

HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT
January 3, 2019

Case Type	Plaintiff/Defendant	Case No.	Status
Breach of Contract, Appointment of Receiver and Tort claims	<i>TDA v. Carland Group, LLC; Cherokee Meadows, LP; Carland Properties, LLC and Omega Alpha Development, LLC</i>	CJ-2017-4487	<ul style="list-style-type: none"> - Mediation held on June 26, 2018 with DRC. Tentative settlement reached pending HUD, City and TDA approval of revised driveway plans. - Settlement conference of counsel for the parties and their engineers resulted in agreement for remediation of driveways and sidewalks. Second revised plans received by TDA engineer and reviewed Status conference with Judge Wall scheduled for 10-18-18 at 9:30 a.m. stricken pending execution of settlement agreement and entry of agreed order. - Driveway remediation by Carland Group commenced on November 28, 2018 and has been completed. TDA engineer Carl Cannizzaro is monitoring compliance with approved plans. - Settlement Agreement has been submitted for approval by TDA Board - Case to be dismissed by all parties upon completion of driveway remediation and acceptance by TDA.
Declaratory Judgment	<i>North Star Mutual Insurance Company, Inc. v. Carland Group, TDA, et al.</i>	<i>18-cv-00035-CVE-JFJ</i>	<p>North Star Mutual Insurance Co. filed their Motion for Summary Judgment on 11/2/18 seeking ruling that it is not obligated to provide insurance coverage for Carland Group. Judge granted Motion for Summary Judgment on 11/5/18.</p> <ul style="list-style-type: none"> - Case is closed
Lien Foreclosure	Alpine Roofing, LLC v MGT Construction Management, East End Village, LLC; Larson Development; TDA and others	CJ-2015-1898	<p>MGT Construction has filed for bankruptcy protection. Lien claimants have sought to join the parent company of MGT Construction. Case remains pending.</p> <p>Parties are to mediate by March of 2019.</p>
Breach of Contract and Lien Foreclosure Counterclaims	East End Village, LLC v. MGT Construction Management, Inc. et al	CJ-2015-2212	<p>This case has been consolidated with CJ-2015-1898 case listed above. East End Village (EEV) and MGT Construction have each filed dismissals (8-23-18) as to each other but have left the remaining subcontractors subject to the EEV claims;</p> <p>No new activity</p>
Breach of Contract and Lien Foreclosure	Sunbelt Fire Protection, Inc v. MGT Construction Management, Inc. et al	CJ-2016-1738	No new activity

Declaratory Judgment	UCAT v TDA	CV-2018-127	<p>Action for declaratory judgment filed by UCAT on February 2, 2018. Mediation conducted on May 10th, 2018. TDA and UCT representatives reached a settlement of the pending litigation which has been finalized.</p> <ul style="list-style-type: none"> - Written settlement agreement has approved by the boards of the parties and signed by Chairman of both. An Order is to be filed once deeds are ready to be executed. - Legal descriptions of the land to be re-conveyed to TDA have been prepared. TDA is in the process of obtaining a survey. Abstracts have been prepared and have been delivered to TDA counsel for examination.
Declaratory Judgment	Vanessa Hall-Harper et. al v. TDA	CV-2017-1049	<p>Filed by Tulsa City Councilor Vanessa Hall-Harper (in her individual capacity) and others alleging violation of the Open Meeting Act</p> <ul style="list-style-type: none"> - Discovery is ongoing – TDA has filed its response to Plaintiffs’ Second Discovery Requests. TDA has rejected Plaintiffs’ offer of settlement. - Attorney for Hall-Harper, et al. filed a Motion for leave to withdraw from representation of Plaintiffs. Judge granted the Motion to Withdraw on December 3, 2018. New attorney for Plaintiffs has not entered an appearance at this time. Case remains pending.
Lien Foreclosure	Sam Duncan Vent Hood, LLC v The Meridia LLC; TDA and others	CJ-2018-4794	<p>On 11-28-18, Plaintiff filed an action to establish and foreclose lien claims (Lien filed 9-21-18, Doc. No. L2018010901 and Amended Lien filed 10-10-18, Doc. No. L2018010901) in the amount of \$27,842.50 for unpaid work performed at The Meridia. TDA will file an Answer asserting priority of its mortgage lien and monitor.</p> <ul style="list-style-type: none"> - Entry of Appearance for TDA was filed on December 3, 2018. - Case remains pending
Foreclosure	<i>Bank of Oklahoma v. Jessie L. Hardy, Roberta Hardy and TDA</i>	CJ-2010-6967	<i>No action in case since 11-14-13.</i>
Other	Novus Homes (Wilkins)	CJ-2008-5713	<p>Judgment in the District Court case in favor of TDA has been granted. Order Confirming Arbitration Award and Entering Judgment filed June 11, 2018.</p> <ul style="list-style-type: none"> - Defendants Wilkins have filed an appeal of the Judgment. - Parties have filed Supplemental Records on Appeal–waiting on Defendants to file their appeal brief.

Other	<i>Novus Homes (Wilkins)</i>	CV-2016-998	<p>Filed by Wilkins seeking declaratory judgment that TDA violated open meeting act with regard to issuance of Block 44</p> <ul style="list-style-type: none"> - Judge Pickerill has ruled that a previous order entered in the case dealt only with the denial of summary judgment sought by TDA and did not constitute a finding that TDA had violated the Open Meeting Act. - Plaintiffs' Motion for attorney fees denied. - TDA Response to Plaintiff's Motion for Summary Judgment was filed on December 10, 2018. - Case remains pending with scheduling conference to be set upon application.
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