

IN THE UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF OKLAHOMA



ATTORNEY INFORMATION MANUAL

February 2001

INDEX

I. ADMINISTRATIVE INFORMATION

A.	Address of Court	1
B.	Geographic Jurisdiction	2
C.	Office of the Clerk	2
1.	Mission	2
2.	Function	2
D.	Organization of the Clerk's Office	2
1.	Courtroom Deputies	2
2.	Docketing/Intake	3
3.	Alternative Dispute Resolution	3
4.	Fiscal	3
5.	Jury	4
6.	Records	4

II. OPERATION OF THE CLERK'S OFFICE

A.	Business Hours	4
B.	Legal Holidays	4
C.	Designated Location for Filing	5
D.	Emergency Matters	5
E.	Electronic Transmission (FAX)	5
F.	Procedural Questions	5

III. FEE SCHEDULE

A.	Office of the Clerk	6
1.	Statutory Regulation	6
2.	Advance Payment Requirement	6
3.	Form of payment	6
4.	Service Fees	6
B.	Clerk's Office Fees	6
C.	Admission to Practice	7
1.	Procedure	7
2.	Certificate of Good Standing	7
3.	Admission <u>Pro Hac Vice</u>	7

IV. FILING MATTERS

A.	Pleading Checklist	8
1.	Margins and Spacing	8

2.	Caption	8
3.	Signature	8
4.	Service	8
a.	Proof of Service	9
b.	Sample of Proof of Service	9
V.	FILING A CIVIL ACTION	
A.	Items Required	9
B.	Complaint	10
C.	Removed Cases	11
VI.	SUMMONS	
A.	Forms	11
B.	Time Limit for Answer	12
C.	Completion of Summons	12
VII.	SERVICE OF PROCESS	13
VIII.	DEPOSITION SUBPOENA	14
IX.	DISCOVERY MATERIAL	14
X.	SEALED MATERIAL	14
XI.	TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION	15
A.	Special Procedural Requirements	15
B.	Application to the Court	15
1.	Role of the Clerk's Office	15
XII.	REGISTERING A JUDGMENT IN ANOTHER DISTRICT	
A.	In the District judgment was entered	15
B.	In the District judgment is registered	16
XIII.	TAXING OF COSTS	16
XIV.	ENTRY OF DEFAULT AND DEFAULT JUDGMENT	16
XV.	WRIT OF EXECUTION	17

XVI.	WRIT OF GARNISHMENT	17
XVII.	CONSENT TO EXERCISE JURISDICTION BY A MAGISTRATE JUDGE	18
XVIII.	PACER AND PACER-NET	18
XIV.	FASTFAX	19

INDEX OF ATTACHMENTS

Courtroom Deputies and Docketing Clerks Assignments Attachment 1

Request for Admission Pro Hac Vice Attachment 2

Civil Cover Sheet Attachment 3

Cause of Action Codes Attachment 4

Sample Complaint Attachment 5

Summons Form Attachment 6

Entry of Appearance Form Attachment 7

Waiver of Service Forms Attachment 8

Subpoena Form Attachment 9

Bill of Costs Form Attachment 10

Consent to Proceed Forms Attachment 11

Pacer Registration Form Attachment 12

INTRODUCTION

This supplement to the Local Civil Rules of the U.S. District Court for the Western District of Oklahoma is being issued: (1) to provide some helpful information of an administrative nature; and (2) to provide specific guidance on some procedural areas that have proven to be troublesome to many attorneys. If there is a conflict between this supplement and our Local Rules or the Federal Rules of Civil Procedure, the rules govern.

Hopefully, the information in this supplement will enable attorneys to avoid the problems and frustrations that occur when they attempt to file pleadings that do not comply with applicable rules and procedures. Clerk's Office Personnel are required by the Court to advise a party or counsel that a particular pleading is not in proper form.

This manual also contains samples of court forms and names and telephone numbers of those persons you are most likely to need to contact. We hope this will help you with litigation in the Western District of Oklahoma.

Any comments or any suggestions for improving this Guide are welcome. You can write us at:

Clerk's Office
U.S. District Court
Western District of Oklahoma
200 N.W. 4th Street, Room 1210
Oklahoma City, OK 73102

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DISTRICT JUDGES

**DAVID L. RUSSELL, CHIEF JUDGE
ROBIN J. CAUTHRON
TIM LEONARD
VICKI MILES-LAGRANGE**

SENIOR DISTRICT JUDGES

**RALPH G. THOMPSON
LEE R. WEST
WAYNE E. ALLEY**

MAGISTRATE JUDGES

**DOYLE W. ARGO
BANA ROBERTS
GARY M. PURCELL
VALERIE K. COUCH
ROBERT E. BACHARACH
RONALD L. HOWLAND**

PART-TIME MAGISTRATE JUDGE

SHON T. ERWIN, Lawton, OK

ROBERT D. DENNIS, CLERK OF COURT

I. ADMINISTRATIVE INFORMATION

A. Address of Court

The United States District Court for the Western District of Oklahoma is located in the United States Courthouse. The mailing address is:

United States District Court
Western District of Oklahoma
200 N.W. 4th Street, Room 1210
Oklahoma City, Oklahoma 73102

B. Geographic Jurisdiction

The Western District of Oklahoma includes the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, McClain, Noble, Oklahoma, Payne, Pottawatomie, Roger Mills, Stephens, Texas, Tillman, Washita, Woods and Woodward. Most cases are tried in Oklahoma City.

C. Office of the Clerk

1. Mission

The mission of the Clerk's Office is to render effective and courteous service to the following:

- a. The Judges and their staff and the Magistrate Judges and their staff.
- b. The Bar.
- c. The public, including litigants and jurors.
- d. Related government agencies.
- e. Other courts.

2. Function

The major responsibilities of the Clerk's Office are processing litigation, statistical reporting, providing administrative support and performing court-related services.

D. Organization of the Clerk's Office

1. Courtroom Deputies

Courtroom Deputies are assigned by the Clerk to each Judge and Magistrate Judge, and are responsible for case management and processing, scheduling, attorney liaison, statistical reporting, and keeping the minutes and records of court proceedings. A listing of all courtroom deputy assignments is provided in attachment #1.

2. **Docketing/Intake**

Office operations include intake and docketing functions. Intake is charged with responsibilities of inspecting all documents presented for filing, assigning cases to judges, providing information to attorneys, receiving filing and miscellaneous fees, issuing process, and distributing mail. Docket Clerks are responsible for the timely entering upon the Court's docket of all pleadings accepted for filing. A listing of all docketing assignments is provided in attachment #1.

3. **Alternative/Appropriate Dispute Resolution (ADR)**

Alternative/Appropriate Dispute Resolution (ADR) staff is available in the Clerk's Office to answer questions concerning ADR programs and assist the ADR Administrator with the administration of the federal panels of mediators, neutral evaluators and arbitrators, and provide case management, processing and scheduling for cases in which a dispute resolution option is selected.

4. **Fiscal**

The fiscal department is located in the Clerk's Office and is responsible for coordinating all financial transactions involving the U.S. District Court. All court-related fees are paid and disbursements are made through this department. All checks should be made payable to *U.S. District Court*. Pursuant to Rule 67 of the Federal Rules of Civil Procedure and Local Rule 67.1, funds may be deposited with the Court only upon leave of Court. The party making such deposit shall serve the order permitting deposit on the Financial Administrator, Clerk of the Court, or Chief Deputy. All such funds shall be deposited and withdrawn in accordance with the provisions of Title 28, U.S.C. §§2041 and 2042. Monies received by the Clerk and ordered invested shall be deposited in an interest bearing account with an approved depository. The proposed order for investment must comply with Local Rule 67.1. Disbursement of funds can be made only upon order of a U.S. District Judge or Magistrate Judge.

5. **Jury**

Jury panel selection and related jury matters are the responsibility of the jury administrator. Questions concerning juror master lists, selection process, and panels should be directed to the jury administrator.

6. **Records**

The clerk's office maintains the official court records. Court records may be viewed during regular office hours. Case files remain in the clerk's office for a period prescribed by Court space needs. Files that have been transferred to the records center can be retrieved from the Federal Records Center in Fort Worth which takes about two weeks. A request for copy work must be made in writing or requested in person. In some cases you may have to wait or return for your copies. You may be required to pay fees in advance. Requests for all depositions and trial transcripts are made through the Court Reporter.

II. **OPERATION OF THE CLERK'S OFFICE**

A. **Business Hours**

The Office of the Clerk is open for business between the hours of 8:30 A.M. and 4:30 P.M. daily, except for Saturdays, Sundays, and legal holidays. The telephone number is (405) 609-5000 for the Clerk's office.

B. **Legal Holidays**

New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas	December 25

Any other day declared to be a holiday by federal statute, executive order, or by the Chief District Judge.

Whenever a legal holiday falls on a Saturday, the office is closed on the Friday immediately preceding the holiday. If the holiday falls on a Sunday, it will be observed on the Monday immediately following it.

C. **Designated Location for Filing**

All new cases shall be filed in the Office of the Clerk on the first floor in Room 1210 of the U.S. Courthouse. Pleadings may be deposited in the night depository box located outside of the main entrance to the Clerk's Office until 6:00 P.M. each night Monday through Friday and will be file stamped as of the day deposited.

D. **Emergency Matters**

For handling of emergency matters, such as, but not limited to, a complaint to avoid limitations, a complaint on an urgent issue, request for a TRO, or any matter that requires immediate filing: Counsel should notify the Clerk or Chief Deputy during regular business hours of any imminent emergency situation. By anticipating these situations and the realities of filing emergency matters with the Court, proper arrangements can then be made to handle the emergency.

E. **Electronic Transmission (FAX)**

Unless otherwise ordered by the Court, no paper may be transmitted to the Court by electronic transmission.

F. **Procedural Questions**

The Clerk and the Deputy Clerks are always willing to assist attorneys in their dealings with the Court. However, Deputy Clerks are prohibited by law from providing legal advice or making rule interpretations. [Title 28, U.S. Code §955].

III. **FEE SCHEDULE**

A. **Office of the Clerk**

1. **Statutory Regulation**

The Judicial Conference of the United States, pursuant to Title 28, U.S.C. §1914(b), adopted a schedule of miscellaneous fees for filings and services in the United States District Court.

2. **Advance Payment Requirement**

Fees are due at the time of filing. No filings will be accepted without accompanying payment of fees except appeal fees or In Forma Pauperis applications as provided in LCvR3.3 and LCvR3.4.

3. **Payment May be Made in Two Forms**

- a. Cash, Money Orders, or
- b. Checks - made payable to: U.S. District Court. No third party check or checks made payable to other than the above will be accepted.

4. **Service Fees**

For information regarding fees of the United States Marshal's Service, you should direct your inquiries to United States Marshal's Office.

B. **Clerk's Office Fees**

Filing of a new civil action	\$150.00
Writ of Habeas Corpus	\$5.00
Registering a foreign judgment	\$30.00
Filing or indexing a paper not in a case for which a filing fee has been paid	\$30.00
Notice of Appeal	\$105.00
Filing a certificate for registration of a judgment in another Court	\$30.00
Reproducing any record or paper from original document per page	\$.50

Certifying any document or paper	\$7.00
Certifying the results of a search of records for each name searched	\$20.00
Admission of attorney including certificate of admission	\$75.00
Admission of attorney pro hac vice	\$25.00
Duplicate certificate of admission or good standing	\$15.00
For retrieval of a record from a Federal Records Center, or other place of storage	\$25.00
For a check paid into Court which is returned for lack of funds	\$35.00

C. **Admission to Practice**

1. **Procedure (Local Rule 83.2)**

- a. Obtain an application from the Clerk's office.
- b. Fee of \$75.00 payable to U.S. District Court.

2. **Certificate of Good Standing**

- a. An attorney admitted to the Bar of the Court may request a Certificate of Good Standing from the Office of the Clerk to verify that he/she is a member in good standing with the Court.

3. **Admission Pro Hac Vice**

- a. Obtain a Request for Admission Pro Hac Vice form from the Clerk's office. (attachment #2)
- b. File an Application for Admission Pro Hac Vice and attach the Request for Admission Pro Hac Vice form.
- c. Fee of \$25.00 payable to U.S. District Court.
- d. Review Local Rule 83.3, Association of Local Counsel.

IV. **FILING MATTERS**

A. **Pleading Checklist**

The following checklist may be used as a guide in preparing papers for this Court.

1. **Margins and Spacing**

All papers filed with the Court shall be on paper not to exceed 8½" x 11", and only one side of the paper shall be used. Lines of text shall be double spaced except for quotations and footnotes. The font or type face shall contain no more than 10 characters per inch. Pleadings that cannot be stapled should be fastened at the top with metal prongs.

2. **Caption**

The original complaint shall contain the complete names of all parties. Each party in the caption shall be numbered separately, plaintiffs consecutively and defendants consecutively.

3. **Signature**

The complaint and all other original pleadings, motions and other papers of a party represented by an attorney shall be signed by at least one attorney of record in their individual name, whose address, bar, telephone number and telecopier number, if any, shall be stated along with law firm name. A party who is not represented by an attorney shall sign their pleading, motion, or other papers and state their address and telephone number. It is extremely important that counsel always designate the party represented on all pleadings, motions and other papers.

4. **Service**

Service must be made pursuant to Rules 4 and 5 of the Federal Rules of Civil Procedure. Papers filed with the Court are to be served by the filing party upon all other parties of record.

a. **Proof of Service**

All court papers other than the original complaint must bear a certificate signed by counsel stating that the service required has been made.

b. **Sample Form - Proof of Service**

I hereby certify that on _____ (Date)_____ I served
_____(Description of Pleading/Document served) upon
_____Name of counsel served____ by
Describe method of service, i.e. hand carried, mail, etc.)
to _____(Name, Address, Zip Code).

(Name of Law Firm)

By_____

1. (Signature of Attorney)
2. (Typewritten name of Attorney)
3. (Address)
4. (Telephone Number)
5. (Bar Number & name of State)
6. (Fax Number)

V. **FILING A CIVIL ACTION**

A. **Items required:**

1. Civil Cover Sheet (JS 44C) (attachment #3) must be completed and signed by the attorney. This is a required form. Instructions for completion of the civil cover sheet are on the back of the form. Particular attention should be paid toward the completion of section IV. A listing of Cause of Action Codes is provided (attachment #4). The form provides information for entry in automated systems.
2. Original complaint and one copy for the Court and a copy of the complaint for each defendant. (attachment #5)
3. Praecipe for summons.
4. An original of the summons for each defendant named. (attachment #6)
5. Entry of Appearance (attachment #7).

6. The filing fee for a new civil case is \$150.00. Exceptions: *habeas corpus* \$5.00 or *in forma pauperis* application.

The Clerk has no discretion in the assignment of a civil case; the judges and magistrates judges are assigned by random selection.

B. Complaint

1. The correct heading for a new complaint should be:

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

2. All parties must be listed and numbered in the style of the case. Do not use "et al" on the original complaint.
3. The original of the complaint and one copy will be filed and retained by the Court. You will need a copy for each named defendant and yourself.
4. The complaint and any accompanying filings must contain an original signature.
5. Jury Demand
 - a. There is no jury fee in Federal Court.
 - b. The jury demand, if so desired, must be filed as a separate pleading, requested in the complaint or responsive pleading.
 - c. Indicating a jury demand on the civil cover sheet will not constitute a request.
6. A sample complaint is provided (attachment #5).

C. **Removed Cases**

Counsel must file a notice of removal as required by 28 U.S.C. §1446. A defendant(s) desiring to remove any civil action from a State Court shall file in the appropriate district court of the United States a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure and containing a short and plain statement of the grounds for removal, together with a certified copy of the state court docket, all process, pleadings and orders served upon such defendant(s) in such action. The defendant(s) shall provide the Court an extra copy of any motion pending before the State Court at the time of removal.

The notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within thirty days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter. If the action becomes removable after the initial pleading, follow procedures pursuant to 28 U.S.C. §1446(b).

VI. **SUMMONS**

Rule 4 of the Federal Rules of Civil Procedure places the obligation for causing a summons to be issued upon the plaintiff. The plaintiff prepares a praecipe and summons and presents it to the Clerk's office. The deputy clerk signs and seals the summons. Service may be effected by any person who is not a party and who is at least 18 years of age. The Court may direct that service be effected by the Marshal's Service or other person or officer specially appointed by the Court for that purpose.

A. **Forms**

Preprinted summons and praecipe forms may be obtained from the Clerk's office. Most of the information required on the summons may be obtained from the original complaint and the completed summons forms may be submitted with the complaint for issuance by the Clerk.

B. Time Limit for Answer

The time for answering a complaint is twenty days for individuals and/or corporations etc., and sixty days when the United States or an officer or agency thereof is a party defendant.

C. Completion of Summons -- (attachment #6)

1. Title of court in which case is being filed.
2. Civil action number (issued by Clerk upon filing of complaint).
3. Plaintiff's full name. (use "et al" after first name if multiple plaintiffs).
4. Defendant's full name. (use "et al" after first name if multiple defendants).
5. Full name and address of each defendant to be served.
6. Full name and address of plaintiff's attorney or pro se plaintiff.
7. Time period within which defendant must file an answer or other responsive pleading as set forth above.
8. Name of Clerk of Court.
9. Signature of authorized deputy clerk.
10. Date summons signed and sealed by deputy clerk.
11. To be completed by process server.

Subsection (d) of Rule 4 Waiver of Service of Summons is a new concept. The defendant is allowed at least thirty days from the date on which the request was sent or sixty days if the defendant is outside any judicial district of the United States in which to return the waiver.

Generally, a plaintiff will send a notice of commencement of the action and a request for waiver to the defendant. The defendant signs the waiver of service and returns it to the plaintiff. When the waiver is filed with the Clerk's office, the action proceeds as if service of summons and complaint had been made.

A defendant within the United States who waives service has sixty days from the date the request was sent to answer the complaint. A defendant outside the United States has ninety days to answer.

Two new official forms were developed to implement the procedure for waiver of service of summons; Form 1A, Notice of Lawsuit and Request for Waiver of Service of Summons; and Form 1B, Waiver of Service of Summons. These two new forms replace Form 18-A, Notice and Acknowledgment for Service by Mail. They can be found as (attachment 8.)

Section (d)(2) requires that Form 1A must: (1) be in writing and addressed to defendant (or to the proper representative if defendant is not a person); (2) identify the court in which the action has been filed; (3) inform the defendant of the consequences of compliance and failure to comply; (4) set forth the date on which the request is sent; and (5) allow the defendant a reasonable time to return the waiver (at least 30 days from the date on which the Form 1A was sent).

In order to request a waiver, the plaintiff must send the following four items to the defendant: (1) Form 1(A), Notice of Lawsuit and Request for Waiver of Service of Summons; (2) a copy of the complaint with an identification of the court in which it was filed; (3) Form 1B, Waiver of Service of Summons and an extra copy of this form; (4) a prepaid means of compliance with the request in writing (e.g. a self addressed and stamped envelope). Form 1A must be sent through first class mail or other reliable means.

The plaintiff will file the completed Waiver of Service, Form 1B. Under Rule 4(d)(4), that filing date is equivalent to the date of service of summons and complaint.

The United States is not covered by the Waiver of Service provisions. However, service has been made easier by allowing service by delivery to the U.S. Attorney, an assistant U.S. Attorney or designated support employee of the U.S. Attorney's office.

VII. **SERVICE OF OTHER PROCESS FED CIV R.4.1**

Process other than a summons as provided in Rule 4 or subpoena as provided in Rule 45 shall be served by a United States Marshal, a deputy United States marshal, or a person specially appointed for that purpose, who shall make proof of service as provided in Rule 4(l). The process may be served anywhere within the territorial limits of the state in which the district court is located, and when authorized by a statute of the United States, beyond the territorial limits of that state.

VIII. **DEPOSITION SUBPOENA**

Depositions of any person with relevant information may be taken any time after commencement of the action. Attendance may be compelled by subpoena. It is no longer necessary that subpoenas be issued by the Clerk; although the Clerk still has the authority, a subpoena may also be issued by attorneys as officers of the Court. Attorneys are authorized to issue subpoenas in the name of any Court in which they are authorized to practice, and in the case of a deposition or production of documents taking place in another district, in the name of the court where the deposition or production is to take place. It is not required that the attorney be a member of the bar or admitted *pro hac vice* in the district in whose name the subpoena is issued, so long as the deposition or production pertains to a primary action in a court in which the attorney is authorized to practice. The requirement that a subpoena be issued under seal has been abolished. When a subpoena is issued, the only requirement is that it be signed. (attachment #9).

IX. **DISCOVERY MATERIALS**

Discovery material is not to be filed with the court. Depositions, interrogatories, requests for documents, requests for admissions, and answers and responses thereto shall not be filed with the court clerk, unless they are appended to a motion or a response to a motion or are needed for use in a trial or hearing (LCvR5.3).

X. **SEALED MATERIAL**

All court filings are public records unless the Court orders the case or document to be filed under seal. A court order to file a matter under seal must be obtained before attempting to file the sealed pleading. Pertinent information must be noted on the front of each pleading, such as:

1. Case Number with notation "***UNDER SEAL***" in bold letters.
2. Case Caption
3. Title of pleading should not disclose the confidential nature of the filing.

The clerk's office will not retain the original of the confidential material pending the Judge's ruling on the motion to seal.

XI. **TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION**

A. **Special Procedural Requirements**

1. **Separate Motion**

A request by a plaintiff for a temporary restraining order or for a preliminary injunction should be made in a document separate from the complaint.

2. **Proposed Order**

Accompanying the plaintiff's request should be a proposed order specifying the action or ruling sought from the Court and a statement of explanation to substantiate the request.

B. **Application to the Court**

1. **Role of the Clerk's Office**

Upon the filing of the motion, requesting a TRO, the intake deputy clerk will advise the respective judge's courtroom deputy or law clerk of the filing of such motion.

The courtroom deputy will contact the judge's chambers to determine when and/or whether a hearing will be held.

XII. **REGISTERING A JUDGMENT IN ANOTHER DISTRICT**

Pursuant to 28 U.S.C. §1963 a judgment in an action for the recovery of money or property which has been entered in any U.S. District Court, which has become final by appeal or after the expiration of time for appeal may be registered in another district by filing a certified copy of the judgment sought to be registered. Procedures to accomplish the registration are as follows:

A. **In the District in which the judgment was entered:**

1. Obtain a Certification of Judgment for Registration in Another District. (Form AO 451) (This accomplishes the certification of judgment and also gives the required information concerning finality of judgment.)

- a. This certificate will be prepared by the Clerk's office.

- b. The fee for the certificate is \$7.00.

B. In the District in which the judgment is being registered:

1. File the Certification of Judgment for Registration in Another District with the certified copy of the judgment attached.
2. Tender a \$30.00 filing fee.

The case will ordinarily be assigned a miscellaneous case number at the time it is filed with the Clerk's office.

XIII. TAXING OF COSTS

Costs are allowed to the prevailing party unless the Court directs otherwise. When a judgment is entered for a party, the judgment merely states that the party recover a sum certain together with costs. At this point, these costs are not itemized. Counsel for the prevailing party itemizes costs and must file and serve on opposing counsel within fourteen (14) days a Bill of Costs, (attachment #10) brief in support and verification of Bill of Costs. (Local Rule 54.1) The brief in support of costs should be separate and apart from any brief in support of motion for attorney fees.

Objections to Bill of Costs must be filed and served on opposing counsel within fifteen (15) days after service of the Bill of Costs.

A hearing date will be set by the Clerk's Office at the time the Bill of Costs is filed and it is the responsibility of the party filing the cost bill to notify opposing counsel of the hearing date.

XIV. ENTRY OF DEFAULT AND DEFAULT JUDGMENT

To obtain an entry of default, the party must provide the Clerk with a "Request for Entry of Default by the Clerk." The Request should contain the facts of service accompanied by affirmations concerning non-military service of the defendant and that the individual is neither an infant nor an incompetent person. Upon receipt of the documentation indicated, a determination is made if service has been effected and no answer or appearance has been filed. The proper documents being filed, the Clerk will prepare and enter default.

Once a party is in default, a default judgment pursuant to Fed.R.Civ.P. 55 may be requested of the Clerk by filing a motion for default judgment accompanied by affidavit of sum certain. A form of judgment granting the requested relief must be provided. Default Judgment pursuant to Fed.R.Civ.P. 55(b) may be requested of the court by filing a motion and concise brief.

XV. **WRIT OF EXECUTION**

Pursuant to Rule 62(a) Fed.R.Civ.P., no execution shall issue upon a judgment nor shall post-judgment proceedings be taken for its enforcement until the expiration of 10 days after entry of the judgment on the docket. Execution can be stayed upon the filing of a motion to stay and a supersedeas bond.

A. Form

1. The procedure on execution shall be in accordance with the practice and procedure of the State in which the district court is held. (Fed.R.Civ.P. 69(a)).

B. Service

1. Writs of Execution can be served by the U.S. Marshal, by someone specifically appointed by the Court or by the Sheriff of any county of the State.

XVI. **WRIT OF GARNISHMENT**

Application for Writ of Garnishment should be filed with Clerk of Court.

A. Forms

1. Forms should conform to State procedures.

B. Service

1. Service on Writs of Garnishment can be made by the U.S. Marshal, by someone specially appointed by the Court or by any person not a party to the action over 18 years old.

XVII. **CONSENT TO EXERCISE JURISDICTION BY A MAGISTRATE JUDGE**

In accordance with the provision of 28 U.S.C. §636, Fed. R. Civ.P. 73 and LCvR 73.1, the United States Magistrate Judges of this district court, in addition to their other duties, may upon consent of all the parties, in a civil case , conduct any or all proceedings in the case, including a jury or non-jury trial, and order the entry of a final judgment.

Your opportunity to have your case disposed of by a magistrate judge is subject to the calendar requirements of the court. Accordingly, the district judge to whom your case is assigned must approve the reference of the case to a magistrate judge for disposition.

Copies of the consent form are available from the Clerk of the Court. Upon completion of the consent form (attachment #11), the form, bearing signatures of all counsel and pro se parties in the case, should be returned to this office. Availing yourself of Magistrate Judge jurisdiction usually allows for an earlier trial date.

XVIII. **PACER AND PACER-NET**

In cooperation with the United States District Court for the Western District of Oklahoma, the Administrative Office of the United States Courts (AO) and the Federal Judicial Center (FJC) an electronic public access system called PACER (Public Access to Court Electronic Records) became available in 1993. This system allows you to use a terminal or computer and modem to dial in to the court, connect to a special public information computer, and request information about a case. The system can provide lists of cases, searched by name, as well as the full electronic docket for the case. You may save this docket on your own computer, or print it out in your office. This system is also available on the Internet in a web-based format.

The PACER System runs on a computer which is separate from the main court computer. The inquiry computer is updated from the host computer once a day. This update will include all changes made the previous day, and will be done early

in the morning. Case filings and updates to the docket will typically not appear on the PACER system until the day after they are entered on the main court computer. See Pacer Registration Form at attachment #12 or contact the PACER Service Center at (800) 676-6856, or <http://pacer.psc.uscourts.gov>.

XIV. **FASTFAX**

FASTFAX allows for the prompt distribution of orders and judgments via facsimile transmission to the designated attorneys of record who complete an authorization form.

In most instances, attorneys who agree to accept orders and judgments by facsimile transmission will receive them the same day they are signed. The Clerk's Office maintains a report confirming receipt by parties of the electronic notice. If the Clerk is unable to confirm receipt of the electronic notice, notice by mail will be effected the following business day.

FASTFAX is available for civil and criminal cases.

To take advantage of this exciting program, the attorney needs to complete an authorization form and return it to the Clerk's Office. You will begin receiving Oklahoma Western District civil and criminal orders and judgments via fax as soon as the authorization is processed (approximately 2 weeks). There is no charge for this service.

ASSISTANCE DIRECTORY

Effective December 18, 2000

U. S. District Court for the Western District of Oklahoma

Court Clerk's Office Receptionist 609-5000

Court Clerk's Secretary, Ann Baskin 609-5051

Chief Deputy Clerk, Gayle Hoverson 609-5039

Operations Manager, Richard Wade 609-5038

Automation Division

Rex Ishikawa, Manager 609-5064

Steve Frost 609-5068

Faith Sampier 609-5063

Peter Strauss 609-5065

Andrew Leasau 609-5067

Brett Weber 609-5066

Data Quality Analyst, Anne Ross 609-5031

Procurement

Betty Bryant 609-5034

Attorney Admissions and

Naturalization, San Nguyen 609-5062

ADR, Arbitration, Mediation:

Ann Marshall 609-5078

Karen Worth 609-5162

Appeals, Stacy Naifeh 609-5042

Records Clerk, Denise Bergner 609-5029

Jury Clerk, Kathy Hess 609-5040

Prisoner Filings Clerk, Michael Story 609-5045

Financial Administrator, Beverly Thomas 609-5047

Budget Analyst, Sandra O'Hara 609-5033

Personnel, Carrie McKee 609-5035

INTAKE CLERKS - (Front Counter)

General filing questions; forms used by Court Clerk; inquiries of copy requests; search requests

Eva Hixson, D. Wayne Lee, Nancy Metcalf 609-5000

CIVIL & CRIMINAL DOCKET CLERKS - Immediate access to a particular case for information on current filings, such as motions, applications, orders, etc. Inquiries of any deadlines or hearings.

For information on status of criminal cases, contact:

Criminal Docket Clerk - Hellen McKenzie. 609-5054

Judge:

Russell

Cauthron

Leonard

Miles-LaGrange

Thompson

West

Alley

Civil Docket Clerk:

Bonnie McClain 609-5037

Bonnie McClain 609-5037

Artesia Pennethy 609-5032

Fran Potter 609-5052

Cathy Suchy 609-5036

Beverly Grigsby 609-5142

Karen Worth 609-5162

MAGISTRATE CLERK - Liaison between court and counsel. Criminal matters before a Magistrate Judge such as initial appearances, detention hearings, arraignments; consent civil cases; referrals from a District Judge (such as social security, prisoner, disputed discovery, hearing on assets, garnishments & friendly suits)

Magistrate Clerks:

Magistrate Judge Argo Steve Rogers 609-5048

Magistrate Judge Roberts Kathaleen Buchholz 609-5043

Magistrate Judge Purcell Debbie McGrew 609-5046

Magistrate Judge Couch Cheryl Howell 609-5061

Magistrate Judge Bacharach Bill French 609-5044

Magistrate Judge Howland Michelle Gee 609-5341

COURTROOM DEPUTIES/CASE MANAGERS - Liaison between court and counsel. All courtroom deputies/case managers are located in judge's chambers. Responsible for complete case management; current scheduling and/or trial dockets; chamber procedures; courtroom procedures; calendar and criminal matters.

Judge:

Russell

Cauthron

Leonard

Miles-LaGrange

Thompson

West

Alley

Courtroom Deputy:

Nancy Stark 609-5102

Linda Goode 609-5202

Jamie Youngberg 609-5302

Kathy Spaulding 609-5402

Mike Bailey 609-5122

Beverly Grigsby 609-5142

Karen Worth 609-5162

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

_____)
_____)
_____)
vs. Plaintiff(s) Case No. _____
_____)
_____)
_____)
Defendant(s) _____)

REQUEST FOR ADMISSION PRO HAC VICE

I hereby request admission to the Bar of this Court PRO HAC VICE in support of which I represent that the answers to the following questions are complete, true and correct:

- 1. Full name: _____
- 2. State bar membership number: _____
- 3. Business address, telephone and fax numbers: _____
- 4. List all state and federal courts or bar associations in which you are a member "in good standing" to practice law: _____
- 5. Have you been denied admission, disbarred, suspended from practice, reprimanded, denied "in good standing" status, or otherwise disciplined by any court, bar association, grievance committee or administrative body? Yes No
- 6. Have any proceedings which could lead to any such disciplinary action been instituted against you in any such bodies? Yes No
(Please attach a statement explaining any "YES" answers to questions 5 or 6.)
- 7. Are you familiar with the Federal Rules of Evidence, the Federal Rules of Civil or Criminal Procedure (as applicable to this case) and the local rules of this court? Yes No

A check for \$25 should be made payable to the U.S. District Court Clerk.
(United States Government Attorneys are exempted from paying this fee.)

DATED this _____ day of _____, 1998.

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

DEFENDANTS

(b) County of Residence of First _____
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- G 1 U.S. Government Plaintiff
- G 2 U.S. Government Defendant
- G 3 Federal Question (U.S. Government Not a Party)
- G 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | |
|---|---------|--|---------|
| Citizen of This State | G 1 G 1 | Incorporated <i>or</i> Principal Place of Business In This State | G 4 G 4 |
| Citizen of Another State | G 2 G 2 | Incorporated <i>and</i> Principal Place of Business In Another State | G 5 G 5 |
| Citizen or Subject of a Foreign Country | G 3 G 3 | Foreign Nation | G 6 G 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
<ul style="list-style-type: none"> G 110 Insurance G 120 Marine G 130 Miller Act G 140 Negotiable Instrument G 150 Recovery of Overpayment & Enforcement of Judgment G 151 Medicare Act G 152 Recovery of Defaulted Student Loans (Excl. Veterans) G 153 Recovery of Overpayment of Veteran's Benefits G 160 Stockholders' Suits G 190 Other Contract G 195 Contract Product Liability 	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> PERSONAL INJURY <ul style="list-style-type: none"> G 310 Airplane G 315 Airplane Product Liability G 320 Assault, Libel & Slander G 330 Federal Employers' Liability G 340 Marine G 345 Marine Product Liability G 350 Motor Vehicle G 355 Motor Vehicle Product Liability G 360 Other Personal Injury </td> <td style="width: 50%; vertical-align: top;"> PERSONAL INJURY <ul style="list-style-type: none"> G 362 Personal Injury—Med. Malpractice G 365 Personal Injury—Product Liability G 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <ul style="list-style-type: none"> G 370 Other Fraud G 371 Truth in Lending G 380 Other Personal Property Damage G 385 Property Damage Product Liability </td> </tr> </table>	PERSONAL INJURY <ul style="list-style-type: none"> G 310 Airplane G 315 Airplane Product Liability G 320 Assault, Libel & Slander G 330 Federal Employers' Liability G 340 Marine G 345 Marine Product Liability G 350 Motor Vehicle G 355 Motor Vehicle Product Liability G 360 Other Personal Injury 	PERSONAL INJURY <ul style="list-style-type: none"> G 362 Personal Injury—Med. Malpractice G 365 Personal Injury—Product Liability G 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <ul style="list-style-type: none"> G 370 Other Fraud G 371 Truth in Lending G 380 Other Personal Property Damage G 385 Property Damage Product Liability 	<ul style="list-style-type: none"> G 610 Agriculture G 620 Other Food & Drug G 625 Drug Related Seizure of Property 21 USC G 630 Liquor Laws G 640 R.R. & Truck G 650 Airline Regs. G 660 Occupational Safety/Health G 690 Other 	<ul style="list-style-type: none"> G 422 Appeal 28 USC 158 G 423 Withdrawal 28 USC 157 <p style="text-align: center;">PROPERTY RIGHTS</p> <ul style="list-style-type: none"> G 820 Copyrights G 830 Patent G 840 Trademark <p style="text-align: center;">SOCIAL SECURITY</p> <ul style="list-style-type: none"> G 861 HIA (1395ff) G 862 Black Lung (923) G 863 DIWC/DIWW (405(g)) G 864 SSID Title XVI G 865 RSI (405(g)) <p style="text-align: center;">FEDERAL TAX SUITS</p> <ul style="list-style-type: none"> G 870 Taxes (U.S. Plaintiff or Defendant) G 871 IRS—Third Party 26 USC 7609 	<ul style="list-style-type: none"> G 400 State Reapportionment G 410 Antitrust G 430 Banks and Banking G 450 Commerce/ICC Rates/etc. G 460 Deportation G 470 Racketeer Influenced and Corrupt Organizations G 810 Selective Service G 850 Securities/Commodities/Exchange G 875 Customer Challenge 12 USC 3410 G 891 Agricultural Acts G 892 Economic Stabilization Act G 893 Environmental Matters G 894 Energy Allocation Act G 895 Freedom of Information Act G 900 Appeal of Fee Determination Under Equal Access to Justice G 950 Constitutionality of State Statutes G 890 Other Statutory Actions
PERSONAL INJURY <ul style="list-style-type: none"> G 310 Airplane G 315 Airplane Product Liability G 320 Assault, Libel & Slander G 330 Federal Employers' Liability G 340 Marine G 345 Marine Product Liability G 350 Motor Vehicle G 355 Motor Vehicle Product Liability G 360 Other Personal Injury 	PERSONAL INJURY <ul style="list-style-type: none"> G 362 Personal Injury—Med. Malpractice G 365 Personal Injury—Product Liability G 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <ul style="list-style-type: none"> G 370 Other Fraud G 371 Truth in Lending G 380 Other Personal Property Damage G 385 Property Damage Product Liability 					
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS				
<ul style="list-style-type: none"> G 210 Land Condemnation G 220 Foreclosure G 230 Rent Lease & Ejectment G 240 Torts to Land G 245 Tort Product Liability G 290 All Other Real Property 	<ul style="list-style-type: none"> G 441 Voting G 442 Employment G 443 Housing/Accommodations G 444 Welfare G 440 Other Civil Rights 	<ul style="list-style-type: none"> G 510 Motions to Vacate Sentence Habeas Corpus: G 530 General G 535 Death Penalty G 540 Mandamus & Other G 550 Civil Rights G 555 Prison Condition 	<ul style="list-style-type: none"> G 710 Fair Labor Standards Act G 720 Labor/Mgmt. Relations G 730 Labor/Mgmt. Reporting & Disclosure Act G 740 Railway Labor Act G 790 Other Labor Litigation G 791 Empl. Ret. Inc. Security Act 			

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- | | | | | | | |
|-------------------------|------------------------------|-----------------------------------|----------------------------|---|------------------------------|---|
| G 1 Original Proceeding | G 2 Removed from State Court | G 3 Remanded from Appellate Court | G 4 Reinstated or Reopened | G 5 Transferred from another district (specify) | G 6 Multidistrict Litigation | G 7 Appeal to District Judge from Magistrate Judgment |
|-------------------------|------------------------------|-----------------------------------|----------------------------|---|------------------------------|---|

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. REQUESTED IN COMPLAINT:

G CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: G Yes G No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE _____ SIGNATURE OF ATTORNEY OF RECORD _____

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-44

Authority For Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b.) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States, are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS-44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section IV below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a) Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS-44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

ICMS Cause Codes

Case Number

41

00:0000	00:0000 Cause Code Unknown
02:0431	02:431 Fed. Election Commission: Failure Enforce Compliance
02:0437	02:437 Federal Election Commission
05:0075	05:75(2) Contract - Reduction in Grade
05:0551	05:551 Administrative Procedure Act
05:0552fi	05:552 Freedom of Information Act
05:0552pa	05:552 Right to Privacy Act
05:0554	05:0554 Constitutionality of Maritime Statutes
05:0701	05:0701 Maritime Subsidy Board
05:0702	05:702 Administrative Procedure Act
05:0704	05:704 Labor Litigation
05:7703	05:7703 Discrimination - Review of Agency Act
07:0006	07:0006 (b) Federal Commodity Exchange Regulation
07:0025	07:0025 Fraud - Commodities Leverage Contracts
07:0181	07:181 Packers & Stockyard Act
07:0499	07:499 Agricultural Commodities Act
07:0601	07:601 USDA Condemnation
07:2321	07:2321 Plant Variety Protection Act
08:1105	08:1105 (a) Aliens: Habeas Corpus to Release INS Detainee
08:1252	08:1252(a)(2) Injunction for Deportation
08:1260	08:1260 Aliens: Access to Records
08:1324	08:1324 Aliens: Complaint for Forfeiture
08:1329	08:1329 Writ of Mandamus to Adjudicate Visa Petition
08:1446	08:1446 Petition for Naturalization Hearing
08:287	08:287 Petition To Enforce INS Subpoena
09:0001	09:1 U.S. Arbitration Act
09:0009	09:0009 Motion to Confirm Arbitration Loan
09:0010	09:0010 Petition to Vacate Arbitration Award
10:1552	10:1552 Armed Forces: Action to Correct Records
10:1553	10:1553 Armed Forces: FOIA General
10:2305	10:2305 Review of Federal Contract
11:0101	11:101 Bankruptcy
12:0022	12:22 Securities Fraud
12:0635	12:635 Breach of Insurance Contract
12:1461	12:1461 Homeowners Loan Act

12:1703	12:1703 Default of HUD Loan
12:1725	12:1725 Collection under Contract Guaranty
12:1730	12:1730 Collection Under Contract Guaranty
12:1819	12:1819 Default of Promissory Note
12:1821	12:1821 Default of Loan by Promissary Note
12:1971	12:1971 Relief under Bank Holding Act
12:3410	12:3410 Right to Financial Privacy Act
15:0001	15:1 Antitrust Litigation
15:0002at	15:2 Antitrust Litigation
15:0002fl	15:2(a) Fair Labor Standards Act
15:0005	15:5(a) Fair Labor Standards Act
15:0015	15:15 Antitrust Litigation
15:0025	15:25 Clayton Act
15:0044	15:44 Trademark Infringement
15:0045	15:0045 Federal Trade Commission Act
15:0052	15:0052 Federal Trade Commission Act
15:0053	15:0053 Federal Trade Commission Act
15:0077	15:77 Securities Fraud
15:0078	15:78m(a) Securities Exchange Act
15:0631	15:631 Small Business Act
15:0717	15:717 Natural Gas Act
15:1051	15:1051 Trademark Infringement
15:1114	15:1114 Trademark Infringement
15:1121	15:1121 Trademark Infringement
15:1125	15:1125 Trademark Infringement (Lanham Act)
15:1126	15:1126 Patent Infringement
15:1127	15:1127 Trademark Infringement
15:1601	15:1601 Truth in Lending
15:1640	15:1640 Truth in Lending
15:1681	15:1681 Fair Credit Reporting Act
15:1692	15:1692 Fair Debt Collection Act
15:1938	15:1938 Fair Labor Standards Act
15:1981	15:1981 Fraud-Motor Vehicle (Odometer)
15:1988	15:1988 Fraud-Motor Vehicle (Odometer)
15:1989	15:1989 Fraud-Motor Vehicle (Odometer)
15:2301	15:2301 Magnuson-Moss Warranty Act
15:2801	15:2801 Petroleum Marketing Practices Act
15:53(b)	15:53(b) - Prelim & Perm Inj Relief & other Equitable Relief
16:0668	16:668 Bald Eagle Protection Act

16:0703	16:703 Migratory Bird Act
16:1538	16:1538 Endangered Species Act
16:3371	16:3371 Wildlife Under the Lacey Act
16:3372	16:3372 Conservation: Complaint for Forfeiture
16:3373	16:3373 Appeal of Decision - DOI
16:3374	16:3374 Conservation: Complaint for Forfeiture
17:0101	17:101 Copyright Infringement
17:0501	17:501 Copyright Infringement
17:0504	17:504 Copyright Infringement
18:0241	18:241 Conspiracy Against Citizen Rights
18:1961	18:1961 Racketeering (RICO) Act
18:1962	18:1962 Racketeering (RICO) Act
18:1964	18:1964 Racketeering (RICO) Act
18:4208	18:4208(B) Agency Action Review
19:1305	19:1305 Custom Duties:0Forfeiture-Immoral Articles
20:1080	20:1080 Student Loan Recovery
20:1400	20:1400 Civil Rights of Handicapped Child
20:1401	20:1401 Education: Handicapped Child Act
21:0841	21:841 Forfeiture Property-Drugs
21:0881	21:881 Forfeiture Property-Drugs
21:0881a	21:881 Forfeiture Property - Aircraft
21:0881re	21:881 Forfeiture Property - Real Estate
23:0134	23:134 P.I.- Auto Negligence
23:1441	23:1441 Contract Real Estate
24:1000	24:1000 Hospitals & Asylums: Withdrawal Liability
25:0640	25:640 Indian Tribal Rights
25:1901	25:1901 Indian Child Welfare Act
26:6212	26:6212 Injunctive Relief from IRS Lien
26:6213	26:6213 Injunctive Relief from IRS Lien
26:6502	26:6502 IRS:Enforcement of tax liens
26:6532	26:6532 IRS: Refund of Tax Penalty
26:6702	26:6702 IRS: Refund of Income Tax Penalty
26:6703	26:6703 IRS: Refund of Tax Penalty
26:7401	26:7401 IRS: Tax Liability
26:7402	26:7402 IRS: Petition to Enforce IRS Summons
26:7403	26:7403 Suit to Enforce Federal Tax Lien
26:7422rt	26:7422 IRS: Refund Taxes
26:7422rx	26:7422 IRS: Refund Excise Tax
26:7426	26:7426 IRS: Wrongful Levy for Taxes

26:7429	26:7429 IRS: Tax Jeopardy Assessment
26:7609	26:7609 IRS: Petition to Quash IRS Summons
27:0185	27:185 Enforcement of Arbitration Award
28:0157c	28:0157(c)(1) Findings, Concl. & Proposed Judgment
28:0157d	28:0157 Motion for Withdrawal of Reference
28:0158	28:0158 Notice of Appeal re Bankruptcy Matter (BAP)
28:0185	28:185 Suit to Compel Arbitration
28:0451	28:451 Employment Discrimination
28:0636	28:0636 Appeal from Magistrate's Order
28:0794	28:794 Rehabilitation Act
28:1001	28:1001 E.R.I.S.A.
28:1132	28:1132 E.R.I.S.A.
28:1330	28:1330 Breach of Contract
28:1331	28:1331 Fed. Question
28:1331al	28:1331 Fed. Question: Airline Crash
28:1331at	28:1331 Fed. Question: Anti-trust
28:1331au	28:1331 Fed. Question: Auto Negligence
28:1331b	28:1331 Federal Question: Bivens Act
28:1331bc	28:1331 Fed. Question: Breach of Contract
28:1331ca	28:1331 Fed Question: Fed Communications Act of 1934
28:1331cm	28:1331 Fed. Question: Interstate Commerce Act
28:1331cv	28:1331 Federal Question: Other Civil Rights
28:1331ed	28:1331 Fed. Question: Employment Discrimination
28:1331es	28:1331 Enforcement of Administrative Subpoena
28:1331fl	28:1331 Fed. Question: Fair Labor Standards
28:1331in	28:1331 Fed. Question: Insurance Contract
28:1331mm	28:1331 Fed. Question: Medical Malpractice
28:1331pi	28:1331 Fed. Question: Personal Injury
28:1331rd	28:1331 Fed. Question: Review Agency Decision
28:1331rp	28:1331(a) Fed. Question: Real Property
28:1331rr	28:1331 Fed. Question: Railway Labor Act
28:1331sv	28:1331 Fed. Question: Securities Violation
28:1331tr	28:1331 Fed. Question: Trademark
28:1331tt	28:1331 Fed. Question: Tort Action
28:1331v	28:1331 Fed. Question: Violation 5th & 8th Amendment
28:1331wl	28:1331 Federal Question: EPA Waste Lien
28:1331wt	28:1331 Fed. Question: Water Rights
28:1332ac	28:1332 Diversity-Account Receivable
28:1332al	28:1332 Diversity-Airline Crash

28:1332as	28:1332 Diversity-Asbestos Litigation
28:1332au	28:1332 Diversity-Auto Negligence
28:1332bc	28:1332 Diversity-Breach of Contract
28:1332co	28:1332 Diversity-Conversion
28:1332ct	28:1332 Diversity-(Citizenship)
28:1332det	28:1332 Diversity: Forcible Detainer
28:1332df	28:1332 Diversity-Contract Default
28:1332ds	28:1332 Diversity-Contract Dispute
28:1332ed	28:1332 Diversity-Employment Discrimination
28:1332fd	28:1332 Diversity-Breach of Fiduciary Duty
28:1332fr	28:1332 Diversity-Fraud
28:1332ia	28:1332 Diversity-Interpleader Action
28:1332ij	28:1332 Diversity-Injunctive & Declaratory Relief
28:1332in	28:1332 Diversity-Insurance Contract
28:1332jd	28:1332 Diversity-Declaratory Judgement
28:1332lb	28:1332 Diversity-Libel,Assault,Slander
28:1332lm	28:1332 Diversity - Legal Malpractice
28:1332ma	28:1332 Diversity - Miller Act
28:1332mm	28:1332 Diversity-Medical Malpractice
28:1332mv	28:1332 Diversity-Motor Vehicle Product Liability
28:1332ni	28:1332 Diversity-Negotiable Instrument
28:1332nm	28:1332 Diversity-Non-Motor Vehicle
28:1332oc	28:1332 Diversity-Other Contract
28:1332pd	28:1332 Diversity-Property Damage
28:1332pi	28:1332 Diversity-Personal Injury
28:1332pl	28:1332 Diversity-Product Liability
28:1332pr	28:1332 Diversity-Petition for Removal
28:1332qt	28:1332 Diversity-Petition to Quiet Title
28:1332ri	28:1332 Diversity - Racketeering (RICO) Act
28:1332sa	28:1332 - Diversity: Securities & Exchange Commission Act
28:1332sf	28:1332 - Diversity: Securities Fraud
28:1332ss	28:1332 Diversity - Stockholders Suits
28:1332tl	28:1332 Diversity-Torts to Land
28:1332tm	28:1332 Diversity-Tort/Motor Vehicle (P.I.)
28:1332tn	28:1332 Diversity-Tort/Non-Motor Vehicle
28:1332wd	28:1332 Diversity-Wrongful Death
28:1333	28:1333 Admiralty
28:1334	28:1334 Bankruptcy Appeal
28:1334c	28:1334(c) R&R re motions for abstention (non-core)

28:1335	28:1335 Interpleader Action
28:1337	28:1337 Sherman-Clayton Act
28:1338cp	28:1338 Copyright Infringement
28:1338pt	28:1338 Patent Infringement
28:1338tr	28:1338 Trademark Infringement
28:1340	28:1340 IRS: Custom Duties
28:1340er	28:1340 Recovery of Erroneous Refund
28:1341	28:1341 Complaint for Forfeiture
28:1343	28:1343 Violation of Civil Rights
28:1345co	28:1345 Replevin & Conversion
28:1345db	28:1345 Debt to US - FHA/HUD Title I
28:1345df	28:1345 Default of Promissory Note
28:1345er	28:1345 Recovery of Erroneous Refund
28:1345fc	28:1345fc Foreclosure
28:1345ff	28:1345 Complaint for Forfeiture
28:1345hl	28:1345 VA Home Loan Guaranty Debt
28:1345mc	28:1345 Medical Care Recovery
28:1345mi	28:1345 Mining Claim Ejectment
28:1345pd	28:1345 Property Damage
28:1345pe	28:1345 Property Ejectment
28:1345rc	28:1345 Recovery of Debt to US
28:1345st	28:1345 Default of Student Loan
28:1345tp	28:1345 Trespass on Public Land
28:1345va	28:1345 Recovery of VA Overpayment
28:1346bc	28:1346 Breach of Contract
28:1346rc	28:1346 Recovery of IRS Tax
28:1346tc	28:1346 Tort Claim
28:1346wd	28:1346 Wrongful Death
28:1352	28:1352 Miller Act
28:1355	28:1355 Petition for Return of Property
28:1358	28:1358 Land Condemnation
28:1361	28:1361 Petition for Writ of Mandamus
28:1362ic	28:1362 Indian Tribal Controversy
28:1362iw	28:1362 Declaration re: Indian Tribal Water Rights
28:1364	28:1364 Auto Negligence
28:1391	28:1391 Personal Injury
28:1402	28:1402 Medical Malpractice
28:1407	28:1407 Airline Crash
28:1441ac	28:1441 Petition for Removal- Account Receivable

28:1441al	28:1441 Petition for Removal- Airline Crash
28:1441as	28:1441 Petition for Removal- Asbestos Litigation
28:1441au	28:1441 Petition for Removal- Auto Negligence
28:1441bc	28:1441 Petition for Removal- Breach of Contract
28:1441cv	28:1441 Petition for Removal- Civil Rights Act
28:1441df	28:1441 Petition for Removal- Contract Default
28:1441dj	28:1441 Petition for Removal- Declaratory Judgement
28:1441ds	28:1441 Petition for Removal- Contract Dispute
28:1441ed	28:1441 Petition for Removal - Employment Discrimination
28:1441fc	28:1441 Petition for Removal - Fair Credit Reporting Act
28:1441fr	28:1441 Petition for Removal- Fraud
28:1441ij	28:1441 Petition for Removal- Injunctive/Declaratory Relief
28:1441in	28:1441 Petition for Removal- Insurance Contract
28:1441int	28:1441 Petition for Removal- Action for Interpleader
28:1441lb	28:1441 Petition for Removal Libel,Assault,Slander
28:1441lm	28:1441 Petition for Removal- Labor/Mgmt. Relations
28:1441mm	28:1441 Petition for Removal- Medical Malpractice
28:1441ni	28:1441 Petition for Removal- Negotiable Instrument
28:1441nm	28:1441 Petition for Removal- Non-Motor Vehicle
28:1441oc	28:1441 Petition For Removal--Other Contract
28:1441pd	28:1441 Petition for Removal- Property Damage
28:1441pi	28:1441 Petition for Removal- Personal Injury
28:1441pl	28:1441 Petition for Removal- Product Liability
28:1441pr	28:1441 Petition for Removal
28:1441qt	28:1441 Petition for Removal- Petition to Quiet Title
28:1441ri	28:1441 Petition for Removal- Racketeering (RICO) Act
28:1441sa	28:1441 - Petition for Removal: SEC Act
28:1441sf	28:1441 - Petition for Removal: Securities Fraud
28:1441tl	28:1441 Petition for Removal- Torts to Land
28:1441tm	28:1441 Petition for Removal- Tort/Motor Vehicle (P.I.)
28:1441tn	28:1441 Petition for Removal- Tort/Non-Motor Vehicle
28:1441wd	28:1441 Petition for Removal- Wrongful Death
28:1442bc	28:1442 Petition for Removal- Breach of Contract
28:1442pr	28:1442 Petition for Removal
28:1443	28:1443(1) Rent, Lease & Ejectment
28:1444	28:1444 Petition for Removal- Foreclosure
28:1446in	28:1446 Breach of Contract- Insurance
28:1446pd	28:1446 Petition for Removal- Property Damage (P.I.)
28:1446pi	28:1446 Petition for Removal- Personal Injury

28:1446pl	28:1446pl Petition for Removal - Product Liability
28:1446pr	28:1446 Petition for Removal
28:1452	28:1452 R&R re motions to remand (non-core)
28:1651	28:1651 Petition for Writ of Coram Nobis
28:1651hc	28:1651 Petition for Writ of Habeas Corpus
28:1651mn	28:1651 Petition for Writ of Mandamus
28:1983	28:1983 Civil Rights
28:2201	28:2201 Constitutionality of State Statute(s)
28:2201dj	28:2201 Declaratory Judgement
28:2201ij	28:2201 Injunction
28:2201in	28:2201 Declaratory Judgement (Insurance)
28:2241	28:2241 Petition for Writ of Habeas Corpus (federal)
28:2254	28:2254 Petition for Writ of Habeas Corpus (State)
28:2254se	28:2254 Ptn for Writ of H/C - Stay of Execution
28:2255	28:2255 Motion to Vacate / Correct Illegal Sentence
28:2271	28:2271 Federal Tort Claims Act
28:2345	28:2345 Medicare Recovery
28:2409	28:2409(a) Quiet Title Action
28:2410	28:2410 Quiet Title
28:2671	28:2671 Federal Tort Claims Act
28:2674	28:2674 Federal Tort Claims Act
28:7402	28:7402 Refund of Taxes
28:7422	28:7422 Appeal from Administrative Decision
29:0151	29:151 Labor: Review of Agency Action
29:0160	29:160(1) National Labor Relations Act
29:0184	29:184 Violation Collection Bargain Agreement
29:0185ep	29:185 Employee Pension Plan
29:0185lm	29:185 Labor/Mgt. Relations (Contracts)
29:0201do	29:201 Denial of Overtime Compensation
29:0201fl	29:201 Fair Labor Standards Act
29:0203	29:203 Equal Pay Act
29:0206	29:206 Collect Unpaid Wages
29:0401	29:0401 Labor Management Disclosure Act
29:0621	29:621 Job Discrimination (Age)
29:0623	29:623 Job Discrimination (Age)
29:0626	29:626 Job Discrimination (Age)
29:0633	29:633 Job Discrimination (Age)
29:0651	29:651 Occupational Safety/Health
29:0754	29:754 Discrimination

29:0791 29:791 Job Discrimination (Rehabilitation Act)
29:0794 29:0794 Job Discrimination (Handicap)
29:1001 29:1001 E.R.I.S.A.: Employee Retirement
29:1002 29:1002 E.R.I.S.A.: Employee Retirement
29:1104 29:1104 Recovery of Benefits to Employee
29:1109 29:1109 Breach of Fiduciary Duties
29:1131 29:1131 ERISA - Collection of Delinquent Trust Funds
29:1132 29:1132 E.R.I.S.A.-Employee Benefits
29:1145 29:1145 E.R.I.S.A.
29:1149 29:1149 Recover Pension & Profit Sharing
29:1337 29:1337 E.R.I.S.A.
29:1362 29:1362 ERISA
29:1381 29:1381 E.R.I.S.A.
29:1401 29:1401(b)(2) Appeal of Arbitration Award
29:1451 29:1451 E.R.I.S.A.
29:1801 29:1801 Farmworker Rights
29:2601 29:2601 Pursuant to the Family Leave Act
29:790 29:790 Rehabilitation of Labor
30:0181 30:0181 Environment: Review of Agency Action
30:0801 30:0801 Penalties/Federal Mine Safety Health Act - 1977
30:1201 30:1201 Environment: Review of Agency Action
30:1202 30:1202 Mining Reclamation Act
30:1276 30:1276 Interior: Review of Agency Action
31:3545 31:3545 Action to Recovery Money
31:3729 31:3729 False Claims Act
31:3731 31:3731 Fraud
33:1319cw 33:1319 Clean Water Act
33:1319pv 33:1319 Pollutants & Permit Violations
33:1365 33:1365 Environmental Matters
35:0145 35:145 Patent Infringement
35:0183 35:183 Patent Infringement
35:0271 35:271 Patent Infringement
38:1681 38:1681 Recovery of VA Overpayment
38:1686 38:1686 Recovery of VA Overpayment
38:1780 38:1780 Recovery of VA Overpayment
38:2011 38:2011 - Veteran's Readjustment Assistance Act of 1974
38:3116 38:3116 VA Overpayment
39:3005 39:3005 Detention of Mail for Temporary Periods
39:409 39:409 Postal Service

40:0258	40:258(a) Public Buildings & Property: Land Condemnation
40:0270	40:270 Miller Act
40:0875	40:875 Public Buildings & Property: Negligence
41:0251	41:251 Public Contracts-Review of Agency Action
41:1463	41:1463 Public Contracts: Unlawful Employment Practices
42:0205	42:205 Denial Social Security Benefits
42:0206	42:206 Social Security Benefits
42:0247	42:247 Personal Injury-Swine Flu
42:0402	42:402 Social Security Benefits
42:0405id	42:405 Review of HHS Decision (SSID)
42:0405wc	42:405 Review of HHS Decision (DIWC)
42:0405ww	42:405 Review of HHS Decision (DIWW)
42:0416	42:416 Denial of Social Security Benefits
42:0427	42:427 Social Security Benefits
42:1383	42:1383 Review of HHS Decision
42:1395	42:1395 HHS: Adverse Reimbursement Review
42:1396	42:1396 - Tort Negligence
42:1471	42:1471 Declaratory & Injunctive Relief - Foreclosure Sale
42:1981cv	42:1981 Civil Rights
42:1981hs	42:1981 Housing Discrimination
42:1981jb	42:1981 Job Discrimination (Race)
42:1981sx	42:1981 Sex Discrimination
42:1983cv	42:1983 Civil Rights Act
42:1983ed	42:1983 Civil Rights (Employment Discrimination)
42:1983pr	42:1983 Prisoner Civil Rights
42:1986	42:1986 Neglect of Duty
42:2000ag	42:2000 Job Discrimination (Age)
42:2000e	28:1332bc Job Discrimination (Employment)
42:2000pb	42:2000 Job Discrimination (Public Accommodations)
42:2000ra	42:2000 Job Discrimination (Race)
42:2000sx	42:2000 Job Discrimination (Sex)
42:2003	42:2003 Job Discrimination
42:2005	42:2005 Review of Agency Action-HHS
42:2651	42:2651 Medical Care Recovery
42:3601	42:405 Fair Housing Act
42:4000	42:4000 National Flood Insurance Act
42:4001	42:4001 National Insurance Flood Act
42:4053	42:4053 Breach of Insurance Contract
42:4072	42:4072 Payment of Flood Insurance Claim

42:4321	42:4321 Review of Agency Action-Environment
42:4332	42:4332 Environmental Policy - Coop of Agency Reports
42:6901en	42:6901 Environmental Cleanup Expenses
42:6901rs	42:6901 Resource & Recovery Act
42:7413	42:7413(b) Clean Air Act
42:7604cl	42:7604 Clear Air Act (Emission Standards)
42:7604ir	42:7604 Petition to Quash IRS Summons
42:9607	42:9607 Real Property Tort to Land
43:945	43:945 Compensation for Land Condemnation
43:945a	43:945a Complaint in Condemnation
43:946	43:946 Complaint in Condemnation - Eminent Domain
45:0051	45:51 Railways: Fed. Employer's Liability Act
45:0151	45:151 Railway Labor Act
45:0184	45:184 Action to Set Aside Award of a System Board of Adjust
45:1395	45:1395 Railroads: Adverse Reimbursement Review
45:7457	45:7457 Compel Reclamation Under Clear Air Act
46:0688	46:688 Jones Act
46:0741	46:741 Shipping
46:0761	46:761 Shipping: Damages for Death on High Seas
46:1101	46:1101 Violation of Maritime Regulations
46:1156	46:1156 Administrative Procedure Act
48:0883	48:883 Violation of US Coastal Law
48:1985	48:1985 Conspiracy/Deprivation Civil Rights
49:0081	49:81 Damaged Goods While Being Transported
49:0781	49:781 Forfeiture
49:11503	49:11503 Railroad Revitalization Regulatory Reform Act
49:11702	49:11702(a)(4) Violations of Interstate Commerce Act
49:1471	49:1471 Federal Aviation Act
49:1903	49:1903 Petition to enforce administrative summons
md	Probation Transfer Case
misc	Civil Miscellaneous Case

FIRST PAGE OF COMPLAINT:

NAME OF COURT	→	IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA
FULL NAME OF PLAINTIFFS	→	(1) RICHARD R. ROE;) (2) RACHEL R. ROE) Plaintiffs,)
CASE NUMBER	→	Case No: CIV-98-500-R
JURY DEMAND	→	vs.) <u>Jury Trial Demanded</u>
FULL NAME OF DEFENDANTS	→	(1) DONALD D. DOE;) (2) DONNA D. DOE) Defendants.)
BRIEF DESCRIPTION OF THE NATURE OF THE PLEADING	→	<u>COMPLAINT FOR DAMAGES (NEGLIGENCE)</u>
JURISDICTIONAL ALLEGATIONS	→	1. This Court has jurisdiction pursuant to Title 28, Section 1332, in that there is true diversity of citizenship and the amount in controversy exceeds SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00). 2. Plaintiffs RICHARD R. ROE and RACHEL R. ROE are citizens of the United States and residents of the State of Oklahoma. 3. Defendants DONALD D. DOE and DONNA D. DOE are citizens of the United States and residents of the State of Kansas. 4. On or about January 28, 1998, at or near the intersection of N.W. 4th Street and Harvey in Oklahoma City, Oklahoma, the defendant DONALD D. DOE did drive a vehicle in a negligent, careless and reckless manner in violation of the Motor Vehicle Regulations of the State of Oklahoma, then and there in full force and effect causing said vehicle to strike a vehicle operated by the plaintiff herein, RICHARD R. ROE.

LAST PAGE OF COMPLAINT:

WHEREFORE, the premises considered, the plaintiffs demand judgment against the defendants DONALD D. DOE and DONNA D. DOE in the amount of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00).

LAW FIRM → SMITH, JONES & JOHNSON

SIGNATURE OF ATTORNEY → By
NAME OF ATTORNEY AND → John R. Sams (OBA #123)
BAR IDENTIFICATION # → 777 W. Main Street
ADDRESS OF ATTORNEY → Oklahoma City, OK 74000
TELEPHONE NUMBER OF → (405) 555-0000
ATTORNEY
FAX NUMBER OF ATTORNEY → FAX #(405) 555-1111
PARTIES REPRESENTED BY → ATTORNEY for plaintiffs
SIGNING ATTORNEY → Richard R. Roe and Rachel R. Roe

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

TO: (Name and address of Defendant)

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (<i>PRINT</i>)	TITLE

Check one box below to indicate appropriate method of service

- G Served personally upon the third-party defendant. Place where served: _____

- G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- G Returned unexecuted: _____

- G Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
--------	----------	-------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF OKLAHOMA

APPEARANCE

Case Number:

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for

I certify that I am admitted to practice in this court.

Date

Signature

Print Name

Bar Number

Address

City

State

Zip Code

Phone Number

Fax Number

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

)
)
)
)
vs. Plaintiff(s) Case No. _____
)
)
)
)
Defendant(s)

**NOTICE OF LAWSUIT AND REQUEST FOR
WAIVER OF SERVICE OF SUMMONS**

TO: (A) _____
as (B) _____ of (C) _____

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) _____ District of _____ and has been assigned docket number (E) _____.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) _____ days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this _____ day of _____, _____.

Signature of Plaintiff's Attorney or Unrepresented Plaintiff

A—Name of individual defendant (or name of officer or agent of corporate defendant)
B—Title, or other relationship of individual to corporate defendant
C—Name of corporate defendant, if any
D—District
E—Docket number of action
F—Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

Issued by the
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

SUBPOENA IN A CIVIL CASE

V.

Case Number:¹

TO:

G YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

G YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

G YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
-------	---------------

G YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
---	------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

_____ DATE

_____ SIGNATURE OF SERVER

_____ ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

BILL OF COSTS

V.

Case Number:

Judgment having been entered in the above entitled action on _____ against _____,
the Clerk is requested to tax the following as costs:

Table with 2 columns: Description of costs and Amount. Rows include Fees of the Clerk, Fees for service of summons and subpoena, Fees of the court reporter, Fees and disbursements for printing, Fees for witnesses, Fees for exemplification, Docket fees, Costs as shown on Mandate of Court of Appeals, Compensation of court-appointed experts, Compensation of interpreters, and Other costs. Total amount at the bottom.

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: _____.

Signature of Attorney: _____

Name of Attorney: _____

For: _____ Date: _____
Name of Claiming Party

Costs are taxed in the amount of _____ and included in the judgment.

By: _____ Date: _____
Clerk of Court Deputy Clerk

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

vs.

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)
)
)
)
)
)
)
)
)

Case No. _____

**CONSENT TO JURISDICTION BY A
UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of Title 28 U.S.C. 636(c), the undersigned party or parties to the above captioned civil matter hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case (including the trial) and order the entry of a final judgment.

PLAINTIFF:

Attorney/Party Name Printed or Typed

Signature

DEFENDANT:

Attorney/Party Name Printed or Typed

Signature

NOTE: Return this form to the Clerk of the Court after it has been executed by all parties to the case.

**PUBLIC ACCESS TO COURT ELECTRONIC RECORDS
PACER SERVICE CENTER
REGISTRATION FORM**

Please print or type:

FIRM NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE NUMBER: _____

On the attached list please check each court you wish to access or list the court name(s) below. Be sure to specify district court, bankruptcy court or both.

or, you may register for all courts available by simply checking the box below.

Q All available courts

_____ **Check here if you are registering as a U.S. Government Agency.**

_____ **Check here if you are registered with any other court and list the login id.** _____

**PLEASE FAX THIS FORM TO (210) 530-6255 OR MAIL TO
Pacer Service Center
Pacer Registration
P.O. Box 780549
San Antonio, TX 78278-0549**

There is no registration fee. You will only be billed for access time which is \$.60 per minute. You will receive you login and password in the mail within two weeks. Logins and passwords can not be faxed or given over the phone. If you have any questions, call the PACER Service Center at 1 (800) 676-6856