

## **A. OKLAHOMA SUPREME COURT CASES**

(JULY 1, 2021-JUNE 30, 2022)

### **LIST OF CASES**

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
A. OKLAHOMA SUPREME COURT					
1	Materialmen’s Lien	Materialmen’s Lien Not Waived By Subcontractor’s Waiver	H2K Technologies v. WSP USA	2021 OK 59	11/26/21
					3/2/22
2	Deadline for Serving Summons	Covid-19 SCAD Orders “Tolled” Statutory Service of Summons 180-Day Deadline	McBee v. Shanahan Home Design	2021 OK 60	11/16/21
					12/8/21
3	Inverse Condemnation & Governmental Tort Claims Act	An Inverse Condemnation is not a “Tort”, & is not Governed by the Governmental Tort Claims Act	Rocket Properties v. LaFortune	2022 OK 5	1/18/22
					?
4	Residential Property Condition Disclosure Act	RPCDA Exempts From Its Coverage a Transfer by a Non-Owner-Occupant Fiduciary	Rickard v. Coulimore	2022 OK 9	1/25/22
					3/30/22
5	Forcible Entry & Detainer	Affirmative Defenses Must be Considered in FED Matters (Impracticality & Frustration of Purpose -- Due to Covid)	Meng v. Rahimi	2022 OK 11	2/1/22
					3/30/22
6	Inverse Condemnation	A Public Trust has Eminent Domain Authority	Barnett v. Okay Public Works Authority	2022 OK 24	3/8/22
					5/5/22

## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2021-JUNE 30, 2022)

### **LIST OF CASES**

NO.	TOPIC		CASE	OKLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
B. OKLAHOMA COURT OF CIVIL APPEALS					
7	Oklahoma Residential Landlord & Tenant Act, <u>AND</u> Evidence Code	Landlord Must Present Invoices or Value of Repairs Actually Done <u>AND</u> Evidence Can Be Re-Evaluated on Re-Trial	Morris v. Behrens	2021 CIV APP 35	6/25/21
					9/16/21
8	Partition Action <u>AND</u> Wife's Property Omitted in Divorce Decree	Deed to Spouse is Effective Even if Fraud on Creditors or to Avoid Probate	Peveto v. Peveto	2022 OK CIV APP 7	2/2/22
					3/23/22
9	Homestead Protection <u>AND</u> Extension of Time	Absence of Spouse's Signatures Renders Easement on Homestead Void, <u>AND</u> Failure to Undertake Discovery Prevents Extension of Time to Answer Motion for Summary Judgment	Johnson Avenue, LLC v. Big Time Billboards, LLC	No. 119,368	3/11/22
					(11/2/22) -- (Petition for Certiorari Denied)

## **A. OKLAHOMA SUPREME COURT CASES**

(JULY 1, 2020-JUNE 30, 2021)

### **LIST OF CASES**

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
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	GENERAL	SPECIFIC			
A. <u>OKLAHOMA SUPREME COURT</u>					
1	Subcontractor’s Lien Statement	Filing Amended Lien Statement	Biantrav Contractor LLC v. Condren	2020 OK 73	9/21/20
					N/A
2	Tourism Improvement District	Interpreting: “50 or More Rooms”	Toch, LLC v. City of Tulsa	2020 OK 81	9/30/20
					11/5/20
3	Due Process Notice	Constitutionality of Publication Notice When Addresses Known	Purcell v. Parker	2020 OK 83	10/6/20
					11/19/20
4	Surface Damages Act	Attorney Fees to Jury-Demanding Party	Okla. ex rel. Commissioner of Land Office v. Stephens & Johnson Operating Co., Inc.	2020 OK 84	10/6/20
					11/5/20
5	Probate Venue (Jurisdiction)	Proper Venue For In State Decedent’s Probate	In the Matter of the Estate of Fulks	2020 OK 94	11/24/20
					1/7/21
6	Sales Tax in Indian Country	Whether Sales Tax is Payable to Tribe and/or OTC	Warehouse Market v. State ex rel. Oklahoma Tax Comm.	2021 OK 6	2/2/21
					3/3/21
7	Interest on Ad Valorem Tax Refund	General or Specific Interest Statute	In the Matter of the Assessments for the Tax Year 2012 of Certain Properties	2021 OK 7	2/9/21
					3/17/21

8	Pretermitted Heir	Omission of Child From Holographic Will	In the Matter of the Estate of Chester	2021 OK 12	3/23/21
					5/26/21
9	Foreclosure Sale During Bankruptcy	Bankruptcy Buyer Took Title Subject to Mortgage	Highpointe Energy v. Viersen	2021 OK 32	6/2/21
					6/30/21

## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2020-JUNE 30, 2021)

### **LIST OF CASES**

NO.	TOPIC		CASE	OKLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
B. <u>OKLAHOMA COURT OF CIVIL APPEALS</u>					
10	Construction Contract Breach	Oklahoma Citizens Participation Act Application	Lewis v. Corrente	2020 CIV APP 45	5/18/20
					8/26/20
11	Transfer-on- Death Deed & Probate	Unaccepted TODD Is Not a Waiver	In the Matter of the Estate of Stites	2020 OK CIV APP 51	8/9/19
					10/14/20
12	Partition	Contribution Impact On Co-Tenancy	Shreck v. Reed	2020 OK CIV APP 54	4/9/20
					11/5/20
13	Tax Resale	Recovery of Mispaid Tax Sale Excess Proceeds	Grillo Ventures v. VU	2020 OK CIV APP 57	10/2/20
					11/5/20
14	Residential Landlord & Tenant Act	Termination of Lease Before Occupancy	Ahlstrom v. Campbell Real Estate	2020 OK CIV APP 70	9/23/20
					12/30/20
15	Condemnation	Damages to Remainder Property Discernable at Trial	State ex rel. Dept. of Transportation v. Trade Winds Motor Hotel East	2021 OK CIV APP 6	7/3/20
					3/17/21

## **A. OKLAHOMA SUPREME COURT CASES**

(JULY 1, 2019-JUNE 30, 2020)

### **LIST OF CASES**

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
A. OKLAHOMA SUPREME COURT					
1	Landlord’s Duty of Care to Tenant	Is the Landlord Obligated to Maintain an Operating Hot Water Tank.	Saunders v. Smothers	2019 OK 54	9/10/2019
					12/11/2019
2	Surface Damages Act	Remainderman’s Claim to Compensation as an “owner” Under the Surface Damage Act.	Hobson v. Cimarex Energy Co.	2019 OK 58	9/17/2019
					12/5/2019
3	City Regulation of Marijuana	Cities’ Ability to Limit Locations of Marijuana Growing Farms by Zoning.	Cloudi Mornings, LLC v. City of Broken Arrow	2019 OK 75	11/19/2019
					12/18/2019
4	Interspousal Gift of Real Property	Rebuttal of Presumption of Interspousal Gift of Real Property.	Metcalf v. Metcalf	2020 OK 20	4/14/2020
					4/27/2020
5	Pretermitted Heir	Surrendered Child as Pretermitted Heir.	Rogers v. Estate of Pratt	2020 OK 27	5/5/2020
					7/22/2020
6	Indian Reservation Disestablishment	Disestablishment of Creek Reservation.	McGirt v. Oklahoma	2020 U.S. 18-9526	?
					?

## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2019-JUNE 30, 2020)

### **LIST OF CASES**

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
A. OKLAHOMA SUPREME COURT					
7	Statute of Limitation	Note & Mortgage Foreclosure Statute of Limitation.	International Bank of Commerce v. Franklin	2019 OK CIV APP 56	9/20/2019
					10/16/2019
8	Attorney Fees in Foreclosure	Award of Attorney Fees Outside Hourly Computation Must Include Findings.	First National Bank & Trust Co. of Ardmore v. Kelly	2019 OK CIV APP 57	9/20/2019
					10/16/2019
9	Dismissal vs. Summary Judgment	Granting Summary Judgment on Disputed Facts, and Dismissing Without Amendment	Bluff Creek Townhomes Assoc., Inc. v. Hammon	2019 OK CIV APP 59	9/16/2019
					10/16/2019
10	Ad Valorem Taxation	Ad Valorem Taxation Re-Classification Based on Grant of Easement	Kast Trust Farms v. Tyman	2019 OK CIV APP 74	9/27/2019
					12/5/2019
11	Unjust Enrichment	Unjust Enrichment for Taking Bonuses & Royalty for Oil & Gas Lease in the Absence of Title	Devon Energy Production Co. v. Wyckoff	2020 OK CIV APP 4	9/16/2019
					10/16/2019
12	Specific Performance	Purchase Contract Enforcement When Title Defective	Oak Tree Partners, LLC v. Williams	2020 OK CIV APP 5	11/26/2019
					2/13/2020
13	Mortgage Deficiency	Deficiency Computed Based on Appraised/Fair Market Value	Charles Sanders Homes v. Cook & Associates	2020 OK CIV APP 14	5/14/2020
					6/17/2020
14	Judgment Lien Attachment	Judgment Lien Only Attaches to “Actual” Interest of Debtor	Faust Corporation v. Harris	2020 OK CIV APP 20	12/17/2020
					6/17/2020
15	PUD Approval and Mandamus	Mandamus is not Allowed Against PUD Approval After Proper Notice	Kent v. City of Oklahoma City	2020 OK CIV APP 21	3/25/2020
					6/17/2020

16	FED Notice	FED Notice Inclusion of Late Fees	Tracy-Herald Corp. v. Jones	2020 CIV APP 25	2/11/2020
					6/17/2020
17	Writ of Assistance	Writ of Assistance is Only Available After Granted Possession	Wishon v. Sanders	2020 OK CIV APP 29	4/9/2020
					6/17/2020
18	Agricultural/UCC Lien Priorities	UCC Perfected Lien on Crops is Senior to Unperfected Landlord's Lien	Bank of Kremlin v. ARA, L.P.	2020 OK CIV APP 30	9/20/2020
					6/17/2020
19	Spousal Joinder on Homestead Deed	Deed from one Spouse to Both Not Require Both Signatures	In the Matter of the Estate of Hyer	2020 OK CIV APP 31	2/28/2020
					6/17/2020
20	Motion for Default Judgment	Motion for Default Judgment is Required Even When No Appearance is Made	Southwest Casing v. Foster	2020 OK CIV APP 37	5/22/2020
					6/24/2020



## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2017-JUNE 30, 2018)

### **LIST OF CASES**

NO.	TOPIC		CASE	OKLAHOMA CITATION	DECIDED MANDATE
	GENERAL	SPECIFIC			
B. <u>OKLAHOMA COURT OF CIVIL APPEALS</u>					
1	Easement Use	Appurtenant Easement vs. Easement in Gross, & Reasonable Use	TSG Tulsa Retail, L.L.C. v. Indep. School Dist. #9 of Tulsa Cty.	2018 CIV APP 52	4/20/2018
					7/18/2018
2	Joint Tenancy	Severance as to Some, But Not All Joint Tenants	Goodson v. McCrory	2018 OK CIV APP 59	8/29/2018
					9/26/2018
3*	Durable Power of Attorney	Attorney in Fact Loses Authority When He Learns His Power of Attorney is Revoked	Hold v. Bentley	2018 OK CIV APP 62	4/13/2018
					10/17/2018
4*	Probate Venue	Filing Probate in Venue Other Than County of Residence	In the Matter of the Estate of Walker	2018 OK CIV APP 63	9/18/2018
					10/17/2018
5	Foreign Judgment	Vacating Foreign Judgment Effecting Oklahoma Land	Herring v. Graham	2019 OK CIV APP 1	12/7/2018
					1/9/2019
6*	Non-Profit School Status	Welding School was Tax Exempt Property	In the Matter of the Assessment for Tax Year 2012 of Certain Real Properties	2019 OK CIV APP 2	4/6/2018
					1/16/2019
7	OTA Tax Lien	Frivolous Assertion of OTC Tax Warrant	Wells Fargo Bank v. Lam	2019 OK CIV APP 9	12/7/2018
					2/13/2019
8	Adverse Possession	Elements of Adverse Possession Against a Co-Tenant	Hodge v. Wright	2019 OK CIV APP 10	1/16/2019
					2/13/2019

9	Judgment Dormancy	Bankruptcy Does Not Toll Dormancy Statute Because Notice of Renewal Is Not Barred	Automotive Finance Corporation v. Rogers	2019 OK CIV APP 16	3/1/2019
					3/27/2019
10	Mining Permit	Notice Requirements for Non-Coal Mining Permit	Citizens For the Protection of the Arbuckle-Simpson Aquifer v. Okla. Dept. of Mines	2019 OK CIV APP 17	7/26/2018
					3/27/2019
11*	County Land Records	Access to Electronic Copy of County Land Records (Not Index)	Texasfile, LLC v. Boevers	2019 OK CIV APP 20	8/29/2018
					3/27/2019
12*	Mechanics Lien	Temporary Laborer Providers Does Not "Perform" Labor & Is Not a "Sub-Contractor"	Advanced Resource Solutions, LLC v. Stava Building Corporation	2019 OK CIV APP 28	4/15/2019
					5/15/2019
13*	Constructive Notice	Legal Description is Needed For Constructive Notice	Riverbend Land v. State ex rel. Oklahoma Turnpike Authority	2019 OK CIV APP 31	8/10/2018
					6/19/2019
14	Lien Priority	HOA Lien Junior to Mortgage Lien	CIT Bank, N.A. v. Heirs of McGee	2019 OK CIV APP 36	6/5/2019
					7/3/2019

**\*These cases were discussed by Justice Gurich**

## A. OKLAHOMA SUPREME COURT CASES

(JULY 1, 2017-JUNE 30, 2018)

### LIST OF CASES

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
	GENERAL	SPECIFIC			MANDATE
A. OKLAHOMA SUPREME COURT					
1	Summary Judgment	Mortgage Foreclosure Summary Judgment Premature When Partial Payments Made	Green Tree Servicing LLC v. Dalke	2017 OK 74	9/26/2017
					11/14/2017
2	Colorado Judgment Lien	When Does Colorado Judgment Lien on Oklahoma Real Property Lapse	Taracorp v. Dailey	2018 OK 32	4/24/2018
					7/11/2018
3	Ad Valorem Taxes	Recovery of Misallocated Ad Valorem Taxes to School Districts	Independent School District No. 54 v. Independent School District No. 67	2018 OK 34	4/24/2018
					5/24/2018
4	Realtor's Commission	Oral Misrepresentation of Contents of Realtor's Listing Agreement as to Excluded Buyers	Green Meadow Realty Co. v. Gillock	2018 OK 42	5/15/2018
					6/13/2018
5	Prevailing Party	Defendant's Post-Petition Payment Precludes Money Judgment	Tulsa Adjustment Bureau v. Calnan	2018 OK 60	6/26/2018
					10/10/2018

## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2017-JUNE 30, 2018)

### LIST OF CASES

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
B. OKLAHOMA COURT OF CIVIL APPEALS					
6	Contract Termination	Reasonableness of Contract Termination	Group One Realty, Inc. v. Dahr Properties-Memorial Springs, LLC	2017 CIV APP 54	3/30/17
					10/27/17
7	Timber Damages & Attorney Fees	Measure of Damages to Timber; Relation of Attorney Fees to Results	Young v. Spencer	2017 OK CIV APP 58	6/9/17
					11/14/17
8	Condemnation Valuation	Use of the Condemnation Values as Fair Market Value	Kamo Electric Cooperative v. Nichols	2017 OK CIV APP 60	9/11/17
					11/14/17
9	Substituting Real Party in Interest	Fraudulent Affidavit of Heirship Supports Tort Claim Asserted by Real Party in Interest	Jones v. Stalick	2017 OK CIV APP 67	11/7/17
					12/5/17
10	Section Line Roadway	Necessity to Have Court Approve Section Line Roadway	Goodwin v. Blake	2018 OK CIV APP 20	10/30/17
					3/21/17
11	Acquiescence	Does Acquiescence Require Uncertainty as to Boundary	Salinas v. Shets	2018 OK CIV APP 21	10/25/17
					3/21/18

12	Authentication of Foreign Judgment	Is Lack of Authentication of Foreign Judgment Waivable	Bank of America v. Dasovich	2018 OK CIV APP 22	7/18/17
					3/28/18
13	Possession of Note for Foreclosure	Holder of Note is Holder of Mortgage	Wells Fargo Bank v. Taylor	2018 OK CIV APP 24	3/9/18
					4/4/18
14	Default Judgment	Making an Appearance Prompts Need for Motion, Notice and Hearing Before Default Judgment	Asset Acceptance v. Pham	2018 OK CIV APP 26	7/7/16
					4/11/18
15	Condemnation	Date of Measure of Damages	State ex rel. Dept. of Transportation v. Pennington	2018 OK CIV APP 39	4/12/18
					5/9/18
16	Condemnation	Method of Condemnation Appraisal	State ex rel. Dept. of Transportation v. H&L Double MC, LLP	2018 OK CIV APP 54	4/10/18
					8/15/15
17	Mortgage Foreclosure	Lost Note Affidavit Establishes Standing	HSBC Bank v. Saner	115,604 (Unpublished)	12/9/18
					10/17/18
18	Reformation of Deed	Statute of Limitation to Correct Deed Worded Contrary to Partition Order (Tenant in Common Instead of Joint Tenant)	Davis v. Reasnor	114,596	12/22/16
					10/2/17

## A. OKLAHOMA SUPREME COURT CASES

(JULY 1, 2016-JUNE 30, 2017)

### LIST OF CASES

NO.	TOPIC		CASE	OLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
A. <u>OKLAHOMA SUPREME COURT</u>					
1	Mechanics & Materialmen’s Liens	Does a subcontractor have to give pre-lien notice, and what happens if no notice is given and the claim exceeds \$10,000?	Pizano v. Lacey & Associates, LLC	2016 OK 73	6/21/2016
					10/20/2016
2	Enforceability of Deed	Was a person restored to competency when the statute presuming incompetence is repealed, and does a grand daughter’s assistance to a grandmother constitute undue influence?	Blair v. Richardson	2016 OK 96	9/20/2016
					10/20/2016
3	Abstractor’s Negligence & Deed Reformation	When does the statute of limitations for an error in a deed (failing to exclude minerals) begin to run?	Calvert v. Swinford	2016 OK 100	10/4/2016
					11/2/2016
4	Attorney’s Negligence & Deed Reformation	When does the statute of limitations for an error in a deed (failing to exclude minerals) begin to run?	Calvert v. Swinford	2016 OK 104	10/11/2016
					11/2/2016
5	Deed Reformation	When does the statute of limitations for an error in a deed (failing to exclude minerals) begin to run?	Calvert v. Swinford	2016 OK 105	10/11/2016
					11/2/2016
6	Deed Reformation	When does the statute of limitations for an error in a deed (failing to exclude minerals) begin to run?	Scott v. Peters	2016 OK 108	10/25/2016
					2/7/2017
7	Conditional Use permit For a Wind Farm	Can a county Board of Adjustment deny a conditional use permit for a wind farm without grounds other than its “vision” for the county?	Mustang Run Wind Project, LLC v. Osage County BD. of Adjustment	2016 OK 113	11/1/2016
					12/1/2016

8	Private Nuisance	Is a neighbor allowed to rely on personal aesthetic objections to the image of a cell tower and the required blinking lights to justify finding it is a private nuisance?	Laubenstein and Wallace v. Bode Tower, L.L.C.	2016 OK 118	12/6/2016
					4/17/2017
9	Condemnation	Under what circumstances are attorney's fees and other costs recoverable in a condemnation proceeding?	State ex rel. Dept. of Transportation v. Cedars Group, L.L.C.	2017 OK 12	2/22/2017
					5/11/2017
10	Void Probate Decree	Is it constitutionally required that the Final Account be mailed to all heirs, or is Notice of the Hearing on such Final Account being mailed sufficient?	Bebout v. Ewell	2017 OK 22	3/21/2017
					4/17/2017
11	Contract for Deed	Does a buyer's/grantee's interest under a Contract for Deed – in itself-- make him an insured party to a homeowner's policy?	Hensley v. State Farm Fire and Casualty Co.	2017 OK 57	6/20/17
					7/19/17

## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2016-JUNE 30, 2017)

### **LIST OF CASES**

NO.	TOPIC		CASE	OKLAHOMA CITATION	DECIDED
					MANDATE
	GENERAL	SPECIFIC			
B. OKLAHOMA COURT OF CIVIL APPEALS					
1	Mortgage Foreclosure	Can the liability for failure to give a required notice arising under a high risk mortgage and the failure to charge the correct interest rate -- if the loan is a consumer loan -- be extinguished by an amendment of the note interest?	First National Bank in Marlow v. Bicking	2016 OK CIV APP 22	12/30/2015
					4/14/2016
2	Attorney Fees	Can the prevailing defendant seek to recover attorney fees and costs from the members of a class or the insurers of a class regarding fire damage to real property?	Avens v. Cotton Electric Cooperative, Inc.	2016 CIV APP 39	12/18/2015
					6/27/2016
3	Probate	Must the plaintiff file a proof of claim of pending lawsuit against deceased?	Guerra v. Starnes	2016 OK CIV APP 42	5/24/2016
					6/27/2016
4	Deficiency Judgment	Can notice of a deficiency judgment be corrected by nunc pro tunc, and is the 30-day period to appeal measured from the original or the correction judgment?	Charles Sanders Homes, Inc. v. Cook and Assoc. Engineering, Inc.	2016 OK CIV APP 45	12/23/2015
					7/18/2016
5	Guaranty Exoneration	Does the dismissal of a motion for deficiency judgment against the debtor exonerate the guarantor?	The People’s National Bank v. Allison	2016 OK CIV APP 51	11/24/2015
					7/26/2016
6	Local Rules			2016 OK CIV APP 54	8/3/2016



		Does failure to file the resulting judgment (or a motion to settle JE) within the 30 days required by <u>local</u> court rules make the judgment void?	Deutsche Bank National Trust Co. v. Myers		8/30/2016
7	Homeowner's Association	Does an HOA have responsibility to protect lots adjacent to streams (in common areas) from damage from erosion and floods?	Grindstaff v. The Oaks Owners' Association, Inc.	2016 OK CIV APP 73	4/25/2016
					12/1/2016
8	Residential Condition Disclosure Act	If a seller and his realtor knew or might have known of prior residential defects, is a summary judgment for the seller and a dismissal of the realtor appropriate?	Stauff v. Bartnick	2016 OK CIV APP 76	9/2/2016
					12/14/2016
9	Smoking Prohibition	Are there any grounds in law or in Condo regulations prohibiting a person from smoking in a private residence?	Nuncio v. Rock Knoll Townhome Village, Inc.	2016 OK CIV APP 83	5/13/2016
					12/30/2016
10	Spousal Forced Share	Can a second surviving wife defeat a conveyance of the homestead by the husband as an individual (from his own revocable trust -- set up and "funded" between marriages) made during his second marriage to a daughter of the first wife, where the children of the first marriage are the contingent beneficiaries, and claim a probate homestead, and claim a spousal forced share, and claim a surviving spousal allowance from such asset?	In the Matter of the Estate of Eagleton	2017 OK CIV APP 2	12/9/2016
					1/12/2017

11	Prenuptial Agreement, and Power of Appointment	Can a spouse grant by conveyance or will greater rights than specified in a prenuptial agreement, and does the failure to meet the formal requirements for exercising a power of appointment, which exceed the statutory requirements, make such appointment, which invalid?	In the Matter of the Estate of Pierce	2017 OK CIV APP 25	12/13/2016
					5/11/2017
12	Attorney Fees	If an offer of judgment is made with a specific reference to 12 O.S. §1101 (and not to §1101.1), and, if it is accepted, is the recipient of such judgment entitled to attorney fees, when the offer is silent?	Winn-Tech, Inc. v. Nubuko Lawson	2017 OK CIV APP 28	4/23/2017
					5/18/2017
13	Water Rights, and Injunctive vs. Declaratory Relief	If a request for a temporary injunction is denied, does that mean a request for a declaratory ruling is futile, and does a delay of 5 months between denial of the request for a temporary injunction and the request for leave to amend to ask for a declaratory ruling constitute undue and prejudicial delay, and does the absence of a current shortage of water preclude consideration of a declaratory request?	City of Blackwell v. Bruce Wooderson, et al	2017 OK CIV APP 33	5/12/2017
					6/6/2017

## **A. OKLAHOMA SUPREME COURT CASES**

(JULY 1, 2015-JUNE 30, 2016)

### **LIST OF CASES**

NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
<b><u>A. OKLAHOMA SUPREME COURT CASES</u></b>					
1	CONTRACT FOR DEED; FORCIBLE ENTRY AND DETAINER; WASTE; MAINTAIN INSURANCE; ABUSE OF PROCESS	McGinnity v. Kirk	2015 OK 73	11/3/2015	12/4/2015
2*	TRANSFER ON DEATH DEED; MORTGAGE ENFORCEMENT; DEBT OF ESTATE	In the Matter of the Estate of Carlson	2016 OK 6	1/20/2016	2/18/2016
3*	EASEMENT; DAM REHABILITATION	Logan County Conservation District v. Pleasant Oaks Homeowners Association	2016 OK 65	6/7/2016	7/21/2016
4*	DEFAULT JUDGMENT; ENTRY OF APPEARANCE	Schweigert v. Schweigert	2015 OK 20	4/14/2015	5/20/2015

\* To be discussed by Justice Gurich

## **B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2015-JUNE 30, 2016)

### **LIST OF CASES**

NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
<b>B. OKLAHOMA COURT OF CIVIL APPEALS</b>					
1	FORECLOSURE; STANDING	Bank of America, N.A. v. Ash	2015 OK CIV APP 69	8/7/2015	9/24/2015
2	CONDEMNATION; NUISANCE ABATEMENT	Vaughn v. City of Muskogee	2015 OK CIV APP 76	2/10/2015	10/15/2015
3	CONDEMNATION; RIGHT TO JURY	Oklahoma Turnpike Authority v. Siegfried Companies, Inc.	2015 OK CIV APP 78	4/3/2015	10/15/2015
4*	PERMANENT INJUNCTION; NOMINAL DAMAGES	Autumn Wood Farms, LLC v. Bynum	2015 OK CIV APP 90	9/28/2015	11/4/2015
5*	WATER RESOURCES BOARD AUTHORITY JURISDICTION; CONDEMNATION; EASEMENT	Taylor v. Oklahoma Water Resources Board	2015 OK CIV APP 99	11/5/2015	12/4/2015
6	TRESPASS; USE OF HIGHWAY EASEMENT BY PRIVATE PARTY	Buckles v. Triad Energy, Inc.	2015 OK CIV APP 101	6/3/2015	12/14/2015
7*	CONDEMNATION; VALUATION METHOD; ATTORNEY FEES	State ex rel. Dept. of Transportation v. Caliber Development Co. LLC	2016 OK CIV APP 1	7/9/2015	1/5/2016
8	TAX RESALE; APPLICATION OF TAX PAYMENTS TO OLDER DEBT	Mueggenborg v. Place	2016 OK CIV APP 8	12/29/2015	2/8/2016
9*	TAX RESALE; NOTICE OF RESALE	Jayson W. Davidson Trust v. Brockhaus	2016 OK CIV APP 11	8/26/2015	3/7/2016

10*	MARITAL DISSOLUTION; JUDGE- MADE LIEN; INDEFINITE LIEN DUE DATE; GIFT IF JOINT TENANTS	Gress v. Kuhn	2016 OK CIV APP 13	12/18/2015	3/7/2016
11	ATTORNEY FEES; COSTS VS. EXPENSES	Natural Gas Anadarko Company v. Venable	2016 OK CIV APP 15	7/10/2015	3/23/2016
12	MORTGAGE FORECLOSURE; PURPOSE OF LOAN	First National Bank in Marlow v. Bicking	2016 CIV APP 22	12/30/2015	4/14/2016
13*	PRESCRIPTIVE EASEMENT; LICENSE	Manar v. Wesson	2016 OK CIV APP 29	4/8/2016	5/4/2016

\* To be discussed by Justice Gurich

**OKLAHOMA SUPREME COURT CASES**

(JULY 1, 2014-JUNE 30, 2015)

**LIST OF CASES**

NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
<b><u>OKLAHOMA SUPREME COURT CASES</u></b>					
1	Documentary Stamp Tax on Sheriff's Deed	Murray County v. Homesales, Inc.	2014 OK 52	5/8/2014	8/1/2014
2	Condemnation Valuation of Billboard	State ex rel. Dept. of Transportation v. Lamar Advertising of Oklahoma, Inc.	2014 OK 47	6/3/2014	10/15/2014
3	Ad Valorem Taxation, and Private Attorneys Representing Assessors	Yazel v. William K. Warren Medical Research Center	2014 OK 57	6/24/2014	?
4	Ad Valorem Taxation, and Private Attorneys Representing Assessors	Yazel v. William K. Warren Medical Research Center	2014 OK 58	6/24/2014	?
5	Bondholders are Necessary Parties to Suit	Tulsa Industrial Authority v. City of Tulsa	2014 OK 81	9/30/2014	10/27/2014
6	Documentary Stamp Tax on Sheriff's Deed; Class Certification	Marshall County v. Homesales, Inc.	2014 OK 88	10/28/2014	12/1/2014
7	Notice of Annexation by Certified Mail	In Re: Detachment of Municipal Territory From the City of Ada	2015 OK 18	4/20/2015	8/3/2015
8	Waiver of Appeal Right	Hamm v. Hamm	2015 OK 27	4/28/2015	6/10/2015
9	Notice of Extrinsic Document	Walker v. Builddirect.com Technologies Inc.	2015 OK 30	5/5/2015	5/29/2015

10	Divorce Decree Judgment Lien Foreclosure; Reversionary Clause Enforcement	Benefiel v. Boulton	2015 OK 32	5/12/2015	6/10/2015
11	Advalorem Tax Sale Notice	Crownover v. Keel	2015 OK 35	5/26/2015	10/9/2015
12	Finality of Divorce Decree	Alexander v. Alexander	2015 OK 52	6/30/2015	10/9/2015
13	Jurisdiction of District Courts Over Oil & Gas Torts	Ladra v. New Dominion, LLC	2015 OK 53	6/30/2015	8/3/2015
14	Increasing Real Property Assessment (5% Cap)	Frankenburg v. Strickland	2015 OK 23	4/21/2015	5/20/2015

**B. OKLAHOMA COURT OF CIVIL APPEALS CASES**

(JULY 1, 2014-JUNE 30, 2015)

**LIST OF CASES**

NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
<b><u>B. OKLAHOMA COURT OF CIVIL APPEALS</u></b>					
1	Ad Valorem Tax Exemption Lost	Advancpierre Foods, Inc. v. Garfield County Bd. of Taxroll Corrections	2014 OK CIV APP 62	5/8/2014	6/11/2014
2	Ad Valorem Tax Reassessment After Payment	Inverness Vill. v. Enlow	2014 OK CIV APP 63	4/11/2014	7/2/2014
3	Dismissal With Prejudice Without Proof Of Notice	Wells Fargo Bank, N.A. v. Kindle	2014 OK CIV APP 67	6/11/2014	8/1/2014
4	Standing To Foreclose Mortgage	Onewest Bank, F.S.B. v. Jacobs	2014 OK CIV APP 72	7/25/2014	9/5/2014
5	Second Attack For Lack Of Standing	Mortgage Electronic Registration Systems, Inc. v. Wilson	2014 OK CIV APP 74	8/20/2014	9/23/2014
6	Nunc Pro Tunc Order Can Change Substance	Brady v. Brady	2014 OK CIV APP 76	8/29/2014	9/23/2014
7	Mortgage Foreclosure And Adverse Possession	Bank of America, N.A. v. Unknown Successors of Sarah Jane Lewis	2014 OK CIV APP 78	6/17/2014	9/23/2014
8	Judgement Lien Dormancy Tolled By Bankruptcy	El Reno Housing Associates v. Cowen	2014 OK CIV APP 85	6/12/2014	10/15/2014
9	Agriculatural Classification For Ad Valorem Taxes	American Southwest Properties, Inc. v. Tulsa County Board of Equalization	2014 OK CIV APP 90	6/23/2014	11/4/2014



10	Standing For Mortgage Foreclosure	Bank of America, N.A. v. Morris	2014 OK CIV APP 91	9/24/2014	11/4/2014
11	De-Annexation Procedure For A City	In Re: City of McCloud Initiative Petition 2010-2-De-Annexation	2014 OK CIV APP 94	6/20/2014	12/1/2014
12	Ad Valorem Tax Sale Notice To Mortgagee/Lender	Beneficial Financial I Inc. v. Love	2014 OK CIV APP 103	12/5/2014	12/29/2014
13	Standing To Foreclose Mortgage	Bank of America, N.A. v. Moody	2014 OK CIV APP 105	12/5/2014	12/29/2014
14	Adverse Possession Against The Sovereign	Waldrop v. The Hennessey Utilities Authority	2014 OK CIV APP 106	10/2/2014	12/29/2014
15	Ad Valorem Tax Resale Process	Chisolm Trail Construction L.L.C. v. Mueggberg	2014 OK CIV APP 108	11/19/2014	12/29/2014
16	Attorney Fees For Fed Action	Austin Place, L.L.C. v. Mart	2015 OK CIV APP 2	12/9/2014	1/7/2015
17	Will Residuary Clause Interpretation	In the Matter of the Estate of Bosworth	2015 OK CIV APP 3	12/11/2014	1/7/2015
18	Vested Property Rights	Material Service Corp. v. Town of Fitzhugh	2015 OK CIV APP 13	8/14/2014	2/13/2015
19	Standing To Foreclose Mortgage	Deutsche Bank National Trust Company v. Roesler	2015 OK CIV APP 36	3/20/2015	4/15/2015
20	Equitable Adoption	In the Matter of the Estate McGahey	2015 OK CIV APP 21	3/20/2015	5/7/2015
21	Interpretation Of Conveyance	Chapparal Energy, L.L.C. v. Samson Resources Company	2015 OK CIV APP 44	3/27/2015	5/7/2015

22	Standing To Foreclose Mortgage	Chase Home Finance LLC v. Gravitt	2015 OK CIV APP 46	1/27/2015	5/20/2015
23	Attorney Fees Under Nonjudicial Marketable Title Procedure Act	Kinslow Family Limited Partnership v. GBR Cattle, LLC	2015 OK CIV APP 47	4/24/2015	5/20/2015
24	Title Insurance Company Duty To Defend	OPY I, L.L.C. v. First American Title Insurance Co., Inc.	2015 OK CIV APP 49	12/19/2014	5/20/2015
25	Eminent Domain For Private Use	City of Muskogee v. Phillips	2015 OK CIV APP 57	11/21/2014	6/10/2015

#### IV. CASE LAW

##### **OKLAHOMA CIVIL CASES** (JULY 1, 2013-JUNE 30, 2014) **LIST OF CASES**

NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
<b><u>A. OKLAHOMA COURT OF CIVIL APPEALS</u></b>					
<u>1</u>	Attorney Fees Under Condition Disclosure Act	Fentem v. Knox	2013 OK CIV APP 50	4/19/2013	6/11/2013
<u>2</u>	HOA Special Assessment for Public Street Repair	Cedar Creek I, Improvement Ass'n v. Smith	2013 OK CIV APP 74	6/19/2013	7/30/2013
<u>3</u>	Assets Exempt from Execution	Bowles v. Goss	2013 OK CIV APP 76	7/16/2013	8/20/2013
<u>4</u>	Attorney Fees to Enforce HOA Restriction	Whitehall Homeowners Assoc., Inc. v. Appletree Enterprise, Inc.	2013 OK CIV APP 77	7/2/2013	8/20/2013
<u>5</u>	Impact on Title If Foreclosure Judgment Is Reversed on Appeal	Cimarron River Ranch, LLC v. Newman	2013 OK CIV APP 79	7/25/2013	9/6/2013
<u>6</u>	Judgment Lien on After Acquired Real Property after Bankruptcy Discharge	Grasz v. Discover Bank	2013 OK CIV APP 113	9/6/2013	12/13/2013
<u>7</u>	Foreign Will Omitting Heirs	In the Matter of the Estate of Boyd	2014 OK CIV APP 20	1/31/2014	2/25/2014

<u>8</u>	Mortgage Foreclosure Summary Judgment, & Assignment of Choses in Action	First Priority Bank v. Moon	2014 OK CIV APP 21	9/27/2013	2/25/2014
<u>9</u>	Severing Joint Tenancy	Kail v. Knudeson	2014 OK CIV APP 28	2/21/2014	3/26/2014
<u>10</u>	Will Interpretation	In the Matter of the Estate of Horner	2014 OK CIV APP 29	10/25/2013	3/26/2014
<u>11</u>	Condemnation Valuation	Independent School Dist. No. 5 of Tulsa County v. Taylor	2014 OK CIV APP 40	11/27/2013	4/29/2014

#### IV. CASE LAW

##### LIST OF CASES

NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
<b>A. OKLAHOMA COURT OF CIVIL APPEALS</b>					
1	Sovereign Immunity	JMA Energy Company, LLC v. State ex rel. Dept. of Transportation	2012 OK CIV APP 55	03/013/12	06/01/12
2	Guaranty of Mortgage	AVB Bank v. Hancock	2012 OK CIV APP 68	06/08/12	07/09/12
3	Condemnation	State ex rel. Dept. of Transportation v. K & L Leasing, Inc.	2012 OK CIV APP 71	06/28/12	07/31/12
4	Mechanic's Lien And Lis Pendens	Dee v. Horton	2012 OK CIV APP 80	05/03/12	08/17/12
5	Adverse Possession and Acquiescence	WRT Realty, Inc. v. Boston Investment Group II, L.L.C.	2012 OK CIV APP 82	07/31/12	08/30/12
6	Appointment of Receiver for Trust	Fansler v. Fansler	2012 OK CIV APP 95	06/29/12	10/19/12
7	Ad Valorem Taxes	Thornton Family, L.L.C. v. Yazel	2013 OK CIV APP 2	07/26/12	01/15/13
8	Mortgage Foreclosure Jury Instructions	Country Place Mortgage, Ltd. v. Brown	2013 OK CIV APP 3	11/30/13	01/15/13
9	Condemnation Award of Costs	State ex rel. Dept. of Transportation v. Sutherland Lumber and Home Center, Inc.	2013 OK CIV APP 9	01/04/13	02/07/13
10	Standing to Foreclose a Mortgage and Note	MidFirst Bank v. Wilson	2013 OK CIV APP 15	11/07/12	02/07/13
11	Economic Duress Through Demand Notes	Richards v. Banc-First Shawnee	2013 OK CIV APP 16	11/19/12	02/15/13
12	Application for Attorney Fees	Stillwater National Bank & Trust Co. v. Cook	2013 OK CIV APP 17	11/30/12	03/05/13
13	Special Assessment Districts Constituionality	Bacon & Son, Inc. v. City of Tulsa	2013 OK CIV APP 20	01/18/13	03/12/13
14	Condemnation Procedures	State ex rel. Dept. of Transportation v. Metcalf	2013 OK CIV APP 28	02/13/13	03/14/13
15	Trust Assets Division and Distribution	In The Matter of the Estate of Rozell	2013 OK CIV APP 35	11/30/12	04/24/13

16	Attorneys Fees in Mortgage Foreclosure	HSRE-PEP I, LLC v. HSRE-PEP CRIMSON PARK LLC	2013 OK CIV APP 38	02/08/13	05/02/13
17	Mortgage Lien Priorities	HSRE-PEP I, LLC v. HSRE-PEP CRIMSON PARK LLC	2013 OK CIV APP 40	02/08/13	05/09/13
18	Partition Proceeding	Noble V. Noble	2013 OK CIV APP 41	01/31/13	05/09/13
19	Surety Bond Exoneration	City of Oklahoma City v. First American Title & Trust Company	2013 OK CIV APP 42	10/11/12	05/09/13
20	Misrepresentation of Square Footage of Residence	Lopez v. Rollins	2013 OK CIV APP 43	02/08/13	05/09/13
21	Special Assessment Districts	E & F Cox Family Trust v. City of Tulsa	2013 OK CIV APP 45	01/18/13	05/22/13
22	Special Assessment Districts	E & F Cox Family Trust v. City Of Tulsa	2013 OK CIV APP 47	01/18/13	05/22/13
<b>B. OKLAHOMA SUPREME COURT</b>					
23	Probate as to Pretermitted Heir and Proper Personal Representative	In The Matter of the Estate of Dicksion	2011 OK 96	11/15/11 & 06/25/12 & 07/09/12	10/02/12
24	Ad Valorem Tax Exemption of Charitable Use Property	AOF/Shadybrook Affordable Housing Corporation v. Yazel	2012 OK 59	06/19/12 & 07/16/12	08/10/12
25	Copying Land Records	County Records, Inc. v. Armstrong	2012 OK 60	06/19/12 & 04/08/13	05/02/13
26	Adverse Possession	Akin v. Castleberry	2012 OK 79	09/18/12	10/11/12
27	Separate Marital Estate	Smith v. Villareal	2012 OK 114	12/18/12	04/11/13
28	Service of Summons Deadline	Cornett v. Carr	2013 OK 30	04/23/13	06/11/13

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NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
A. OKLAHOMA COURT OF CIVIL APPEALS					
1	Attorney Fees	Goss v. Mitchell	2011 OK CIV APP 74	03/30/11	07/18/11
2	Attorney Fees	Maxxum Construction, Inc. v. First Commercial Bank	2011 OK CIV APP 84	04/29/11	07/18/11
3	Interpret Deed	Combs v. Sherman	2011 OK CIV APP 102	08/29/11	09/28/11
4	Insuring Remainder	Sorrels v. Tech	2011 OK CIV APP 107	06/03/11	09/28/11
5	Mortgage Priority	Countrywide Home Loans, Inc. v. BancFirst	2011 OK CIV APP 111	04/22/11	10/19/11
6	Guarantor's Liability	Borges v. Waller	2011 OK CIV APP 127	09/23/11	12/29/11
7	Adverse Possession	Flagg v. Faudree	2012 OK CIV APP 4	11/22/11	01/13/12
8	Merger Of Notes	Bank of Kremlin v. Davis	2012 OK CIV APP 7	12/22/11	01/31/12
9	MM Lien Pre-Lien Notice	Northwest Roofing Supply, Inc. v. Elegance in Wood, LLC	2012 OK CIV APP 13	08/04/11	02/23/12
10	Proper Venue	Beverly Enterprises-Texas, Inc. v. Devine Convalescent Care Center	2012 OK CIV APP 16	01/26/12	03/01/12
11	Inverse Condemnation	Material Service Corporation v. Rogers County Board of Commissioners	2012 OK CIV APP 17	08/18/11	03/01/12
12	Condemnation	State ex rel. Department of Transportation v. Wolfe	2012 OK CIV APP 20	11/21/11	03/01/12
13	Legal Description	Barrett v. Humphrey	2012 OK CIV APP 28	02/14/12	04/05/12
14	Real Estate Commission	Ferguson Advisors, LLC v. Malherbe	2012 OK CIV APP 33	11/16/11	04/05/12
15	MM Lien Priority	F & M Bank & Trust Co. v. Gardner Construction Company	2012 OK CIV APP 38	01/06/12	04/13/12
16	Condemnation Valuation	State ex rel. Dept. of Transportation v. Sherrill	2012 OK CIV APP 43	02/03/12	05/07/12
17	Title By Acquiescence	McGlothlin v. Livingston	2012 OK CIV APP 48	11/09/11	05/11/12

18	MM Lien Priority	Mill Creek Lumber & Supply Co. v. First United Bank and Trust Co.	2012 OK CIV APP 53	03/27/12	05/21/12
19	Statute Of Repose	Bankers Trust Co. of California N.A. v. Wallis	2012 OK CIV APP 56	02/24/12	06/01/12
B. OKLAHOMA SUPREME COURT: CASES OTHER THAN FORECLOSURE "STANDING" CASES					
20	Trying Title In F.E.D.	Rogers v. Bailey	2011 OK 69	07/06/11	10/19/11
21	Tax Sale Notice	Valdez v. Occupants of 3908 SW 24th Street	2011 OK 99	11/22/11	03/01/12
C. OKLAHOMA SUPREME COURT: FORECLOSURE "STANDING" CASES					
22	Foreclosure Standing	Deutsche Bank National Trust v. Brumbaugh	2012 OK 3	01/17/12	02/23/12
23	Foreclosure Standing	Deutsche Bank National Trust Company v. Byrams	2012 OK 4	01/17/12	04/23/12
24	Foreclosure Standing	HSBC Bank USA v. Lyon	2012 OK 10	02/14/12	05/07/12
25	Foreclosure Standing	Deutsche Bank National Trust Company v. Matthews	2012 OK 14	02/28/12	04/05/12
26	Foreclosure Standing	Deutsche Bank National Trust Company v. Richardson	2012 OK 15	02/28/12	04/05/12
27	Foreclosure Standing	CPT Asset Backed Certificates, Series 2004-EC1 v. Kham	2012 OK 22	03/06/12	05/21/12
28	Foreclosure Standing	Bank of America, NA v. Kabba	2012 OK 23	03/06/12	05/11/12
29	Foreclosure Standing	J.P. Morgan Chase Bank N.A. v. Eldridge	2012 OK 24	03/06/12	04/09/12
30	Foreclosure Standing	BAC Home Loan Servicing, L.P. v. Swanson	2012 OK 25	04/03/12	04/27/12
31	Foreclosure Standing	NTEX Realty, LP v. Tacker	2012 OK 26	04/03/12	04/27/12
32	Foreclosure Standing	U.S. Bank v. Moore	2012 OK 32	04/10/12	06/07/12
33	Foreclosure Standing	U.S. Bank, N.A. v. Alexander	2012 OK 43	05/01/12	07/20/12
34	Foreclosure Standing	Residential Funding Real Estate Holdings, LLC v. Adams	2012 OK 49	05/29/12	06/22/12
35	Foreclosure Standing	Wells Fargo Bank, N.A. v. Heath	2012 OK 54	06/12/12	07/09/12
36	Foreclosure Standing	U.S. Bank National Association v. Baber	2012 OK 55	06/12/12	07/09/12



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NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
1	Enforcement of a Restrictive Covenant Not Barred by 5 Year Statute of Limitation	Vranesevich v. Pearl Craft	2010 OK CIV APP 92	10/09/09	10/08/10
2	Tax Sale Notice and Adverse Possession	Davis v. Mayberry	2010 OK CIV APP 94	05/14/10	10/08/10
3	Ownership of River Water	Wagoner County Rural Water District No. 2 v. Grand River Dam Authority	2010 OK CIV APP 95	05/07/10	10/08/10
4	Eminent Domain Regarding Uneconomic Remnants	State of OK ex rel. Dept. of Transportation v. Evans	2010 OK CIV APP 107	03/25/10	10/14/10
5	Error in Mortgage Payoff Figure	Baer, Timberlake, Coulson & Cates, P.C. v. Warren	2010 OK CIV APP 112	08/13/10	10/22/10
6	Arbitration in Landlord Tenant Dispute	City College v. Moore Sorrento	2010 OK CIV APP 127	06/18/10	11/30/10
7	Statute of Limitation for Mortgage Release Penalty	Melson v. Wachovia Bank	2010 OK CIV APP 135	10/22/10	11/30/10
8	Interference with an Easement	Tidwell v. Bezner	2010 OK CIV APP 143	08/26/10	12/10/10
9	Eminent Domain for Power Lines	OG&E v. Beecher and Bd. of County Commissioners, Kingfisher County	2011 OK CIV APP 1	10/19/10	01/20/11
10	Distribution of Assets of a Corporation by Will	In the Matter of the Estate of Hodges	2011 OK CIV APP 2	12/28/10	01/28/11
11	Notice in Certificate Tax Sale	Benton v. Ted Parks	2011 OK CIV APP 7	12/02/10	01/24/11

12	Application of Fair Market Value After General Execution Sale	Little Bear Resources, LLC v. Nemaha Services, Inc.	2011 OK CIV APP 18	02/14/11	02/22/11
13	Proof as to Holder of Note	BAC Home Loans Servicing v. White	2011 OK CIV APP 35	12/03/10	03/16/11
14	Ambiguous Deed	MacDonald O/G v. Sledd, Trustee of Nedbalek Family Trust	2011 OK CIV APP 36	12/28/10	03/16/11
15	Section Line Roadway	Mayes v. Williams	2011 OK CIV APP 40	02/16/11	04/22/11
16	Future Advances Clause	RCB Bank v. Villas Development	2011 OK CIV APP 44	03/18/11	04/22/11
17	Lis Pendens Against Executory Purchaser	Bank of Commerce v. Breakers	2011 OK CIV APP 45	03/18/11	04/22/11
18	Attorney Fees to Prevailing Party	Twin Creek Estates v. Tipps	2011 OK CIV APP 53	03/30/11	05/05/11
19	Adverse Possession Distinguished by Title by Acquiescence	McDonald v. Martin	2011 OK CIV APP 55	04/01/11	05/05/11
20	Purchase Money Mortgage Priorities	American Bank of OK v. Wagoner	2011 OK CIV APP 76	11/05/10	06/29/11
21	Prepayment Penalties Enforceability	Massey v. Bayview Loan Servicing	2011 OK CIV APP 78	04/04/11	06/29/11
22	Award of Attorney Fees for Removal From Small Claims Court	Eagle Bluff, LLC v. Taylor	2010 OK 47	06/22/10	
23	Can Guarantor Wave Statutory Right to Set-Off F.M.V. Against Debt in a Mortgage Foreclosure	JPMorgan Chase Bank v. Specialty Restaurants, Inc.	2010 OK 65	09/21/10	

24	Qui Tam Intervention by Tax Payer	City of Broken Arrow, Oklahoma v. Bass Pro Outdoor World	2011 OK 1	01/18/11	
25	Access to Residential Property to Determine Assessed Value	Atkinson v. Gurich	2011 OK 12	02/22/11	
26	Establishing Status as a Pipeline Company with Eminent Domain Powers	D-Mil Production v. DKMT	2011 OK 55	06/21/11	

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NO.	TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
1	Abandonment Of Condemnation Upon Dismissal	State <i>ex rel.</i> Dept. of Transportation v. Minor	2009 OK CIV APP 83	04/21/2009	10/16/2009
2	Validity of Out of State Will Signed by Ward	Lazelle v. Estate Of Crabtree	2009 OK CIV APP 79	06/08/2009	10/08/2009
3	Residential Condition Disclosure Act Compliance	Keeler v. GMAC Global Relocation Services	2009 OK CIV APP 88	06/25/2009	10/16/2009
4	Residential Property Condition Disclosure Act: Real Estate Licensee's Liability for Unknown Construction Defects	Carbajal v. Safary	2009 OK 57	07/07/2009	09/18/2009
5	Statute Of Repose Or Limitations Application To Defective Improvement To Real Property	Kirby v. Jean's Plumbing Heat and Air	2009 OK 65	09/22/2009	12/23/2009
6	Easement by Necessity	Johnson v. Suttles	2009 OK CIV APP 89	09/29/2009	10/22/2009
7	Anti-Deficiency Statutes' Limits	Bank of Oklahoma v. Red Arrow Marina Sales & Service	2009 OK 77	10/13/2009	11/12/2009
8	Residential Property Condition Disclosure Act: Availability Of Punitive Damages	White v. Lim	2009 OK 79	10/13/2009	11/12/2009
9	Pretermitted Heirs: Impact Of Silence Of Will	In The Matter of the Estates Of McClean	2010 OK CIV APP 24	12/04/2009	03/04/2010

10	Publication Notice Must Be Given In the Newspaper Published In The Same County	Town of Goldsby v. City of Purcell	2010 OK CIV APP 44	01/05/2010	04/15/2010
11	Landlord Liability To Third Parties For Defective Storm Door	Taylor v. Glenn	2010 OK CIV APP 20	01/15/2010	02/19/2010
12	Factors To Consider To Determine If Right To Arbitration Is Waived	Wilco Enterprises, LLC v. Woodruff	2010 OK CIV APP 18	01/22/2010	02/19/2010
13	Right To Appeal From A Denial Of An Exception To A Condemnation Commissioners' Report	State <i>ex rel.</i> Dept. of Transportation v. Teal	2010 OK CIV APP 64	02/01/2010	06/17/2010
14	<i>Idem Sonans</i> Impact On Publication Notice	Tucker v. New Dominion, LLC	2010 OK 14	02/23/2010	04/29/2010
15	Equitable Subrogation And Homestead Interest	Deutsche Bank National Trust Co. v. Roberts	2010 OK CIV APP 47	03/26/2010	04/22/2010
16	Final Judgment Cannot Be Vacated Absent Defect On Judgment Roll	Rothrock v. Hartley	2010 OK CIV APP 51	04/20/2010	05/21/2010
17	Adverse Possession in Absence of a Fence	Hernandez v. Reed	2010 OK CIV APP 65	05/21/2010	06/17/2010

18	Summary Judgment Cannot Stand In The Face Of Possible Waiver Or Estoppel	Keith Margerison and Robert McCullough v. Charter Oaks Homeowners Association	2010 OK CIV APP 67	05/21/2010	06/17/2010
19	Lis Pendens Goes Beyond Title Issues	Bock v. Slater	2010 OK CIV APP 90	05/24/2010	09/24/2010
20	Negligence Of Property Owner And Tenant To Invitee	West v. Spencer, et al	2010 OK CIV APP 97	06/04/2010	10/08/2010
21	Arbitration Clause Not Enforceable	Amundsen v. Wright	2010 OK CIV APP 75	06/23/2010	07/23/2010
22	Enforceability Of Non-Compete Clause In USA Loan Against Third Party	Rural Water v. City of Guthrie	2010 OK 51	06/29/2010	01/31/2011

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TOPIC	CASE	OKLAHOMA CITATION	DECIDED	MANDATE
1. Quiet Title In Minerals And Accounting For Proceeds	Tucker v. Special Energy Corp.	2008 OK 57	06/17/2008	07/10/2008
2. Breach Of Contract To Purchase Real Estate	Oltman Homes v. Mirkes	2008 OK CIV APP 64	05/23/2008	07/10/2008
3. Oklahoma Residential Property Condition Disclosure Act	Moore v. Williams	2008 OK CIV APP 76	06/20/2008	09/12/2008
4. Escheat Of Minerals To State	State Ex Rel Christian v. Mccauley	2008 OK CIV APP 77	04/10/2008	09/19/2008
5. Tax Sale Deed And Notice Requirements	Garcia v. Ted Parks, LLC	2008 OK 90	10/07/2008	10/30/2008
6. Necessary Party To Action Canceling A Deed	American Associates, Inc. v. Quimby	2008 OK CIV APP 91	09/18/2008	10/16/2008
7. Oklahoma Residential Property Condition Disclosure Act	Lester v. Smith	2008 OK CIV APP 97	07/11/2008	11/13/2008
8. Condemnation Supplemental Commissioners' Report	State ex rel. Dept. Of Transportation v. Perdue	2008 OK 103	12/09/2008	01/08/2009
9. Appraiser's Fees In Condemnation	State ex rel. Dept. Of Transportation v. United Commercial Properties, Inc.	2008 OK CIV APP 109	12/25/2008	12/31/2008
10. Marital Homestead Right	Hill v. Discover Bank	2008 OK CIV APP 111	07/29/2008	12/31/2008
11. Adverse Possession And Issue Preclusion	Doyle v. Smith	2009 OK CIV APP 5	09/18/2008	01/22/2009
12. Indian Land Jurisdiction For Criminal Matters	Magnan v. State	2009 OK CR 16	04/22/2009	04/22/2009
13. Arbitration In A Construction Contract	Farrell v. Concept Builders, Inc.	2009 OK CIV APP 34	01/09/2009	04/02/2009

14. Class Action Issue Preclusion	Rees v. Bp America Production Co.	2009 OK CIV APP 37	02/22/2008	04/23/2009
15. Tenants	Young v. Chesapeake Land Company, L.L.C.	2009 OK CIV APP 42	01/30/2009	04/23/2009
16. Restrictive Co Residential Landlord Tenant Act	Stone v. Linden Real Estate, Inc.	2009 OK CIV APP 47	01/14/2009	05/07/2009
17. Sellers' And Real Estate Agents' Fraud	Bowman v. Presley	2009 OK 48	06/30/2009	07/23/2009
18. Discharge Of Judgment Lien	Bank Of Oklahoma v. Ashley	2009 OK CIV APP 50	04/16/2009	05/14/2009
19. Penalty For Failure To Release Mortgage	Hinds v. Johnston	2009 OK CIV APP 54	04/16/2009	06/11/2009