

HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT
July 7, 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.</p> <ul style="list-style-type: none"> - This case has been consolidated with the CJ-2015-2212 case. Caption of case has been restyled with that of two other related and 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. - Depositions of representatives of East End Village and MGT Construction Management are on hold pending motions to quash subpoenas. - East End Village has filed six Motions for Partial Summary Judgment against subcontractors who have been paid or bonded. <p>All motions and a scheduling conference that had been set for hearing on June 24, 2016 @10:00 a.m. were continued to 8-18-16. Briefing ordered to be filed by 8-1-16.</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	<i>Bank of Oklahoma v. Jessie L. Hardy, Roberta Hardy and TDA</i>		CJ-2010-6967	<p><i>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</i></p>
Foreclosure	<i>TDA v Donald Jackson, et al</i>		CJ-2011-5105	<p><i>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.</i></p>

Breach of Contract	of <i>TDA and Paula Recess v James Snyder d/b/a Gem Air Heating</i>		CS-2011-8418	<i>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.</i>
Other	<i>Novus Homes (Wilkins)</i>		<i>CJ-2008-5713</i>	<p><i>Case stricken from jury trial docket as settled on 6-14-12. Settlement agreement provides for dismissal of lawsuit upon Plaintiffs' failure to close sale of property. TDA and Plaintiffs signed a Redevelopment Agreement effective April 16, 2013.</i></p> <ul style="list-style-type: none"> <i>- Schematic Plans were approved by TDA Board of Commissioners on 5-1-14.</i> <i>- 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).</i> <i>- 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.</i> <i>- 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. 60 Day Notice of Default served upon Cecilia Wilkins on December 22nd, 2015. No documents to cure received by February 20th, 2016 deadline.</i> <i>- At March, 2016 TDA Board meeting Wilkins requested a reconsideration of the denial of the extension to permit negotiation of a new redevelopment contract for the 120 Project with the Redevelopers and Parkes Development Group. This request was denied.</i> <i>- At April, 2016 meeting the TDA Board proceeded with termination of Redevelopment Contract. Counsel for the Redevelopers has submitted three letters objecting to TDA action and requesting a response,</i> <p><i>--Letter in response sent by TDA General Counsel and TDA Special Counsel, Jim Weger, on May, 19, 2016. No response received as of June 23, 2016.</i></p>