

HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT
May 4, 2017

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> <p>EEV and MGT continue with discovery requests. MGT has filed a motion to compel discovery responses from Alpine Roofing. MGT has filed a response to Lien claimant Ark Wrecking's motion for summary judgment. Motion remains pending.</p> <p>Except for Motions relating to discovery issues, no new developments in lawsuits. Certificate of Completion has been issued by TDA to EEV.</p>
Breach of Contract and Lien Foreclosure Counterclaims	East End Village, LLC v. MGT Construction Management, Inc. et al		CJ-2015-2212	<p>See discussion of consolidated case above.</p>
Breach of Contract and Lien Foreclosure Counterclaims	Sunbelt Fire Protection, Inc v. MGT Construction Management, Inc. et al		CJ-2016-1738	<p>Action filed 5-6-16 by Sunbelt Fire Protection, Inc. for breach of contract relating to the East End Village redevelopment. TDA still has not been served.</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 Notice of Bankruptcy file 8-17-12 – Chapter 13, Case #11-13683.</i></p> <ul style="list-style-type: none"> - Received notice of dismissal of Chapter 13 Bankruptcy case. - TDA counsel has been contacted by counsel for borrower re reinstatement of first mortgage and resumption of payments on TDA note and mortgage.

Breach of Contract	<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>
Vacation of Alley	BOKF Foundation v City of Tulsa, TDA, et al.		CV-2017-439	Petition to vacate an alley in Block 43. TDA served as a property owner within 300 feet. TDA has filed its Disclaimer in this case.
Other	<i>Novus Homes (Wilkins)</i>		CJ-2008-5713	<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"> - Letter from counsel Melissa East dated July 6, 2016 received requesting arbitration of "Dispute Between Tulsa Development Authority and Wilkins." - TDA Board approved participation in arbitration of the "dispute." - Letter from counsel Melissa East dated August 16, 2016 received with open records request to TDA regarding Wilkins, their companies and Block 44 property. General Counsel is reviewing the request and will process documents for privilege claims prior to production. - Parties have agreed upon Joe Hampton as the arbitrator. Scheduling conference for arbitration schedule held on January 26, 2017. Case has been set for hearing on August 14, 2017 with an estimated 3 days of hearings. Pre-hearing/Status Conference set for May 1, 2017. <p>- Parties are completing responses to interrogatories and document request. Depositions to be taken in May, 2017.</p>
Other	<i>Novus Homes (Wilkins)</i>		CV-2016-998	<p>Filed by Wilkins seeking injunction against TDA proceeding with sale of its property in Block 44 pursuant to RFP issued following the April, 2016 TDA Board meeting. Request for temporary restraining order was denied. Temporary injunction hearing pending. Special Counsel Jim Weger is assisting TDA General Counsel in defense of this matter.</p> <ul style="list-style-type: none"> - Plaintiffs have requested and received a continuance of the hearing on their Motion for Temporary Injunction – no new date set - Counsel for TDA has filed a Motion for Summary Judgment and will suggest that the case is now moot.