DIST/OFFICE	DOCKET YR.	DOCKET NUMBER	FILING DATE MO.	DAY	YEAR	J	N/S	O	R	R 23	DEMAND $ 10 OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	DOCKET NUMBER
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PLAINTIFFS

John Irvan Moritzky CHOATE

DEFENDANTS

UNITED STATES OF AMERICA; NATIONAL COLLEGIATE ATHLETIC ASSOCIATION; AMERICAN BROADCASTING COMPANY; STATE OF OKLAHOMA

CAUSE

(1) 47 USC 402(a) to assert that the FCC has jurisdiction to investigate the NCAA practice of using access to television, to coerce member compliance with arbitrary and unconstitutional by-laws, an act not in the public interest. (2) U.S.Constitution, First Amendment-Okla. Const. Art 2, Sec. 22 to assert that NCAA By-Law (official procedure #6) precensorship/prior restraint is null & void.

ATTORNEYS

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Nathan Graham

Ashton R. Hardy, General Counsel (FCC)
Federal Communications Commission
& Barbara B. O'Malley
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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	12-1-75
				JS-6	3-1-76

DATE	NR.	PROCEEDINGS
11-7-75	1.	Petition for declaratory judgment, filed. hm
11-7-75	2.	Application for restraining order, w/brief in support of applic., filed. hm (Summons issued)
11-18	3.	Order, filed, denying pltf's applic. for a restraining order. (HDC-J)hm (copies mailed)
11-24	4.	Copy of order of USCA denying petitioner's application for an extra-ordinary writ. hm
11-25		Return on USM service, compl., filed. Served Secretary, FCC, and Atty. General by cert. mail to Wash. D. C. on 11-10-75; served U.S. Atty. by serving U.S. District Atty. for NDO at Tulsa, OK on 11-10; served Amer. Broadcasting Co. by serving Sec. of State of OK at Okla. City, OK, on 11-13-75; served NCAA by serving Sec. of State of OK at Okla. City, OK on 11-13-75; served State of Oklahoma by serving Sec. of State of OK at Okla. City, OK, on 11-13-75. (USM: $36.72)k
12-2	5.	Mo. of deft. NCAA for ext. of time for ans., filed. hm
12-4	6.	Order extending ans. date for deft. NCAA, filed, granting ext. until 1-2-76. (HDC-J)hm (copies mailed)
12-5	7.	Motion of pltf. for default judg. against def. ABC and State of Okla., w/brief in support thereof, and affidavit of petitioner attached, filed. rm
12-5		Default entered by Clerk against defs., ABC and State of Okla.(JCS-Clk)
12-9	8.	Deft's Appl. for Ext. of Time (Amer. Broadcasting Companies, Inc.) rm to answer until January 19, 1976, filed.tc 8-5
12-10	9.	Applic. of deft. ABC to vacate default judgment and brief in support thereof, filed. hm
12-12	10.	Order, filed, granting deft./ABC until 1-19-65 to answer. (HDC-J)g
12-12	MO:	Ordered that the applic. of deft. ABC to vacate default judgment is sustained, for mootness, in view of the order of the Court this date entered (extending time to answer). (HDC-J)hm (letter written)
12-12	11.	Brief of pltf. in oppos. to ABC's applic. to vacate default judgment, filed. hm
12-15	12.	Applic. of deft. State of Okla. for ext. of time and to set aside default judgment by Court Clerk, filed. hm
12-15	13	Ordered that Deft.,State of Ok., is granted until January 2, 1976 within which to plead; also ordered that Deft's default judgment entered by the court clerk herein is hereby set aside,filed.(HDC-J)tc
12-30	14.	Motion to dismiss of deft. National Collegiate Ath. Asso., filed. ph
12-30	15.	Brief in support of mo. to dismiss, submitted by deft. NCAA, filed. ph
12-30	MO:	It is ordered by the Court that the Pltf. file a responsive brief within 10 days to the deft. NCAA's mo. to dismiss. (HDC-J)ph cps. mld.
1-5-76	16.	Motion to dismiss of deft. State of Okla., filed. hm
1-5	17.	Motion to dismiss of deft. United States of America, filed. lm
1-5	18.	Memo. of Points and Authorities in support of Motion to Dismiss,filed.lm
1-5	MO	It is ordered by the Court that pltf is granted ten days from this date to file a responsive brief to deft. USA's Motion to Dismiss. (HDC-J)lm ltrs mld.
1-6	19.	Brief in support of mo/dismiss of deft. State of Okla., filed. hm
1-6	MO:	Ordered that pltf. granted 10 days to file resp. to mo/dismiss of deft. State of Okla. (HDC-J)hm

(continued)

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CIVIL DOCKET CONTINUATION SHEET

Sheet No. 2

PLAINTIFF	DEFENDANT	DOCKET NO. 75-C-513
JOHN I. M. CHOATE	USA, NCAA, ABC, & St. of Okla.	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1976		
1-5	20.	Notice of appeal by pltf. from order of 12/12/75, filed. rm (copy to USCA)
1-7	21	Motion to dismiss of def. ABC, filed. rm
1-7	22	Brief in support of mo/dismiss, filed. rm
1-7	23	Ordered by the Ct. that pltf. is granted 10 days in which to respond to mo/dismiss of def. ABC.(HDC-J)rm-letter
1-12	24.	Petitioner's responsive brief to mo/dismiss of NCAA, State of Okla. & ABC, filed. hm
1-13	25.	Appl. of petitioner for Rule 54(b) Certificate, filed. rm
1-15	26.	Petitioner's request to dismiss/USA deft. for failure to exhaust administrative remedies and Juris. of Federal Comm. Commission and DEMAND FOR JURY TRIAL, filed. ph
1-16	27.	Memorandum and Order, filed, that appl. of petitioner for Rule 54(b) Certificate should not issue.(HDC-J)rm-copies mailed
1-30	28.	Deft. ABC's response to "Petitioner's" responsive brief to mo. to dismiss and request to dismiss, filed. ph
2-6	29.	Appl. to withdraw appeal of 1-6-76, w/order granting, filed. (HDC-J)ph cps mld. to counsel & USCA
2-9	30	Deft. U.S.A.'s clarification of Motion to Dismiss, filed.k
2-18	31.	Cover sheet of petitioner's responsive brief to mo/dismiss of NCAA, State of Okla. and ABC, filed. rm
2-26	32	Order, filed & entered, sustaining Defendants' Motions to Dismiss. (HDC-J)k cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS