



IN THE DISTRICT COURT OF GARFIELD COUNTY, OKLA. FILED
GARFIELD COUNTY, OKLA.
STATE OF OKLAHOMA

EARLINE COX, PERSONAL REPRESENTATIVE FOR
THE ESTATE OF **AUGUST KENNEDY**, DECEASED,

Plaintiffs,

vs.

Case No.: CJ-2005-268-01

TIMOTHY W. TESKE, D.O., AN INDIVIDUAL;
**NORTHWEST OKLAHOMA ORTHOPAEDIC
CLINIC, INC.**, AN OKLAHOMA CORPORATION;
**NORTHWEST OKLAHOMA ORTHOPAEDIC
CLINIC ASSET MANAGEMENT, LLC**, AN
OKLAHOMA LIMITED LIABILITY COMPANY;
**NORTHWEST OKLAHOMA ORTHOPAEDIC
CLINIC, P.C.**, AN OKLAHOMA PROFESSIONAL
CORPORATION; **DANIEL D. WASHBURN, M.D.**,
AN INDIVIDUAL; **SPRINGS INTERNAL MEDICINE
ASSOCIATES, INC.**, AN OKLAHOMA CORPORATION;
GREGORY F. WALTON, M.D., AN INDIVIDUAL;
GREGORY F. WALTON, M.D., P.C., AN
OKLAHOMA PROFESSIONAL CORPORATION,

Defendants.

MOTION TO AMEND PETITION

COMES NOW, Tammy Kennedy, as Personal Representative of the Estate of August Kennedy, and states as follows:

1. Earline Cox, formerly the Personal Representative of the Estate of August Kennedy, has agreed to allow Tammy Kennedy, the mother of August Kennedy to be substituted as Personal Representative for August Kennedy's estate.

2. Earline Cox has filed an Application for Substitution of Personal Representative with the District Court that has been granted by an Order appointing Tammy Kennedy as Personal Representative of August Kennedy's estate. (See Exhibit "A")

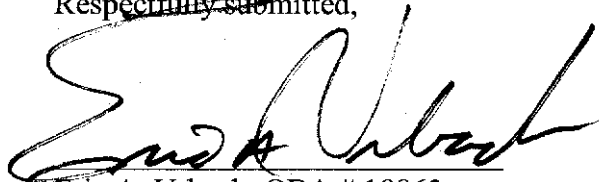
3. It is necessary for the Plaintiff, now Tammy Kennedy on behalf of her daughter's estate, to amend her Petition to reflect that she is the proper Plaintiff.

4. Further, former Defendants, Universal Health Services, Inc., a Delaware Corporation; UHS of Delaware, Inc., a Delaware Corporation; UHS of Oklahoma, Inc., an Oklahoma Corporation; St. Mary's Regional Medical Center, Inc., an Oklahoma Corporation; Collectively, d/b/a: St. Mary's Regional Medical Center, have been dismissed from the lawsuit.

5. Counsel for the remaining Defendants have been contacted but object to Plaintiff amending the Petition without stipulations.

WHEREFORE the Plaintiff, now being Tammy Kennedy as Personal Representative of the Estate of August Kennedy, respectfully requests that this Court give her leave to amend her Petition so as to identify the proper parties.

Respectfully submitted,



Eric A. Urbach, OBA # 18863

MAPLES & URBACH, PLLC

701 N. Broadway, Suite 510

Oklahoma City, OK 73102

Telephone: (405) 478-3737

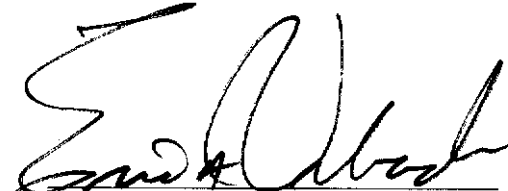
Facsimile: (405) 488-1485

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that on this ___ day of December 2005, a true and correct copy of the foregoing document was served upon the parties herein by mailing same, to the following counsel of record:

Hilton H. Walters
Jamie K. Bruehl
Bank One Center, Suite 2730
Oklahoma City, Oklahoma 73102



Eric A. Urbach

OCT 25 2005

SHARON MELROSE
COURT CLERK

BY JUDY HO SEUNG DEPUTY
DEPUTY COURT CLERK

IN THE DISTRICT COURT OF GARFIELD COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE ESTATE
OF AUGUST KENNEDY, Deceased

)
) Case No. PB-2005-118-03

ORDER AND LETTERS OF ADMINISTRATION

Before this Court is an Application filed by Earline Cox making an Application to the Court to substitute Tammy Kennedy as Personal Representative of the Estate of August Kennedy. Based upon the Application, this Court orders that Tammy Kennedy is hereby substituted as Personal Representative of the Estate of August Kennedy and issued the following letters of administration.

STATE OF OKLAHOMA

SS:

COUNTY OF GARFIELD

Tammy Kennedy is hereby appointed Personal Representative of the Estate of August Kennedy, deceased.

Witness Richard M. Perry, Judge of the District Court of Garfield County, State of Oklahoma, this 20 day of October, 2005.

RICHARD M. PERRY
ASSOC. DISTRICT JUDGE

JUDGE OF THE DISTRICT COURT


OATH OF PERSONAL REPRESENTATIVE

STATE OF OKLAHOMA


SS:

COUNTY OF GARFIELD

I, Tammy Kennedy, do solemnly swear that I will perform according to law the duties of Personal Representative of the Estate of August Kennedy, deceased. So help me God.


Tammy Kennedy, Personal Representative

Subscribed and sworn to before me this 11th day of October, 2005.


Notary Public

01-30-2006
My Commission Expires
01020890

I, SHARON WELLS, District Court Clerk of Garfield County
Okla., hereby certify that the foregoing is a true, correct and
complete copy of the instrument hereunto set out as appears
of record in the above named Court of the Court Clerk's Office
of Garfield County, Okla.
This 11th day of Oct, 2005
SHARON WELLS, District Court Clerk
by 