

**HARTLEY LAW FIRM - TDA LITIGATION STATUS REPORT**  
**June 6, 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>	<b>CJ-2017-4487</b>	<ul style="list-style-type: none"> <li>- Driveway remediation by Carland Group commenced on November 28, 2018 and has been completed.</li> <li>-Settlement Agreement approved by TDA Board at April 2019 meeting. Counsel for Carland Group has provided a letter certifying completion of driveway remediation.</li> <li>- <b>Case dismissed by TDA on May 31, 2019.</b></li> </ul>
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><b>No new activity</b></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><b>No new activity</b></p>
Breach of Contract and Lien Foreclosure	Sunbelt Fire Protection, Inc v. MGT Construction Management, Inc. et al	CJ-2016-1738	<b>No new activity</b>
Declaratory Judgment	<b>UCAT v TDA</b>	<b>CV-2018-127</b>	<ul style="list-style-type: none"> <li>- 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.</li> <li>- TDA counsel is preparing title opinions from abstracts examined.</li> <li>- Special Warranty Deeds from UCAT covering the land to be received by TDA and by Langston University have been recording with the Tulsa County Clerk.</li> <li>- <b>Title to the respective properties is now held by TDA and Langston University.</b></li> <li>- <b>Dismissal with Prejudice of Litigation filed by UCAT was filed on May 3, 2019.</b></li> </ul>

<p><b>Declaratory Judgment</b></p>	<p><b><i>Vanessa Hall-Harper et. al v. TDA</i></b></p>	<p><b>CV-2017-1049</b></p>	<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"> <li>- Discovery is ongoing – TDA has filed its response to Plaintiffs’ Second Discovery Requests. TDA has rejected Plaintiffs’ offer of settlement.</li> <li>- Gary Davis, 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. Laurie Phillips, new attorney for Plaintiffs has entered an appearance in the case.</li> <li>- TDA General Counsel filed TDA’s Motion for Summary Judgment on January 16, 2019.</li> <li>-Status conference was held on February 27, 2019.</li> <li>- <b>Pretrial Conference has been scheduled for August 1, 2019 at 1:30 p.m.</b></li> <li>- <b>Hearing on TDA Motion for Summary Judgment is set for July 30, 2019 at 11:30 a. m. with Judge Morrissey.</b></li> </ul> <p><b>Case remains pending.</b></p>
<p>Foreclosure</p>	<p><i>Bank of Oklahoma v. Jessie L. Hardy, Roberta Hardy and TDA</i></p>	<p><i>CJ-2010-6967</i></p>	<p><i>No action in case since 11-14-13.</i></p>
<p><b>Other</b></p>	<p><b><i>Novus Homes (Wilkins)</i></b></p>	<p><b><i>CJ-2008-5713</i></b></p>	<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. <b>Defendants Wilkins have filed an appeal of the Judgment.</b> Defendants filed their appellant’s brief on 1-18-19. TDA counsel filed their Answer Brief on February 27, 2019. - Appellants filed their Reply Brief on March 27, 2019.</p> <p><b>- The case has been assigned to the Court of Civil Appeals. Case remains pending.</b></p>
<p><b>Other</b></p>	<p><b><i>Novus Homes (Wilkins)</i></b></p>	<p><b>CV-2016-998</b></p>	<p>Filed by Wilkins seeking declaratory judgment that TDA violated open meeting act with regard to issuance of Block 44 RFP.</p> <ul style="list-style-type: none"> <li>- TDA Response to Plaintiff’s Motion for Summary Judgment was filed on December 10, 2018. Reply to response filed 1-4-2019.</li> <li>- Judge Drummond has denied Plaintiff’s (Wilkins) Motion for Partial Summary Judgment</li> <li>- <b>Status Conference was held and a scheduling order was entered on May 6, 2019. The Pretrial has been set for September 23, 2019.</b></li> </ul> <p><b>- Case remains pending.</b></p>