

06-237-CD
Oklahoma Midget Football vs DuBois

Oklahoma Midget et al vs DuBois Oklahoma
2006-237-CD

Date: 09/22/2006

Clearfield County Court of Common Pleas

User: GLKNISLEY

Time: 11:11 AM

ROA Report

Page 1 of 1

Case: 2006-00237-CD

Current Judge: Fredric Joseph Ammerman

Oklahoma Midget Football Team, Kelly Laird vs. Dubois Oklahoma Athletic Association, Inc., Mal Morris

Civil Other

| Date | | Judge |
|------------|---|-------------------------|
| 02/14/2006 | New Case Filed. | No Judge |
| | ✓ Filing: Complaint in Replevin Paid by: Bowers, S. Casey (attorney for Oklahoma Midget Football Team) Receipt number: 1912478 Dated: 02/14/2006 Amount: \$85.00 (Check) 4CC Atty Bowers | No Judge |
| 03/28/2006 | ✓ Defendants Answer and New Matter to Plaintiffs Complaint, filed by s/ Jeffrey S. DuBois Esq. 3CC Atty DuBois | No Judge |
| 04/10/2006 | ✓ Sheriff Return, February 21, 2006 at 2:45 pm served the within Complaint in Replevin on DuBois Oklahoma Athletic Association Inc. February 21, 2006 at 2:45 pm served the within Complaint in Replevin on Mal Morris. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Hanak \$61.30 | No Judge |
| 04/25/2006 | ✓ Plaintiff's Reply to Defendant's New Matter, filed by s/ S. Casey Bowers Esq. 1CC Atty Bowers. ✓ Motion For Expedited Hearing, filed by s/ S. Casey Bowers, Esquire. 1CC Atty. Bowers | No Judge |
| 04/28/2006 | ✓ Order, NOW, this 27th day of April, 2006, upon consideration of the foregoing motion, it is ordered: a rule is issued upon the respondent. The respondent shall file an answer to the Motion within 15 days of this date. Argument shall be held on May 19, 2006, at 3:00 p.m. in Courtroom No. 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC to Atty. For Service | Fredric Joseph Ammerman |
| 05/22/2006 | ✓ Order, NOW, this 19th day of may, 2006, the parties consent to the entry of Fredric Joseph Ammerman the following Order: 1. Depositions and other discovery shall be completed on or before June 20, 2006 2. Bench Trial in the above matter is scheduled to be held on the 28th day of July, 2006, at 9:00 a.m. in Courtroom No. 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Bowers | |
| 07/28/2006 | ✓ Order, NOW, this 28th day of July, 2006, parties having reached a settlement, it is Ordered: (see original). By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Attys: Bowers, DuBois | Fredric Joseph Ammerman |
| 08/22/2006 | ✓ Petition to Enforce Settlement, filed by s/ S. Casey Bowers, Esquire. 3CC Atty. Bowers | Fredric Joseph Ammerman |
| 08/23/2006 | ✓ Order, NOW, this 23rd day of august, 2006, a Rule is issued upon the Respondent, the Respondent shall file an answer to the Petition within 20 days of service upon the Respondent, an evidentiary hearing on disputed issues of material fact shall be held on Sept. 22, 2006, at 10:00 a.m., in Courtroom No. 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Bowers | Fredric Joseph Ammerman |
| 09/08/2006 | ✓ Defendant's Response to Plaintiff's Petition to Enforce Settlement, filed by s/ Jeffrey S. DuBois Esq. 3CC Atty DuBois | Fredric Joseph Ammerman |
| 09/12/2006 | ✓ Motion For Continuance, filed by Atty. DuBois 3 Cert. to Atty. | Fredric Joseph Ammerman |
| 09/18/2006 | ✓ Order, NOW, this 14th day of Sept., 2006, Evidentiary Hearing scheduled for Sept. 22, 2006 be rescheduled for the 28th day of Sept., 2006, at 11:00 a.m. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. DuBois | Fredric Joseph Ammerman |

9-22-06 Motion for Continuance

9-22-06 Order, dated Sept 21, 2006

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION-REPLEVIN

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association and KELLY LAIRD,

Plaintiffs

vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,

Defendants

No. OLe-237-CD

Type of Pleading:

COMPLAINT IN REPLEVIN

Filed on Behalf of:
Plaintiffs

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
814-371-7768

Date: Feb. 14, 2006

FILED
02-4500
FEB 14 2006
4ce Atty
Bowers
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd.
8500

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-REPLEVIN

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
vs. : No. _____
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830

(814) 765-2641 Ext. 1300

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-REPLEVIN

| | | |
|--------------------------------|---|-----------|
| OKLAHOMA MIDGET FOOTBALL | : | |
| TEAM, an unincorporated | : | |
| association, and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| vs. | : | No. _____ |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and MAL | : | |
| MORRIS, as President of DuBois | : | |
| Oklahoma Athletic Association, | : | |
| Inc., and individually, | : | |
| Defendants | : | |

COMPLAINT IN REPLEVIN

AND NOW, comes the Plaintiffs, OKLAHOMA MIDGET FOOTBALL TEAM, an unincorporated association and KELLY LAIRD, an adult individual, by and through their attorneys, HANAK, GUIDO AND TALADAY, and hereby bring this Complaint averring as follows:

1. Plaintiff, OKLAHOMA MIDGET FOOTBALL TEAM ("the Football Team"), is an unincorporated association with a principal place of business of 1210 Chestnut Avenue, DuBois, Clearfield County, Pennsylvania, 15801.
2. Plaintiff, KELLY LAIRD, is an adult individual residing at 1210 Chestnut Avenue, DuBois, Clearfield County, Pennsylvania, 15801, and at all times pertinent hereto served as the head coach of the Football Team.

3. Defendant, DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC., (hereinafter referred to as "DOAA") is believed to be a Pennsylvania non-profit corporation, with offices at R.D. #3, Box 43, DuBois, Clearfield County, Pennsylvania, 15801.

4. Defendant, MAL MORRIS, is an adult individual residing at R.D. #3, Box 43, DuBois, Clearfield County, Pennsylvania, 15801, and at all times pertinent has served as President of DOAA.

5. Defendant, DOAA, through a land use agreement with Sandy Township operates an athletic field in the Sandy Township Park facility in Sandy Township, Clearfield County, Pennsylvania.

6. Until recently, the football team, was a charter member of DOAA.

7. The Football Team has operated as a midget football team in the Oklahoma area of Sandy Township since 1961.

8. Traditionally, the management of the Football Team has been vested in the head coach.

9. Plaintiff, KELLY LAIRD, has served as head coach of the Football Team since 2001 and continues to do so.

10. As head coach, Kelly Laird is responsible for the care, maintenance and storage of all team equipment.

11. Traditionally, the Football Team's equipment has been stored in a storage trailer at Defendant DOAA's facility.

12. On or about December 14, 2005, pursuant to his duty as head coach, Kelly Laird and several assistant coaches removed certain Football Team equipment from the storage trailer for purposes of inventorying

said equipment and insuring that said equipment was properly stored for the off season.

13. Since the storage trailer was not heated or well lit, Kelly Laird and the assistant coaches removed certain Football Team equipment to Dave Johnson's residence on Brumbaugh Road in Brady Township, Clearfield County.

14. Shortly thereafter, the Defendant, MAL MORRIS, reported the equipment stolen.

15. A Sandy Township police officer then contacted Plaintiffs regarding the status of the equipment. After said inquiry, said officer determined that any dispute regarding the ownership of the equipment was a civil matter and took no further action.

16. Said officer then returned to Kelly Laird's residence on or about January 5, 2006. Said officer threatened criminal action against Plaintiffs if Plaintiffs failed to relinquish the Football Team equipment.

17. Under threat of criminal action, Plaintiffs relinquished the equipment to the Sandy Township Police Department on or about January 5, 2006.

18. Defendants have since taken possession of all of the Football Team's equipment and have denied Plaintiffs access thereto.

19. Defendants remain in possession of the Football Team's equipment (the "Equipment"), the Equipment is more particularly described on the attached Exhibit "A".

20. The total value of the Equipment is Twelve Thousand and 00/100 (\$12,000.00) Dollars.

21. The Plaintiffs believe the Defendants are storing the Equipment at Defendant's Sandy Township Park facility in the Oklahoma section of Sandy Township, Clearfield County.

22. Defendants now claim ownership of the Football Team's Equipment.

23. At no time did Defendants ever purchase any items of the Equipment or provide funds for the acquisition of said Equipment.

24. The Equipment was purchased with funds raised by the Football Team acting independently of Defendants.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment against the Defendants as follows:

(a) Declaring that Plaintiff, OKLAHOMA MIDGET FOOTBALL TEAM, is the rightful owner of the Equipment;

(b) Directing Defendants to return the Equipment to Plaintiffs or in the alternative make payment of Twelve Thousand and 00/100 (\$12,000.00) Dollars, together with interest since January 5, 2006 to Plaintiff, OKLAHOMA MIDGET FOOTBALL TEAM; and

(c) Such other relief this Court deems just and equitable.

HANAK, GUIDO AND TALADAY, by:



S. Casey Bowers
Attorney for Plaintiffs

VERIFICATION

I, KELLY LAIRD, as head coach of the OKLAHOMA MIDGET FOOTBALL TEAM and individually, verify that the statements in the foregoing COMPLAINT IN REPLEVIN are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

DATE: 2/10/64

Kelly Laird
Kelly Laird

EXHIBIT "A"

List of Equipment belonging to the Oklahoma Midget Football Team
being held by the DuBois Oklahoma Athletic Association

| | | |
|----------------------------|---|---------|
| Black equipment bags | - | 86 |
| Game pants, gold | - | 40 |
| Game jerseys, gold | - | 65 |
| Game jerseys, black | - | 69 |
| Game pants, black | - | 26 |
| Practice pants | - | 48 |
| Practice jerseys: | | |
| Red | - | 26 |
| Gold | - | 27 |
| Green | - | 24 |
| Black | - | 10 |
| Thigh pads | - | 48 pair |
| Tail pads | - | 48 pair |
| Knee pads | - | 45 pair |
| Hip pads | - | 49 pair |
| Helmets | - | 60 |
| Shoulder pads | - | 42 |
| Footballs | - | 14 |
| Blocking dummies | | |
| Down markers | | |
| Pop up dummies | - | 2 |
| Shields | - | 5 |
| Agility pads | - | 5 |
| Cones | - | 10 |
| Water coolers | | |
| Yard markers | - | 2 sets |
| Concession items, | | |
| electric strips, etc. | | |
| Coats, hats and tee-shirts | | |

Total value \$12,000.00

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs : Type of Pleading:
Vs. :
DEFENDANTS ANSWER AND
NEW MATTER TO
PLAINTIFFS COMPLAINT
DUBOIS OKLAHOMA ATHLETIC : Filed on Behalf of:
ASSOCIATION, INC., and : DEFENDANTS
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC : Counsel of Record for This Party:
ASSOCIATION and individually, :
Defendants : Jeffrey S. DuBois, Esquire
: Supreme Court No. 62074
: 190 West Park Avenue, Suite #5
: DuBois, PA 15801
: (814) 375-5598

FILED
O/1:43pm 3cc Atty DuBois
MAR 28 2006 

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

NOTICE TO PLEAD

YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN RESPONSE TO THE
ENCLOSED ANSWER AND NEW MATTER WITHIN TWENTY (20) DAYS FROM
SERVICE HEREOF OR A JUDGMENT MAY BE ENTERED AGAINST YOU.



Jeffrey S. DuBois, Esquire
Attorney for Defendants

190 West Park Avenue
Suite #5
DuBois, PA 15801
(814) 375-5598

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

DEFENDANTS ANSWER AND NEW MATTER
TO PLAINTIFFS COMPLAINT

AND NOW, come the Defendants, DuBois Oklahoma Athletic Association, Inc., and Mal Morris, as President of DuBois Oklahoma Athletic Association and individually, by and through their attorney, Jeffrey S. DuBois, Esquire, who files this Answer and New Matter to Plaintiffs Complaint and in support thereof avers the following:

1. Denied. It is denied that Plaintiff is an unincorporated association, and on the contrary, Plaintiff is a member of the DuBois Oklahoma Athletic Association, Inc., and has been a member of said association since approximately 1969.
2. Admitted. By way of further answer, Plaintiff has only been the head coach of the Oklahoma Football Team since 2001.
3. Admitted, with the exception that its address is 1207 Maple Avenue, DuBois, Clearfield County, Pennsylvania, 15801.

4. Admitted, with the exception that his address is 1207 Maple Avenue, DuBois, Clearfield County, Pennsylvania, 15801.

5. Admitted.

6. Denied. The Plaintiff is still a charter member of the DOAA.

7. Admitted.

8. It is admitted that the coach manages the football team, but said coach, whoever it is, answers to the DOAA and must abide by all their rules.

9. Admitted.

10. Admitted. By way of further answer, said equipment is to be stored in the storage trailer owned by the DOAA, and has been stored in the storage trailer in this same manner since 1974.

11. Admitted.

12. It is admitted that on or about December 14, 2005, Plaintiff Laird wrongfully removed certain football equipment from the DOAA's storage trailer. It is denied that the purpose of said removal was for inventory, as this was the middle of December and there was no need to inventory the same, particularly at that time.

13. Admitted in part and denied in part. It is admitted that the storage trailer is not heated, but said equipment has been stored in the storage trailer since 1974. It is denied that the lighting in the storage trailer is poor. The lighting is sufficient for the storage trailer.

14. Admitted.

15. Defendants do not possess sufficient information to believe the averments of Plaintiffs paragraph 15 or ascertain their truth or falsity, as they contain averments of

persons other than Defendants, and therefore Defendants cannot answer the same. Therefore strict proof is demanded at Trial.

16. Defendants do not possess sufficient information to believe the averments of Plaintiffs paragraph 16 or ascertain their truth or falsity, as they contain averments of persons other than Defendants, and therefore Defendants cannot answer the same. Therefore strict proof is demanded at Trial.

17. It is admitted that Plaintiffs returned said equipment on or about January 5, 2006, and the reason for the returning of said equipment is that it was the property of the midget football team and the DOAA who oversees the same, and not the property of Plaintiff.

18. It is admitted that Defendant DOAA has taken possession of said property as it has done in all prior years on behalf of the Oklahoma Midget Football Team, its charter member.

19. Admitted.

20. Denied. It is denied that the total value of the equipment is Twelve Thousand and 00/100 (\$12,000.00) Dollars, and on the contrary said current fair market value of said equipment would be significantly less than Twelve Thousand and 00/100 (\$12,000.00) Dollars.

21. Admitted.

22. Admitted. It is admitted that Defendants claim ownership to the said property as said property has always been owned by DOAA on behalf of its charter member the Oklahoma Midget Football Team, and it has been this way since 1969.

23. Denied. Defendant, and Defendants representatives, agents, and assigns, are the ones responsible for purchasing all of the equipment set forth in Plaintiffs Exhibit "A", and therefore Defendants are the proper caretaker of said property.

24. Denied. It is denied that the equipment was purchased with funds raised by the football team acting independently of Defendants, and on the contrary, at all times the Oklahoma Football Midget Team has operated as a charter member of the DOAA, and all fundraisers to purchase said equipment have been through representatives, agents, and assigns, of the DOAA.

WHEREFORE, Defendants respectfully request this Honorable Court to dismiss Plaintiff's Complaint in its entirety, to declare the DuBois Oklahoma Athletic Association, Inc., as the rightful owner of the subject equipment, and any other such relief as this Court deems just and equitable.

NEW MATTER

25. Paragraphs one (1) through twenty four (24) are incorporated herein by reference as if set forth herein at length.

26. The Plaintiff, Oklahoma Midget Football Team has been a charter member of DOAA since 1969.

27. Since 1969 through the present time, Plaintiff DuBois Oklahoma Midget Football Team has had numerous head coaches.

28. From 1969 through the present time, Plaintiff DuBois Oklahoma Midget Football Team has always operated as a part of the DOAA.

29. It has been the DOAA, on its own and through coordination with Sandy Township, that has provided the DuBois Oklahoma Midget Football Team with practice fields and facilities.

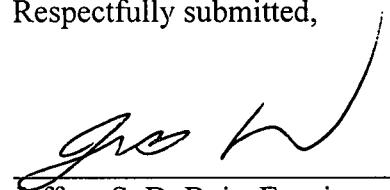
30. As such, Plaintiff Laird has no possessory interest in either the Oklahoma Midget Football Team or any equipment.

31. Therefore, Plaintiffs have no standing to bring the above suit.

32. Plaintiffs fail to state a claim upon which relief can be granted.

WHEREFORE, Defendant respectfully requests this Honorable Court to dismiss Plaintiffs Complaint in its entirety, to issue an Order declaring that all property and equipment is owned by the DOAA, and any other relief this Court deems just and equitable.

Respectfully submitted,



Jeffrey S. DuBois, Esquire
Attorney for Defendants

VERIFICATION

I, MAL MORRIS, as President of the DuBois Oklahoma Athletic Association verify that the statements in the foregoing Pleading are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.



Mal Morris as
President of DuBois Oklahoma
Athletic Association



Mal Morris, individually

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

CERTIFICATE OF SERVICE

I do hereby certify that on the 28th day of March, 2006, I served a true and correct copy of the within Answer and New Matter to Plaintiffs Complaint by first class mail, postage prepaid, on the following:

S. Casey Bowers, Esquire
Hanak, Guido and Taladay
P.O. Box 487
DuBois, PA 15801



Jeffrey S. DuBois

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101255
NO: 06-237-CD
SERVICE # 1 OF 2
COMPLAINT IN REPELVIN

PLAINTIFF: OKLAHOMA MIDGET FOOTBALL TEAM, an unincorporated association, and KELLY LAIRD
vs.

DEFENDANT: DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC. and MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and indiv.

SHERIFF RETURN

NOW, February 21, 2006 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN REPELVIN ON DUBOIS
OKLAHOMA ATHLETIC ASSOCIATION INC. DEFENDANT AT RD#3 BOX 43, DUBOIS, CLEARFIELD COUNTY,
PENNSYLVANIA, BY HANDING TO MAL MORRIS, PRESIDENT A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT IN REPELVIN AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

FILED
019-09734
APR 10 2006
LS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101255
NO: 06-237-CD
SERVICE # 2 OF 2
COMPLAINT IN REPELVIN

PLAINTIFF: OKLAHOMA MIDGET FOOTBALL TEAM, an unincorporated association, and KELLY LAIRD
vs.

DEFENDANT: DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC. and MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and indiv.

SHERIFF RETURN

NOW, February 21, 2006 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN REPELVIN ON MAL MORRIS,
President of DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and individually DEFENDANT AT RD#3 BOX 43,
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MAL MORRIS, DEFENDANT A TRUE AND
ATTTESTED COPY OF THE ORIGINAL COMPLAINT IN REPELVIN AND MADE KNOWN THE CONTENTS
THEREOF.

SERVED BY: COUDRIET / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101255
NO: 06-237-CD
SERVICES 2
COMPLAINT IN REPELVIN

PLAINTIFF: OKLAHOMA MIDGET FOOTBALL TEAM, an unincorporated association, and KELLY LAIRD
vs.

DEFENDANT: DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC. and MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and indiv.

SHERIFF RETURN

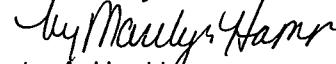
RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | HANAK | 14672 | 20.00 |
| SHERIFF HAWKINS | HANAK | 14672 | 41.30 |

Sworn to Before Me This

____ Day of _____ 2006

So Answers,



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION-REPLEVIN

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association and KELLY LAIRD,
Plaintiffs

vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,
Defendants

No. 06-237-CD

Type of Pleading:

**PLAINTIFF'S REPLY
TO DEFENDANT'S NEW
MATTER**

Filed on Behalf of:
Plaintiffs

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
814-371-7768

Date: April 25, 2006

FILED ^{1cc}
of 8:51 AM
APR 25 2006
Bowers
Clerk

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-REPLEVIN

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
:

vs. : No. 06-237-CD

DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :
:

PLAINTIFF'S REPLY TO
DEFENDANT'S NEW MATTER

AND NOW, come the Plaintiffs, OKLAHOMA MIDGET FOOTBALL TEAM and KELLY LAIRD, by and through their attorneys, HANAK, GUIDO AND TALADAY, and hereby reply to Defendants' New Matter, averring as follows:

25. This paragraph requires no response.
26. Denied as stated. The football team withdrew from DOAA by formal written notice dated January 20, 2006.
27. Denied as stated. Plaintiffs believe and therefore aver that Defendant, Mal Morris, was head coach of the football team from 1961 through 1990 at which time he was suspended for one year. During the one year interim, Ed Zerrell served as interim head coach. Defendant, Mal Morris, again served as head coach from 1991 through 2000. Mal

Morris' son, Bruce Morris, served as head coach for a short period of time during the 2000/2001 off season. Plaintiff, Kelly Laird, has served as head coach since then.

28. Denied. As of its January 20, 2006 formal notice of withdrawal, Plaintiff, DuBois Oklahoma Midget Football Team, terminated its affiliation with DOAA.

29. Denied. After reasonable investigation, Plaintiffs are without sufficient knowledge as to form a belief as to the truth of the averments set forth in Paragraph 29 of Defendants' New Matter, therefore, said averments are denied and strict proof is demanded at trial.

30. Denied. Paragraph 30 of Defendants' New Matter sets forth a conclusion of law. Therefore, no response is required. To the extent a response is required, said allegations are denied in that Plaintiff, Kelly Laird, as head coach of the DuBois Oklahoma Midget Football Team, it is Kelly Laird's responsibility to see that the team members have all necessary equipment. If Defendants continue to deny Plaintiffs' use and possession of the equipment in question, Plaintiffs will have no other choice but to purchase replacement equipment. In such a case, Plaintiffs will seek reimbursement from Defendants.

31. Denied. Paragraph 31 of Defendants' New Matter sets forth a conclusion of law. Therefore, no response is required. To the extent a response is required, said allegations are denied.

32. Denied. Paragraph 32 of Defendants' New Matter sets forth a conclusion of law. Therefore, no response is required. To the extent a response is required, said allegations are denied.

WHEREFORE, Plaintiffs respectfully request that this Court to enter judgment in favor of Plaintiff and against Defendants as follows:

- (a) Declaring that Plaintiff, Oklahoma Midget Football Team, is the rightful owner of the equipment;
- (b) Directing the Defendants to return the equipment to Plaintiffs or in the alternative, make payment of \$12,000.00, together with interest since January 5, 2006, to Plaintiff, Oklahoma Midget Football Team;
- (c) Directing Defendants to reimburse Plaintiffs for any cost incurred in purchasing replacement equipment that resulted from Defendants' wrongful retention of the Equipment; and
- (d) Such other relief this Court deems just and equitable.

HANAK, GUIDO AND TALADAY, by:



S. Casey Bowers
Attorney for Plaintiffs

VERIFICATION

I, KELLY LAIRD, as head coach of the OKLAHOMA MIDGET FOOTBALL TEAM and individually, verify that the statements in the foregoing REPLY TO NEW MATTER are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

DATE: 4/21/06



Kelly Laird

CERTIFICATE OF SERVICE

I do hereby certify that on the 25th day of April,
2006, I served a copy of the within Plaintiff's Reply to Defendant's New
Matter by first class mail, postage prepaid, upon the following:

Jeffrey S. DuBois, Esq.
190 W. Park Ave., Suite 5
DuBois, PA 15801



S. Casey Bowers

CA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION-REPLEVIN

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association and KELLY LAIRD,
Plaintiffs
vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,
Defendants

No. 06-237-CD

Type of Pleading:

**MOTION FOR EXPEDITED
HEARING**

Filed on Behalf of:
Plaintiffs

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
814-371-7768

Date: April 25, 2006

FILED *ice*
04/25/06 *Atty Bowers*
APR 25 2006
William A. Shaw
Prothonotary/Clerk of Courts
(OK)

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
vs. : No. 06-237-CD
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :

MOTION FOR EXPEDITED HEARING

AND NOW, comes the Plaintiffs, by and through their attorneys, HANAK, GUIDO AND TALADAY, and hereby move this Court to schedule a hearing in the above matter, representing as follows:

1. Plaintiffs filed their Complaint for Replevin on or about February 14, 2006. In said Complaint, Plaintiffs allege that Defendant, DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC. ("DOAA"), has wrongfully retained certain football equipment belonging to Plaintiff, OKLAHOMA MIDGET FOOTBALL TEAM.

2. In its Answer and New Matter, Defendants admit to possessing said equipment. Defendants further admit that Plaintiff, KELLY LAIRD, continues to act as head coach of the football team and that the head

coach has traditionally managed the football team together with its equipment.

3. As set forth in Plaintiff's Complaint and in their Reply to Defendant's New Matter, said equipment is essential to the ongoing operation of the football team.

4. With football season fast approaching, a swift determination by the Court on all matters complained of is in the best interest of all parties involved.

5. The pleadings are now closed and Plaintiffs are prepared to proceed to trial.

6. Plaintiffs estimate the trial in this matter will last approximately 1/2 to 1 full day.

WHEREFORE, Plaintiffs respectfully request this Court to schedule this matter for trial on an expedited basis on the first day and time convenient for the Court and all parties.



S. Casey Bowers
Attorney for Plaintiffs

CA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
vs. : No. 06-237-CD
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :

FILED

APR 28 2006

6/12/10 (W) (G)
William A. Shaw
Prothonotary/Clerk of Courts

1 Cmt to Attn
for SEL

ORDER

AND NOW, this 27 day of April, 2006, upon
consideration of the foregoing Motion, it is hereby ordered that:

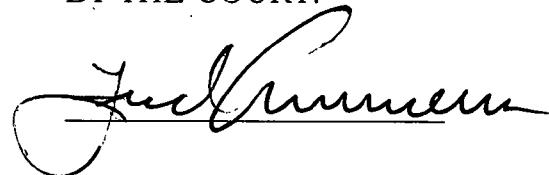
- (1) a rule is issued upon the respondent to show cause why the
Moving party is not entitled to the relief requested;
- (2) the respondent shall file an answer to the Motion within 15
FJA
days of this date;
- (3) the Motion shall be decided under Pa.R.C.P. 206.7;
- (4) depositions and all other discovery shall be completed within
____ days of this date;

(5) an evidentiary hearing on disputed issues of material fact shall be held on _____, 2006, at _____ o'clock _____ m. in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. _____;

(6) argument shall be held on May 19, 2006, at 3 o'clock P m., in Courtroom No. 1 of the Clearfield County Courthouse; and

(7) notice of the entry of this order shall be provided to all parties by the moving party.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Judge Jameson".

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
vs. : No. 06-237-CD
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :

ORDER OF COURT

AND NOW, this _____ day of _____, 2006, upon
consideration of Plaintiffs' Motion for Expedited Hearing,

IT IS HEREBY ORDERED AND DECREED that trial in the above
matter is scheduled for the _____ day of _____, 2006, at
_____ o'clock _____ m., in Courtroom No. _____ of the Clearfield
County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

CERTIFICATE OF SERVICE

I do hereby certify that on the 25th day of April,
2006, I served a copy of the within Motion for Expedited Hearing by first
class mail, postage prepaid, upon the following:

Jeffrey S. DuBois, Esq.
190 W. Park Ave., Suite 5
DuBois, PA 15801



S. Casey Bowers

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association, and KELLY LAIRD,
Plaintiffs

vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and MAL
MORRIS, as President of DuBois
Oklahoma Athletic Association,
Inc., and individually,
Defendants

No. 06-237-CD

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MAY 22 2006 Atty Bowers

William A. Shaw
Prothonotary/Clerk of Courts
(OK)

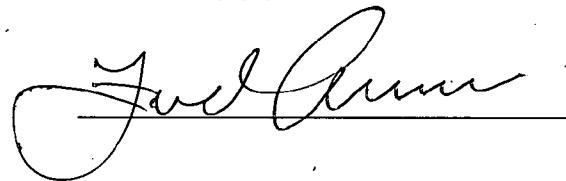
ORDER

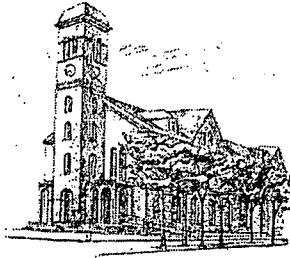
AND NOW, this 19 day of May, 2006, the parties, by
and through their respective counsel hereby consent to the entry of the
following Order, and upon consideration of Plaintiff's Motion for
Expedited Hearing with the concurrence of the parties, said Motion is
granted.

(1) Depositions and other discovery shall be completed on or
before June 20, 2006;

(2) Bench trial in the above matter is scheduled to be held on the
28th day of July, 2006, at 9:00 o'clock a.m. in Courtroom
No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Judge Ann", is written over a horizontal line.



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

"It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 5/22/06



You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions:

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association, and KELLY
LAIRD

-vs-

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President
of DOAA and individually

FILED 2CC
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JUL 28 2006 Bowers
DeBois
William A. Shaw
Prothonotary/Clerk of Courts
6K

No. 06-237-CD

O R D E R

NOW, this 28th day of July, 2006, this being the time and date set for Bench Trial in the above matter; the parties having reached a settlement and intending to settle any and all claims between the parties and wishing to memorialize that settlement agreement, it is hereby ORDERED AND DECREED as follows:

1. The following equipment will be returned to and become the exclusive property of Kelly Laird as trustee for the Treasure Lake Midget Football Team:

- a) All black equipment bags;
- b) All black game jerseys;
- c) All gold game pants;
- d) Half the inventory of practice pants;
- e) Half the inventory practice jerseys;

- f) Thirty-two (32) shoulder pads;
- g) Half the inventory of the seven pad sets;
- h) Half the inventory of the girdles;
- i) Fourteen (14) footballs;
- j) All Pop up dummies;
- k) One (1) dial it down marker;
- l) One (1) complete set of yard markers;
- m) All agility pads;
- n) All concession items;
- o) One (1) water cooler.

2. The division of this property shall take place within seven (7) days of today's date;

3. Plaintiff Kelly Laird, or any other coach of the Treasure Lake team, or the team itself, will not use the name "Oklahoma" or "Tigers" for their midget football team;

4. Plaintiff Kelly Laird will forthwith execute any and all documents necessary to remove the name "Tigers" from the Treasure Lake team;

5. Defendant shall have the right to use and retain the name "Oklahoma Tigers".

BY THE COURT,



Jud Gummelau
President Judge

EA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION-REPLEVIN

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association and KELLY LAIRD,
Plaintiffs
vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,
Defendants

No. 06-237-CD

Type of Pleading:

**PETITION TO ENFORCE
SETTLEMENT**

Filed on Behalf of:
Plaintiffs

Counsel of Record for
This Party:

S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
814-371-7768

Date: Aug 22, 2006

FILED ³ _{cc}
08/22/06 Atty Bowers
AUG 22 2006
GK
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
vs. : No. 06-237-CD
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :

PETITION TO ENFORCE SETTLEMENT

AND NOW, comes the Plaintiff, KELLY LAIRD, as Trustee for the
Oklahoma Midget Football team, now commonly known as the Treasure
Lake Titans, by and through their attorneys, HANAK, GUIDO AND
TALADAY, and requests this Court to enforce the settlement agreement
between the parties, representing as follows:

1. Plaintiffs filed a Complaint in Replevin on or about February 14, 2006.
2. Upon Petition of Plaintiff, this Court scheduled an expedited hearing on all issues raised in the pleadings to be held on July 28, 2006.
3. Immediately before said hearing, the parties, through counsel, reached a comprehensive settlement agreement. Said agreement is set

forth in the Order of this Court dated July 28, 2006. A true and correct copy of said Order is attached hereto and marked as Exhibit "A".

4. Said agreement provides, inter alia, that the Defendants shall return to Plaintiffs all "agility pads and all concession items."

5. To date, despite numerous requests and demands, Defendants have wholly and willfully refused to return said items to Plaintiffs.

6. Defendants' refusal to return said items is a breach of the settlement agreement and constitutes obdurate, vexatious and dilatory conduct sanctionable pursuant to 42 Pa.C.S.A. §5503.

7. As a direct result of the Defendants' breach, Plaintiffs have been forced to engage the undersigned counsel and continue to incur attorney's fees at the rate of \$120.00 per hour to enforce the subject settlement agreement.

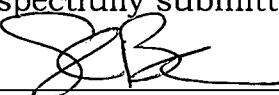
WHEREFORE, Plaintiffs respectfully requests this Honorable Court to issue an Order granting the following relief:

- (a) Directing Defendants to forthwith return all agility pads and all concession items to Plaintiffs;
- (b) Finding Defendants in contempt of court;
- (c) Directing Defendants to pay Plaintiffs \$100.00 per day from the date of said Order until the subject items are returned;

(d) Directing Defendants to pay Plaintiffs' attorney's fees incurred in connection with litigating this Petition; and

(e) Directing any further relief this Court deems equitable.

Respectfully submitted,



S. Casey Bowers
Attorney for Plaintiff

VERIFICATION

I, S. CASEY BOWERS, hereby verify that the statements contained in the foregoing PETITION TO ENFORCE SETTLEMENT are correct to the best of my personal knowledge or information and belief.

At the time of the signing of this Verification, the Plaintiff was not available. The undersigned has sufficient knowledge to sign this Verification as I am counsel for Plaintiff and possess a detailed knowledge of the case.

This statement and verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.



S. Casey Bowers
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
vs. : No. 06-237-CD :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :
300

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AUG 23 2006
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William A. Shaw
Prothonotary/Clerk of Courts (P)

ORDER

AND NOW, this 23rd day of August, 2006, upon
consideration of the foregoing Petition, it is hereby ordered that:

- (1) a Rule is issued upon the Respondent to show cause why
the Petitioner is not entitled to the relief requested;
- (2) the Respondent shall file an answer to the petition within
twenty (20) days of service upon the Respondent;
- (3) the petition shall be decided under Pa.R.C.P. 206.7;
- (4) an evidentiary hearing on disputed issues of material fact
shall be held on September 22, 2006, at 10 o'clock A. m., in
Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT:

FILED

AUG 23 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 8/23/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY LAIRD, :
Plaintiffs :
:

vs. : No. 06-237-CD

DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and MAL :
MORRIS, as President of DuBois :
Oklahoma Athletic Association, :
Inc., and individually, :
Defendants :
:

ORDER OF COURT

AND NOW, this ____ day of _____, 2006, upon
consideration of Plaintiffs' Petition to Enforce Settlement and Defendants'
response thereto,

IT IS HEREBY ORDERED AND DECREED that the relief sought in
said Petition is hereby granted.

Defendants shall forthwith return all agility pads and concession
items to Plaintiffs.

Until this Court receives notice that Defendants have complied
with the terms of this Order, the Defendants shall be held in contempt of
Court and shall pay Plaintiffs \$100.00 per day from the date of this
Order until the Defendants have fully complied with the terms of this
Order.

Further, the Defendants shall pay to the law offices of Hanak, Guido and Taladay, the amount of \$_____, said amount being Plaintiffs' attorney's fees incurred in litigating the subject petition to enforce settlement agreement.

All other terms and conditions of the settlement agreement between the parties as set forth in this Court's Order dated July 28, 206, shall remain in full force and effect.

BY THE COURT:

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

OKLAHOMA MIDGET FOOTBALL :
TEAM, an unincorporated :
association, and KELLY :
LAIRD :
.

-VS- : No. 06-237-CD

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President
of DOAA and individually

ORDER

NOW, this 28th day of July, 2006, this being the time and date set for Bench Trial in the above matter; the parties having reached a settlement and intending to settle any and all claims between the parties and wishing to memorialize that settlement agreement, it is hereby ORDERED AND DECREED as follows:

1. The following equipment will be returned to and become the exclusive property of Kelly Laird as trustee for the Treasure Lake Midget Football Team:

- a) All black equipment bags;
- b) All black game jerseys;
- c) All gold game pants;
- d) Half the inventory of practice pants;
- e) Half the inventory practice jerseys;

- f) Thirty-two (32) shoulder pads;
- g) Half the inventory of the seven pad sets;
- h) Half the inventory of the girdles;
- i) Fourteen (14) footballs;
- j) All Pop up dummies;
- k) One (1) dial it down marker;
- l) One (1) complete set of yard markers;
- m) All agility pads;
- n) All concession items;
- o) One (1) water cooler.

2. The division of this property shall take place within seven (7) days of today's date;

3. Plaintiff Kelly Laird, or any other coach of the Treasure Lake team, or the team itself, will not use the name "Oklahoma" or "Tigers" for their midget football team;

4. Plaintiff Kelly Laird will forthwith execute any and all documents necessary to remove the name "Tigers" from the Treasure Lake team;

5. Defendant shall have the right to use and retain the name "Oklahoma Tigers".

BY THE COURT,

hereby certify this to be a true and attested copy of the original statement filed in this case.

/s/ Fredric J. Ammerman

JUL 28 2006

President Judge

Attest.

Wm. L. Ammerman
Prothonotary/
Clerk of Courts

CERTIFICATE OF SERVICE

I do hereby certify that on the 22nd day of August, 2006, I served a copy of the within Petition to Enforce Settlement by first class mail, postage prepaid, upon the following:

Jeffrey S. DuBois, Esq.
190 W. Park Ave., Suite 5
DuBois, PA 15801



S. Casey Bowers

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :
Vs. :
: DEFENDANT'S RESPONSE TO
DUBOIS OKLAHOMA ATHLETIC : PLAINTIFF'S PETITION TO
ASSOCIATION, INC., and : ENFORCE SETTLEMENT
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION and individually, :
Defendants :
: Filed on Behalf of:
: DEFENDANTS
: Counsel of Record for This Party:
: Jeffrey S. DuBois, Esquire
: Supreme Court No. 62074
: 190 West Park Avenue, Suite #5
: DuBois, PA 15801
: (814) 375-5598

FILED 300
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SEP 08 2001 Atty DuBois
WAS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :

Vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,
Defendants

**DEFENDANT'S RESPONSE TO PLAINTIFF'S
PETITION TO ENFORCE SETTLEMENT**

AND NOW, comes the Defendant, DuBois Oklahoma Athletic Association, Inc., and Mal Morris, by and through their attorney, Jeffrey S. DuBois, Esquire, who files this Response to Plaintiff's Petition to Enforce Settlement, and in support thereof avers the following:

1. Admitted.
2. Admitted.
3. Admitted.
4. Said Exhibit "A" speaks for itself.
5. Denied. On the contrary, Defendant, through its representatives, have been in contact with the Plaintiff's representatives on numerous occasions to coordinate the return of all the items set forth in Exhibit "A". In fact, Defendants representatives have

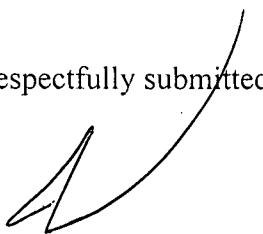
come to the location selected by Plaintiff at least on two (2) different occasions to return all the items set forth in Exhibit "A". Despite these numerous telephone conversations and the returning of these items, there are a few items presented by Defendants in which Plaintiffs have refused. As a consequence, Defendants have presented all of the items set forth in Exhibit "A" to which Plaintiffs are entitled, but Plaintiffs have wrongfully refused said items.

6. Denied. As set forth in paragraph five (5) herein, Defendants, on numerous occasions, have presented all the items to Plaintiffs for them to receive, and Plaintiffs have wrongfully refused them.

7. Denied. It is denied the Defendants have committed any breach, and therefore Plaintiffs are not entitled to attorney fees, and on the contrary, Defendants are entitled to fees for the exorbitant amount of time counsel for Defendants has had to spend on this case since the date of the Court Hearing.

WHEREFORE, Defendants respectfully request this Honorable Court to dismiss Plaintiffs Petition in its entirety and award attorney fees in favor of Defendants in the amount of Five Hundred and 00/100 (\$500.00) Dollars.

Respectfully submitted,



Jeffrey S. DuBois, Esquire
Attorney for Plaintiff

VERIFICATION

I, MAL MORRIS, verify that the statements in the foregoing Response to Plaintiff's Petition to Enforce Settlement are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.



Mal Morris

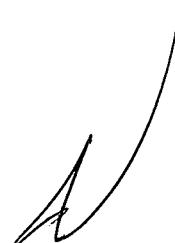
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

CERTIFICATE OF SERVICE

I do hereby certify that on the 8th day of Sept, 2006, I served a true and correct copy of the within Response to Plaintiffs Petition to Enforce Settlement by first class mail, postage prepaid, on the following:

S. Casey Bowers, Esquire
P.O. Box 487
DuBois, PA 15801



Jeffrey S. DuBois

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, : Type of Pleading:
Plaintiffs :
Vs. : **MOTION FOR
CONTINUANCE**
DUBOIS OKLAHOMA ATHLETIC : Filed on Behalf of:
ASSOCIATION, INC., and : DEFENDANTS
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC : Counsel of Record for This Party:
ASSOCIATION and individually, :
Defendants : Jeffrey S. DuBois, Esquire
: Supreme Court No. 62074
: 190 West Park Avenue, Suite #5
: DuBois, PA 15801
: (814) 375-5598

FILED

SEP 12 2006

011150/w

William A. Shaw
Prothonotary/Clerk of Courts

3 CENTS TO ATT

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| VS. | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

ORDER

AND NOW, this 14 day of September, 2006, upon
consideration of Plaintiffs Motion for Continuance,

IT IS HEREBY ORDERED AND DECREED that the Evidentiary Hearing
scheduled for September 22, 2006, be rescheduled for the 28th day of
September, 2006, at 11:00 o'clock A.M. at the Clearfield County Courthouse,
230 East Market Street, Clearfield, Pennsylvania.

BY THE COURT:



Fred Hahn

FILED 3cc
09-5161
SEP 18 2006 Amy DeBois

William A. Shaw
Prothonotary/Clerk of Courts

FILED

SEP 18 2006

William A Shaw
Prothonotary/Clerk of Courts

DATE: 9/18/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

MOTION FOR CONTINUANCE

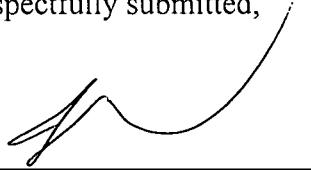
AND NOW, comes the Defendants, DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC., and MAL MORRIS, as President of DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and individually, by and through their attorney, Jeffrey S. DuBois, Esquire, who files this Motion for Continuance, and in support thereof avers the following:

1. There is an Evidentiary Hearing scheduled for September 22, 2006.
2. The main witness for the Defendants is Bruce Morris, who is a Pennsylvania State Police Officer.
3. Mr. Morris will be unavailable on September 22, as he is already scheduled to transport equipment out of the County that was loaned to his barracks, and this equipment must be returned on the 22nd.

4. Mr. Morris is in charge of this detail.
5. It is in Defendants best interest to have all witnesses present at this Hearing.
6. Counsel for Plaintiff, S. Casey Bowers, Esquire, consents to this continuance.
7. Therefore, Defendants request that said Evidentiary Hearing be rescheduled to another date and time.

WHEREFORE, Defendant respectfully requests this Honorable Court to continue said Hearing to another date and time.

Respectfully submitted,



Jeffrey S. DuBois, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

CERTIFICATE OF SERVICE

I do hereby certify that on the 12th day of Sept, 2006, I served a true and correct copy of the within Motion for Continuance by first class mail, postage prepaid, on the following:

S. Casey Bowers, Esquire
P.O. Box 487
DuBois, PA 15801

Jeffrey S. DuBois

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
Association and KELLY LAIRD,
Plaintiffs

Vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,
Defendants

: No. 06-237-CD

: Type of Pleading:

: **MOTION FOR
CONTINUANCE**

: Filed on Behalf of:
DEFENDANTS

: Counsel of Record for This Party:

: Jeffrey S. DuBois, Esquire
Supreme Court No. 62074
190 West Park Avenue, Suite #5
DuBois, PA 15801
(814) 375-5598

FILED

SEP 22 2006

112:05 ✓

William A. Shaw
Prothonotary/Clerk of Courts

GR

3 CENT TO ATTY

JUDGE SIGNATURE
FAXED ONCE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :
Vs. :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and :
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION and individually, :
Defendants :

ORDER

AND NOW, this _____ day of _____, 2006, upon
consideration of Plaintiffs Motion for Continuance,

IT IS HEREBY ORDERED AND DECREED that the Evidentiary Hearing
scheduled for September 28, 2006, be rescheduled for the _____ day of
_____, 2006, at _____ o'clock _____.M. at the Clearfield County Courthouse,
230 East Market Street, Clearfield, Pennsylvania.

BY THE COURT:

Judge

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

| | | |
|-------------------------------|---|---------------|
| OKLAHOMA MIDGET FOOTBALL | : | No. 06-237-CD |
| TEAM, an unincorporated | : | |
| Association and KELLY LAIRD, | : | |
| Plaintiffs | : | |
| | : | |
| Vs. | : | |
| | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION, INC., and | : | |
| MAL MORRIS, as President of | : | |
| DUBOIS OKLAHOMA ATHLETIC | : | |
| ASSOCIATION and individually, | : | |
| Defendants | : | |

MOTION FOR CONTINUANCE

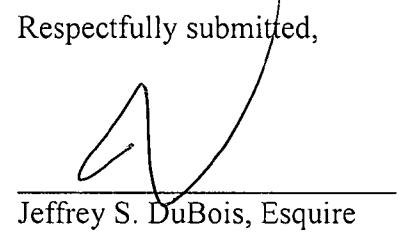
AND NOW, comes the Defendants, DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC., and MAL MORRIS, as President of DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and individually, by and through their attorney, Jeffrey S. DuBois, Esquire, who files this Motion for Continuance, and in support thereof avers the following:

1. There is an Evidentiary Hearing which has been rescheduled to September 28, 2006.
2. The undersigned will be out of state on a previously planned vacation on said date.
3. Counsel for Plaintiff, S. Casey Bowers, Esquire, consents to this continuance.
4. It is in Defendants best interest to have representation at said Hearing.

5. Therefore, Defendants request that said Evidentiary Hearing be rescheduled to another date and time.

WHEREFORE, Defendant respectfully requests this Honorable Court to continue said Hearing to another date and time.

Respectfully submitted,



Jeffrey S. DuBois, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :
Vs. :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and :
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION and individually, :
Defendants :

CERTIFICATE OF SERVICE

I do hereby certify that on the 19 day of Sept, 2006, I served a true and correct copy of the within Motion for Continuance by first class mail, postage prepaid, on the following:

S. Casey Bowers, Esquire
P.O. Box 487
DuBois, PA 15801



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
Association and KELLY LAIRD,
Plaintiffs

Vs.

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President of
DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION and individually,
Defendants

No. 06-237-CD

Type of Pleading:

**MOTION FOR
CONTINUANCE**

Filed on Behalf of:
DEFENDANTS

Counsel of Record for This Party:

Jeffrey S. DuBois, Esquire
Supreme Court No. 62074
190 West Park Avenue, Suite #5
DuBois, PA 15801
(814) 375-5598

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :

Vs.

DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and :
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION and individually, :
Defendants :

ORDER

AND NOW, this 21st day of September, 2006, upon
consideration of Plaintiffs Motion for Continuance,

IT IS HEREBY ORDERED AND DECREED that the Evidentiary Hearing
scheduled for September 28, 2006, be rescheduled for the 6th day of
October, 2006, at 3:00 o'clock P.M. at the Clearfield County Courthouse,
230 East Market Street, Clearfield, Pennsylvania.

BY THE COURT:



Judge

FILED

SEP 22 2006

011215 (m)

William A. Shaw
Prothonotary/Clerk of Courts

(6)

3 cent to App

William A Shaw
Prothonotary/Clerk of Courts

SEP 22 2006

FILED

DATE: 9-22-06

You are responsible for serving all appropriate parties.
The Prothonotary's Office has provided service to the following parties:
Plaintiff(s) _____ Defendant(s) _____ Attorney _____ Other _____
Solicitor for Plaintiff(s) _____ Solicitor for Defendant(s) _____ Attorney _____ Other _____

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :
:

Vs.

DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and :
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION and individually, :
Defendants :
:

MOTION FOR CONTINUANCE

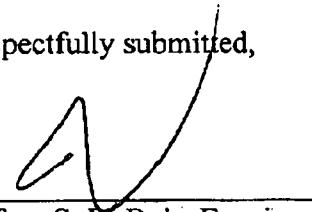
AND NOW, comes the Defendants, DUBOIS OKLAHOMA ATHLETIC ASSOCIATION, INC., and MAL MORRIS, as President of DUBOIS OKLAHOMA ATHLETIC ASSOCIATION and individually, by and through their attorney, Jeffrey S. DuBois, Esquire, who files this Motion for Continuance, and in support thereof avers the following:

1. There is an Evidentiary Hearing which has been rescheduled to September 28, 2006.
2. The undersigned will be out of state on a previously planned vacation on said date.
3. Counsel for Plaintiff, S. Casey Bowers, Esquire, consents to this continuance.
4. It is in Defendants best interest to have representation at said Hearing.

5. Therefore, Defendants request that said Evidentiary Hearing be rescheduled to another date and time.

WHEREFORE, Defendant respectfully requests this Honorable Court to continue said Hearing to another date and time.

Respectfully submitted,



Jeffrey S. DuBois, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

OKLAHOMA MIDGET FOOTBALL : No. 06-237-CD
TEAM, an unincorporated :
Association and KELLY LAIRD, :
Plaintiffs :
Vs. :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION, INC., and :
MAL MORRIS, as President of :
DUBOIS OKLAHOMA ATHLETIC :
ASSOCIATION and individually, :
Defendants :

CERTIFICATE OF SERVICE

I do hereby certify that on the 19 day of Sept, 2006, I served a
true and correct copy of the within Motion for Continuance by first class mail, postage
prepaid, on the following:

S. Casey Bowers, Esquire
P.O. Box 487
DuBois, PA 15801



Jeffrey S. DuBois

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

FILED

01/03/07 11:55 AM
OCT 10 2006 Dubois

Bowers

William A. Shaw
Prothonotary/Clerk of Courts

(60)

OKLAHOMA MIDGET FOOTBALL
TEAM, an unincorporated
association, and KELLY
LAIRD

-vs-

No. 06-237-CD

DUBOIS OKLAHOMA ATHLETIC
ASSOCIATION, INC., and
MAL MORRIS, as President
of DOAA and individually

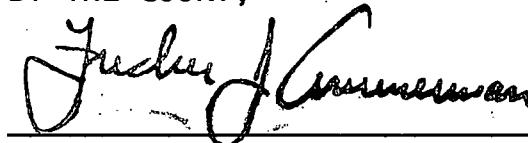
O R D E R

NOW, this 6th day of October, 2006, following
the taking of testimony on the Plaintiff's Petition to
Enforce Settlement and for Contempt, it is the ORDER of
this Court as follows:

1. The Court will enforce the settlement order
using the literal terms contained therein. Accordingly, as
the settlement order in Paragraph 1-M provides that the
Plaintiff Association is to receive the agility pads in
question, it is the ORDER of this Court that the Defendant
Association immediately provide the set of agility pads to
the Plaintiff Association;

2. Under the circumstances as presented before
the Court, the Court will not find the Defendant
Association in contempt.

BY THE COURT,

A handwritten signature in black ink, appearing to read "Fischer J. Kassner".

President Judge

FILED

OCT 10 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/10/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney _____ Other _____

Defendant(s) Defendant(s) Attorney _____

Special Instructions:

| | | |
|----------|----------------|---|
| 12/10/06 | Prothonotary — | I FAXED A COPY TO J. DuBois & C. Bowers — Doris |
|----------|----------------|---|