	Notice of adoption by Wohlreich & Anderson of suggested PT order of deft. Freiburger, filed in open court. hm	
8-20	60.	Pltf's first request for admissions of fact from deft. Freiburger Agency, Inc., filed.k	
8-20	61.	Pltf's first mot. to produce to deft. Wohlreich & Anderson, filed.k	
8-20	62.	Pltf's first interrogs. to deft. Wohlreich & Anderson, filed.k	
8-20	63.	Pltf's first request for admissions of fact from deft. Wohlreich & Anderson, filed.k	
8-26	64.	Amendment to ans. of deft., Freiburger Agency, Inc., filed. ph	
8-31	65.	Stipulation for journal entry of judgment and dismissal as to defts. Shelter Res. Corp., Winston Delaware and Winston, Ind., filed. ph	
8-31	66.	Judgment, filed and entered, as to defts. Shelter Resources Corp, Winston Delaware, Inc. and Winston Industries, Inc., and each of them, jointly and severally, in the amt. of \$128,049.65, plus int. at rate of 10% per annum until paid. (HDC-J)ph cps mld	
9-16	67.	Answer of def. Wohlreich to pltf. 1st interrog., filed. rm	
9-16	68.	Response of def. Wohlreich to pltf. 1st mo/produce, filed. rm	
9-16	69.	Answer of def. Wohlreich to pltf. req. for admissions, filed. rm	
9-24	70.	Ans. of Deft., Freiburger Agency, Inc., to Pltf.'s First Request for Admissions of Fact, fld. v	
10-22	71.	Trial brief of deft. Freiburger Agency, filed. ph	
11-1	72.	Pre-trial Order, filed. (HDC-J)rm-copies mailed	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-328-C</u>
OKLAHOMA ORDNANCE WORKS AUTH.		SHELTER RESOURCES CORP. et al	PAGE <u>6</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
11-1	MO:	UPon joint request of parties, case stricken from non-jury trial of this date, to be reset. (HDC-J)hm	
11-29	73.	Stipulation for dismissal as to deft. Wohlreich & Anderson, filed.ph	
11-30	74.	Order of Dismissal, filed and entered, dismissing deft. Wohlreich & Anderson, Ltd., w/prejudice.(HDC-J)ph cps mld	
12-2	MO:	Case set for N/J Trial on 2-22-77 at 9:30 a.m. (HDC-J)ph notices mld	
1-26	75.	Pltf's appl. for continuance of N/J trial scheduled for week of 2-21-77, filed. ph (O to be in)	
1-27	76.	Order, filed, strikinggcase from NJ docket of 2/21/77, to be reset by Ct. (HDC-J)rm-copies mailed	
2-22	MO:	Case set for N/J trial 4-18-77 at 9:30 a.m. (HDC-J)hm (copies mailed)	
4-7	77.	Pltf's pre-trial brief, filed. ph	
4-18	MO:	Case called for N/J trial. Parties represented & announce ready. Case continued until 4-19-77 at 1:30 p.m. (HDC-J)hm	
4-19	MO:	Case continued until 4-20 at 9:30 a.m. (HDC-J)hm	
4-22	MO:	Case tried to the Court Apr. 20,21&22. Parties announce ready. Deft. allowed to amend pleadings to reflect \$175,000 worth of ins. coverage instead of amt. stated originally. Rule invoked. Opening statements made. Pltf. presentscase in chief w/test. of witnesses, introd. of exhibits and rests. Deft's mo/dismissal denied. Deft. presents case in chief w/test. of witnesses & rests. At beginning of deft's case, parties stipulate that judgment entered 8-31-76 in favor of pltf. & against Shelter & Winston Ind. be admitted into evidence. Stip. approved by the Court. Pltf. presents rebuttal evid. w/test. of witness & rests. Deft. presents sur-rebuttal evid. w/test. of witness & rests. Parties rest. Parties to file suggested F/F & C/L & any addit. authorities by 5-31-77. Said suggested F/F to refer to specific testimony given at trial. Parties to request oral arguments if desired by 5-31.(HDC-J)hm	
4-22		Trial exhibits, filed. (with file)hm	
5-19	78.	Appl. of pltf. for ext. of time of 14 days after completion of reporter's transcript to file proposed FF/CL,filed.rm(O to J)	
5-20	79	Order, filed, extending time to submit proposed FF/CL until 14 days after completion of transcript of trial by Cr. Rptr. (HDC-J)g cp mld	
6-20	----	Reporter's transcript of proceedings had on 4-18-77 (3 volumes) filed.lm	
6-30	80.	Joint appl. to file proposed F/F & C/L 7-12-77, filed.k	
6-30	81.	Order, filed, granting parties until 7-12-77 to submit proposed F/F & C/L. (HDC-J)k cps mld	
7-12	82.	F/F and C/L suggested by deft. Freiburger Agency, Inc., filed. ph	
7-13	83.	Pltf's proposed F/F and C/L, filed. ph	
7-13	84.	Pltf's brief in support of proposed Findings and Conclusions, filed. ph	
7-13	85.	Pltf's request for oral argument, filed. ph	
7-25	MO:	Case set for oral arguments 9-8-77 at 11:00 a.m. (HDC-J)hm (notices mailed)	
9-6	MO:	Case stricken from oral arguments 9-8-77, at request of pltf., to be reset. (HDC-J)hm (parties phoned)	
9-30	MO:	Case set for oral arguments 11-3-77 at 10:00 a.m. (HDC-J)hm (notices mailed)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>75-C-328-C</u>
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
11-3-77	MO:	Case called for oral arguments. Parties represented. Arguments given & ruling taken under advisement. Court will enter an order. (HDC-J)hm
11-8	86.	Judgment memorandum, filed and entered. (HDC-J)hm (copies mailed)
11-8	87.	Judgment, filed and entered, that judgment be entered on behalf of deft. Freiburger Agency & against pltf. (HDC-J)hm (copies mailed)
11-17	88	Bill of costs of John R. Richards(Deft. Freiburger) fld. in amt. of \$880.43. Hrg. on costs ste for 12-2-77 at 10:00 a.m. ho
11-30	--	Bill of costs, filed and taxed in amt. of \$880.43, total amount was paid to deft. Freiburger Agency. (JCS-CC)ph
<u>1980</u> 8-1	--	DEPOSITIONS & EXHIBITS returned to counsel. hm

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	

PAGE ____ OF ____ PAGES