

HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT
April 4, 2019

| Case Type | Plaintiff/Defendant | Case No. | Status |
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| 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 | <p>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.</p> <ul style="list-style-type: none"> - Driveway remediation by Carland Group commenced on November 28, 2018 and has been completed. TDA engineer Carl Cannizzaro has monitoring compliance with approved plans and 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. - Settlement Agreement received 3-20-19 and is ready for TDA Board approval. |
| 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. Counsel for Thalhimer has filed a Motion for Continuance requesting a 60 day extension for mediation due to possible insurance coverage for this matter.</p> <p>No new activity</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. |

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| | | | <ul style="list-style-type: none"> - Legal descriptions of the land to be re-conveyed to TDA have been prepared. Overall survey has been completed. Abstracts continue to be prepared and delivered to TDA counsel for examination. - TDA General Counsel has prepared the deed from UCAT to TDA and submitted to UCAT counsel. UCAT Board is to review and approve deed at its April 4th, 2019 meeting per UCAT counsel. |
| 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. - 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. - TDA General Counsel filed TDA’s Motion for Summary Judgment on January 16, 2019. -Status conference was held on February 27, 2019 and a Scheduling Order was entered. Plaintiff’s filed their Amendment to Response to Defendants Motion for Summary Judgment on that date as well. - Pretrial Conference has been scheduled for August 1, 2019. - Plaintiffs filed their Response to Defendant’s Motion for Attorney Fees on March 14, 2019. <p>Case remains pending.</p> |
| Foreclosure | <i>Bank of Oklahoma v. Jessie L. Hardy, Roberta Hardy and TDA</i> | <i>CJ-2010-6967</i> | <i>No action in case since 11-14-13.</i> |
| Other | <i>Novus Homes (Wilkins)</i> | <i>CJ-2008-5713</i> | <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 filed their Answer Brief on February 27, 2019. Plaintiff/Appellant filed a Motion for Enlargement of Time to file a Reply Brief on March 18, 2019. The Motion was granted giving Plaintiffs/Appellants a deadline extension until March 29, 2019 to file their Reply. |

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| | | | – Case remains pending. |
| 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. - Hearing on Motion for Partial Summary Judgment was held on March 12, 2019. Court gave parties until March 26, 2019 to supplement their pleadings. Plaintiff and Defendant filed their supplements on March 26, 2019. - Case remains pending. |