

HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT
March 3, 2016

Case Type	Plaintiff/Defendant		Case No.	Status
Lien Foreclosure	Alpine Roofing, LLC v MGT Construction Management, East End Village, LLC; Larson Development; TDA and others		CJ-2015-1898	<p>Lawsuit to foreclose subcontractor lien on East End Village project. TDA General Counsel has prepared and filed an Answer, Counterclaim and Cross-Petition in defense of TDA mortgage lien position. Motions for Summary Judgment and Motions to Dismiss pending;.</p> <p>This case has been consolidated with the CJ-2015-2212 case. Attended joint status conference with the Court Clerk, Judge Cantrell and 17 other attorneys. Minute Order entered - all parties are on hold as to additional filings until the Court has ruled on pending motions to join a 3rd lawsuit and restyle the caption of the two pending consolidated cases. We continue to receive motions, answers and cross claims from various subcontractors and claimants – preparing responses on behalf of TDA and its mortgage lien.</p> <p>Counsels for the parties are discussing details of conducting depositions of representatives of East End Village and MGT Construction Management in early April, 2016.</p>
Breach of Contract and Lien Foreclosure Counterclaims	East End Village, LLC v. MGT Construction Management, Inc. et al		CJ-2015-2211	<p>Action filed by East End Village, LLC in response to lawsuit brought by subcontractors in CJ-2015-1898 above. TDA filed its Answer to the Petition on 8-19-15, TDA filed its Answer to Cross Claims of subcontractors on 9-23-15.</p> <p>See discussion of consolidated case above.</p>
Foreclosure	Bank of Oklahoma v. Jessie L. Hardy, Roberta Hardy and TDA		CJ-2010-6967	<p>Petition filed 10-29-10. TDA appears to have a second mortgage lien in the amount of \$20,000.00. Judgment entered with Plaintiff having a first lien in the amount of \$3,286.99 plus interest, costs of \$1,450 and costs of sale. Property appraised at \$30,000.00. Sheriff's sale set for 11-12-13. Ninth Special Execution returned NO SALE on 11-14-13. No action in case since 11-14-13</p>
Foreclosure	TDA v Donald Jackson, et al		CJ-2011-5105	<p>First mortgage holder, U. S. Bank has filed foreclosure proceedings. TDA Answer and Cross Petition filed on 11-4-11. Foreclosure on hold pending approval of bankruptcy reorganization plan under which, payments are to resume to TDA. Notice of Bankruptcy file 8-17-12 – Chapter 13, Case #11-13683.</p>

Breach of Contract	TDA and Paula Recess v James Snyder d/b/a Gem Air Heating		CS-2011-8418	Hearing on Motion for Default Judgment held on September 18, 2012. Court required new service of summons. Alias Summons issued 9-29-12. Defendant James Snyder served on 3-1-13. TDA motion for default judgment taken under advisement.
Other	Novus Homes (Wilkins)		CJ-2008-5713	<p>Case stricken from jury trial docket as settled on 6-14-12. Settlement negotiations have resulted in a settlement agreement to negotiate a redevelopment agreement and dismissal of lawsuit upon closing of sale of property. TDA and Plaintiffs signed a Redevelopment Agreement effective April 16, 2013 and are working toward a closing.</p> <ul style="list-style-type: none"> - Redevelopers submitted Schematic Plans which were approved by TDA Board of Commissioners on 5-1-14. Wilkins have advised that they have been awarded a hotel franchise with Marriott TownPlace Suites with a franchise agreement to be completed within 90 days from 1-1-14. - Contract dates extended 90 days at 1-9-14 TDA Board meeting. Contract deadline dates extended for an additional 30 days at the October 9, 2014 Board meeting and 3rd Amendment to Redevelopment Contract executed (total extensions now total 180 days). - Construction Documents were approved by the TDA Board at the February 5, 2015 meeting with one condition relating to the location of the Darven Brown memorial. <p>Redevelopers have failed to provide financial ability to construct documentation following a 90 day extension until November 13, 2015. TDA denied another extension request at the December, 2015 meeting and has declared a default.</p> <ul style="list-style-type: none"> - 60 Day Notice of Default served upon Cecilia Wilkins on December 22nd, 2015. No documents to cure received by February 20th, 2016 deadline. - Wilkins have requested consideration of a new development for the 120 Project with Parkes Development Group.