

HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT
March 7, 2019

Case Type	Plaintiff/Defendant	Case No.	Status
Breach of Contract, Appointment of Receiver and Tort claims	TDA v. Carland Group, LLC; Cherokee Meadows, LP; Carland Properties, LLC and Omega Alpha Development, LLC	CJ-2017-4487	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 has approved the work. - Case to be dismissed by all parties upon entry of an Agreed Order following completion of driveway remediation and acceptance by TDA. TDA Counsel has again requested the settlement agreement from counsel for Carland Group.
Lien Foreclosure	Alpine Roofing, LLC v MGT Construction Management, East End Village, LLC; Larson Development; TDA and others	CJ-2015-1898	MGT Construction has filed for bankruptcy protection. Lien claimants have sought to join the parent company of MGT Construction. Case remains pending. Parties are to mediate by March of 2019. Counsel for Thalhimer has filed a Motion for Continuance requesting a 60 day extension for mediation due to possible insurance coverage for this matter.
Breach of Contract and Lien Foreclosure Counterclaims	East End Village, LLC v. MGT Construction Management, Inc. et al	CJ-2015-2212	This case has been consolidated with CJ-2015-1898 case listed above. Remaining subcontractors subject to the EEV claims; No new activity
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	Action for declaratory judgment filed by UCAT on February 2, 2018. Mediation conducted on May 10 th , 2018. TDA and UCT representatives reached a settlement of the pending litigation which has been finalized. - 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. - TDA General Counsel has prepared the deed from UCAT to TDA and forwarded it to counsel for UCAT.

Declaratory Judgment	<i>Vanessa Hall-Harper et. al v. TDA</i>	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. - TDA General Counsel filed TDA’s Motion for Summary Judgment on January 16, 2019 - Plaintiffs have retained new counsel (Laurie Phillips). Plaintiffs were granted an extension to respond to TDA’s Motion for Summary Judgment. Response was filed on 2-25-19. Scheduling Conference held on 2-27-19 and Scheduling Order entered. Judge Morrissey has not ruled on TDA’s Motion for Summary Judgment. TDA has also filed a Motion for Attorney Fees in the event that the MSJ is granted. 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. Answer being prepared. - Case remains pending
Foreclosure	<i>Bank of Oklahoma v. Jessie L. Hardy, Roberta Hardy and TDA</i>	CJ-2010-6967	No action in case since 11-14-13.
Other	<i>Novus Homes (Wilkins)</i>	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. Defendants Wilkins have filed an appeal of the Judgment.</p> <ul style="list-style-type: none"> - Defendants filed their appellant’s brief on 1-18-19. TDA counsel has prepared a Response Brief filed on 2-27-19.
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 Doug Drummond has been assigned to the case. - TDA Response to Plaintiff’s Motion for Summary Judgment was filed on December 10, 2018. Reply to response filed 1-4-2019. - Case has been set for hearing on 3/12/19. - Case remains pending.