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IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

IN RE THE MARRIAGE OF:

[Redacted name]

Petitioner,

vs.

[Redacted name]

Respondent.

[Redacted name]

DISTRICT COURT
FILED
JUL 07 2016
SALLY HOWE SMITH COURT CLERK
STATE OF OKLA. TULSA COUNTY

PRE-TRIAL CONFERENCE ORDER

This Pretrial Conference Order supersedes all pleadings filed in the above-styled and numbered matter, and will govern the parties, witnesses, exhibits, evidence and other matters anticipated to be presented at trial. Variance from this Order will only be allowed upon proper application to the court and in the interest of justice.

1. **APPEARANCES:**

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(918) 744-0201 –Office
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Attorney for Petitioner

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Attorney for Respondent

2016 JUL -7 PM 2:45
SALLY HOWE SMITH COURT CLERK
STATE OF OKLA. TULSA COUNTY

[Redacted] vs. [Redacted]

2. NATURE OF ACTION:

- a. Divorce X
- b. Support Maintenance X
- c. Paternity _____
- d. Motion to Modify _____
- e. Contempt Citation _____
- Child Support _____
- Jury Waived: X YES _____ NO _____
- f. Other: _____
- g. Other: _____

3. STATEMENT OF FACTS:

Date of Marriage: August 7, 1999

Date of Divorce: _____

Date of Separation: _____

Date Petition/Motion filed: May 29, 2015

Grounds: Irreconcilable incompatibility

Date Counterclaim/response filed: July 27, 2015

Mediation held: March 21, 2016 with attorney/mediator, Rick Folluo.

Child(ren): No children were conceived, born or adopted by the parties.

4. PROVISIONS OF CURRENT ORDER/DECREE:
(Court Order filed/entered on July 28, 2015)

- a. **Possession of Marital Residence:** Respondent awarded temporary possession of marital residence; subject to mortgage and expenses associated with residence until residence is sold or until further order of the Court.
- b. **Sale of marital residence.** Marital residence to be placed for sale with McGraw Realtors immediately; and if sale price cannot be agreed upon by the parties, then the realtor shall set sale price.
- c. **Possession of Personal Property:** Each party awarded temporary possession of all personal property in their possession. Neither party to sell any other marital property without consent of Court. Respondent to Deliver BMW

vs.

128i to BMW of Tulsa with all keys by the close of business on July 29, 2015 for scheduled August 3rd appointment-with Respondent prepaying for appointment, subject to reallocation. (Upon BMW being delivered to BMW of Tulsa, it shall be considered in Petitioner's possession.)

d. **Temporary responsibility for marital debt.**

i. **Petitioner.**

- a. All bills associated with Petitioner's residence and her living expenses;
- b. Auto loan on the BMW 128i; or whatever vehicle Petitioner may trade the BMW 128i in for.

ii. **Respondent.**

- a. All bills associated with marital residence and his living expenses;

Any debt remaining, not otherwise covered herein, shall be reserved for division by the Court.

e. **Other.**

- i. Respondent to reimburse Petitioner \$600 within two (2) weeks.
- ii. Petitioner permitted to cancel Respondent's MasterCard funded by Petitioner flex care account.
- iii. Petitioner may remove Respondent from her employer sponsored health insurance plan. Upon Respondent obtaining health insurance coverage through his employer by August 31, 2015; however, should Respondent's employer not allow enrollment prior to August 31, 2015, Respondent shall remain on the Petitioner's Plan and pay the spousal share of said coverage until Respondent can enroll in his own health insurance plan.

5. **ISSUES TO BE LITIGATED:**

- a. Existence of Marriage No
- b. Paternity No
- c. Grounds of Divorce No
- d. Necessity of Support Alimony Yes
- e. Amount of Support Alimony Yes
- f. Amount of Support Alimony Arrearage No
- g. Custody No

- h. Visitation No
- i. Child Support No
- j. Amount of Child Support Arrearage No
- k. Division of Real Property Yes
- l. Division of Personal Property Yes
- m. Determination of Separate Property Yes
- n. Determination of Separate Debts Yes
- o. Allocation of Marital Debts Yes
- p. Awarding of Attorney's Fees/costs Yes *reserved*
- q. Contempt No
- r. Dissipation of Assets No
- s. Jurisdiction No
- t. Sanctions No
- u. Violation of Temporary Order and Automatic
Temporary Injunction Yes

6. **DISCOVERY:**

Complete? Yes

Not completed: _____ Discovery cut-off date by: _____

7. **PETITIONER'S WITNESSES:**

<u>Name</u>	<u>Proposed Testimony:</u>
a. Petitioner	Testimony: as to all issues;
b. Respondent	Testimony: as to all issues;
c. All witnesses called by Respondent, not otherwise objected to by Petitioner.	

8. **PETITIONER'S EXHIBITS:**

No.	Title / Description	Objection/Authority
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- 1. Petitioner's Pre-Trial Financial Declaration;
- 2. Respondent's Pre-Trial Financial Declaration;
- 3. Petitioner's 2015 Tax Returns;

4. Respondent's 2015 Tax Returns;
5. The Parties' Joint Tax Return for 2014;
6. The Parties' Joint Tax Return for 2013;
7. The Parties' Joint Tax Return for 2012;
8. FAA Credit Union Statements for Account # 662866;
9. FAA Credit Union Statements for Account # 663597;
10. FAA Credit Union Statements for Account # 343217;
11. FAA Credit Union documents for Joint Loan #50343217;
12. FAA Credit Union documents for Respondent's Loan #453432171;
13. Respondent's IRA Rollover Statement dated February 11, 2014;
14. Property Search results for marital home located at 812 Millwood road, Broken Arrow, OK 74011;
15. FFA Credit Union Documents regarding the marital home Loan # 00100007805;
16. Respondent's Retirement Account: Contract No. 49314 (John Hancock through Rowland Technical);
17. Petitioner's USAA Checking Account Transactions (from Date of Separation through June 1, 2015);
18. CUBUS Credit Union: Joint Account/ #3432173, # 3432179
19. Personal Property Spreadsheet;
20. Community Care Health Insurance documentation (Provided by Petitioner through her employer);
21. Respondent's Discovery Responses;
22. Petitioner's USAA Visa Card Transactions (from the date of Separation through June, 2015);
23. Petitioner's Charge Account: Furniture Row (from the Date of Separation through June 1, 2015);
24. Respondent's Paycheck Stubs;
25. All exhibits mentioned and/or introduced by Respondent, not otherwise objected to by Petitioner.

9. **RESPONDENT'S WITNESSES:**

- a. Petitioner Testimony: as to all issues;
- b. Respondent Testimony: as to all issues.
- c. All Witnesses endorsed by Petitioner.

10. **RESPONDENT'S EXHIBITS:**

No.	Title / Description	Objection/Authority
1.	Joint 2014 Tax Return;	
1-B.	Joint 2013 Tax Return;	
1-C.	Joint 2012 Tax Return;	
1-D.	Respondent's 2015 Tax Return;	
2.	Respondent's Pay Stubs (The Rowland Group, LLC);	
2-B.	Letter from employer regarding Respondent's 2016 hours;	
2-C.	Respondent's Pay Stubs (other job);	
3.	Petitioner's Pay Stubs;	
4.	Petitioner's Expenses;	
5.	Respondent's Expenses;	
6.	USAA credit card (xxx6339) – statement date 6-13-14;	
6-B.	USAA credit card (xxx6339) – statement date 5-28-15;	
6-C.	USAA credit card (xxx6339) – statement date 6-26-15;	
6-D.	USAA credit card (xxx6339) – statement date 12-28-15;	
6-E.	USAA credit card (xxx6339) – statement date 1-28-16;	
7.	Joint First Mortgage;	

- 7-B. Joint Second Mortgage;
- 8. 2014 Mortgage Interest for Second Mortgage;
- 9. 2014 Mortgage Interest for First Mortgage;
- 10. 2011 BMW Title;
- 11. 2009 BMW Title;
- 12. Car Insurance Letter from FAA Credit Union;
- 13. Respondent's Retirement Account (John Hancock);
- 14. Health Insurance Letter from Tulsa Zoo HR Department;
- 14-B. List of payments for reimbursement for health insurance;
- 14-C. Health Insurance e-mail from Tulsa Zoo HR Department;
- 14-D. Health Insurance cancellation e-mail;
- 15. Joint Visa credit card (xxx3217) – statement date 05-12-15 to 06-10-15;
- 15-B. Joint Visa credit card (xxx3217) – statement date 04-11-15 to 05-11-15;
- 15-C. Joint Visa credit card (xxx3217) – statement date 03-11-15 to 04-10-15;
- 15-D. Proof of transfer/refinance of Joint Visa credit card (xxx3217);
- 16. Respondent's Individual Visa (xxx3597);
- 17. Proof of \$15,000 payoff of Joint Visa;
- 18. One Gas Retirement Account;
- 19. Petitioner's Retirement (FAA Credit Union – IRA) – 2012 IRA Contribution Form 5498;
- 19-B. Petitioner's Retirement (FAA Credit Union – IRA) – 2013 IRA

Contribution Form 5498;

- 20. Citi credit card (xxx9490) – statement date 04-25-14 to 05-26-14;
- 20-B. Citi credit card (xxx9490) – statement date 05-27-14 to 06-25-14;
- 20-C. Citi credit card (xxx9490) – statement date 05-27-15 to 06-24-15;
- 21. Petitioner’s auto loan pay off;
- 22. Petitioner’s Retirement (Ascensus);
- 23. List of Assets;
- 24. Estimated Net To Seller for Marital Residence;
- 24-B. McGraw Realtors comparables for Martial Residence;
- 24-C. Marital Residence Pictures;
- 1. Works & Lentz Bill;
- 26. Car Inspection Receipt;
- 26-B. Proof of payment from Respondent for Petitioner’s rental car; and
- 27. All exhibits mentioned and/or introduced by Petitioner, not otherwise objected to by Respondent.

11. **ALLOTTED TRIAL TIME:** One (1) day

12. **STIPULATIONS:**

- a. Venue & Jurisdiction;
- b. Date of Marriage;
- c. Grounds for Divorce;
- d. That no children were conceived, born or adopted during the parties union;
- e. The parties’ current income and 2015 tax returns shall be exchanged at least 15 days prior to trial.
- f. Waive authentication of all Exhibits;

g. Reserve all objections for trial.

13. **MISCELLANEOUS:**

a. Trial Briefs: NO Date Due: _____

b. Issues to be briefed: N/A

c. Proposed Findings of Fact & Conclusions of Law, Date due: N/A

d. Other: _____

14. Have Parties Exchanged Written Settlement Offers? NO

If not, final written settlement offers to be exchanged by: _____

15. Have Parties Exchanged Exhibit and Witness Lists? Through this Pretrial Order

If not, final exhibit and witness lists to be exchanged by: N/A 8/26/16 @ 5:00

16. Sounding Docket time/date: _____ at _____ o'clock ____ .m.

17. Trial Date/Time: 10/26/16 at 9 o'clock A .m.

18. This Court specifically determines that this Pretrial Conference Order is a necessary deviation from the form set forth in Rule 5 of the Rules of the District Courts due to the particular requirements of domestic litigation.

DATED THIS, the 7 day of July, 2016.



JUDGE OF THE DISTRICT COURT

READ & APPROVED:



Petitioner

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