

# Spirit of Justice

2008 Annual Report

Oklahoma Office of the Attorney General

*W. A. Drew Edmondson*



# The Spirit of the State Lives in its People

## *The Spirit of Justice*

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W.A. Drew Edmondson  
Attorney General

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# Sections and Units

## **Criminal Appeals Section:** **Ensuring Justice Through the Appeals Process**

Under Oklahoma law, the attorney general's office is charged with overseeing all appeals for criminal cases. This vital work is done by the attorney general's Criminal Appeals Section led by Assistant Attorney General Jennifer Miller.

"The Criminal Appeals Section works to uphold the convictions and sentences handed down by Oklahoma judges and juries," Attorney General Edmondson said. "This often requires intense preparation and coordination with district attorneys' offices across the state. The attorneys in the Criminal Appeals Section have a tremendous case load and a remarkable record of success. Their efforts ensure that justice is achieved and upheld to the highest degree."

In 2008, the Criminal Appeals Section filed 410 briefs in state courts and 196 briefs in federal courts. The section also argued seven cases before the Oklahoma Court of Criminal Appeals and 11 cases before the 10th Circuit Court of appeals including 14 capital cases.

The section also provides counsel to the Department of Corrections regarding the execution process, and in 2008, two executions were carried out in Oklahoma.

On June 17, Oklahoma County death row inmate Terry Lyn Short was executed for the Jan. 8, 1995, murder of Ken Yamamoto, 22. Yamamoto was killed when Short threw a homemade explosive into the apartment building

where Yamamoto lived.

On September 25, Coal County death row inmate Jesse James Cummings was executed for the Sept. 5, 1991, murder of Melissa Ann Moody, 11.



Jennifer Miller  
Section Chief

"When a jury finds a person guilty and assesses a penalty for their misdeeds, the people have spoken through that process," Edmondson said. "It is vital to that process and to the citizenry's confidence in the judicial system that the findings of our juries are upheld and honored. That is where the Criminal Appeals Section comes in.

They are the link between the system and the citizenry. They are a vital part of both entities."

**In 2008, the Criminal Appeals Section filed 410 briefs in state courts and 196 briefs in federal courts. The section also argued seven cases before the Oklahoma Court of Criminal Appeals.**

## Consumer Protection Unit: Advocacy, Conciliation and Prosecution Aid Citizens

When a devastating ice storm hit the state in December of 2007, some Oklahomans found themselves victimized twice -- once by the storm itself, and once by hotel owners attempting to profit from an already miserable situation.

The Consumer Protection Unit had other plans though. A Muskogee hotel owner who violated Oklahoma's price gouging statute by illegally increasing room rates during the ice storms was forced to refund more than \$2,200 to almost 70 consumers thanks to the unit led by Assistant Attorney General Jane Wheeler.

The agreement reached May 12, 2008, between the state and California-based Absolute Hospitality, Inc. settled state concerns that the hotel's owner violated Oklahoma's Emergency Price Stabilization Act by artificially raising its room rates during a declared state of emergency.

"Nearly 70 people who stayed at the La Quinta Inn and Suites, 3031 Military Blvd., between Dec.

10 and Dec. 20, 2007, received refunds," Attorney General Edmondson said. "The overcharges averaged about \$20 per room, per night."

The company also agreed to revise its current operating procedure to ensure compliance with Oklahoma's price gouging law.

Oklahoma's price gouging statute prohibits an increase of more than 10 percent in the price of most goods and services when a state of emergency has been declared.

Enforcement of Oklahoma's price gouging statute is just one way the Consumer Protection Unit worked to protect consumers in 2008. The unit also routinely prosecutes Internet fraudsters

and illegal telemarketers.

"The Consumer Protection Unit is our not-so-secret weapon," Edmondson said. "The combination of prosecution, education and conciliation provided by the unit packs a powerful punch in the fight against fraud."



Jane Wheeler  
Unit Chief

## First Ever Consumer Champion Award Given

On Feb. 7, the attorney general announced Sean Voskuhl as the winner of the first-ever Brad Edwards Consumer Champion Award. Voskuhl, who serves as an Associate State Director for AARP Oklahoma, was nominated by a former co-worker for his work to give consumers more control over their credit files through the Oklahoma Security Freeze Act. He has also lobbied the legislature to improve identity theft laws, and he has spearheaded numerous outreach programs aimed at protecting Oklahoma seniors.

"It is a tremendous honor to be mentioned in the same breath as Brad Edwards; he was a great consumer champion," Voskuhl said. "I have really appreciated working with the attorney general and his staff on consumer

protection legislation and outreach efforts, it has been a great partnership. I would like to accept this award on behalf of AARP, our volunteers and my colleagues in the state office who have also worked extremely hard to protect Oklahomans from frauds and scams. This is a very special award that I will always cherish."

"Brad fought for the consumer every day and was always thankful for those who offered assistance in getting In Your Corner problems solved," said Mary Ann Eckstein, Edwards' widow. "We celebrate those who may not be as well known as Brad but certainly provide resources, education and support for their fellow Oklahomans. They are still in Brad's corner."

## Environmental Protection Unit:

### Doing Right by the Environment, Future Generations

Few people would argue that water ranks among the top of the list of Oklahoma's precious natural resources.

In 2008, the attorney general's Environmental Protection Unit, led by Assistant Attorney General Kelly Burch, continued a years-long quest to protect the future of Oklahoma's water by continuing the state's litigate against more than a dozen poultry companies accused of polluting the Illinois River Watershed.

"After years of negotiations, it became clear to us that the poultry companies were not going to change their practices voluntarily," Burch said. "We are now asking a court to mandate changes in this industry will benefit the state and its citizens."

After more than three years of negotiations, in 2005, the attorney general's office along with the Secretary of the Environment filed a lawsuit against the poultry companies, accusing them of polluting the Illinois River Watershed.

The State alleges that the companies' practice

of disposing of poultry waste directly on the land creates runoff and pollution in the watershed.

In 2007, the State asked the federal court for an injunction to stop the companies from spreading waste within the watershed, citing concern for public health.



Kelly Hunter Burch  
Unit Chief

"More than 100,000 people visit the Illinois River Watershed each year," Attorney General Edmondson said. "Scientists have said the waste in this area may well constitute a danger to the health of those people. We asked the court to consider that fact as it weighs its decision to stop the companies from spreading poultry waste in the IRW."

"The main part of our case is set for trial in September 2009. In that trial, we will establish that, in addition to posing a risk to human health, nutrients from poultry waste are clogging the Illinois Watershed with algae. If not changed, the poultry companies' waste disposal practices will eventually kill the rivers and Lake Tenkiller."

## Companies Claim Cherokees Own IR Water

When the City of Tulsa attempted to hold the poultry companies responsible for their pollution five years ago, the poultry companies claimed the city could not sue because the state, not the city, owned the water. Three years after the state filed suit, the companies now claim the water belongs to the Cherokee Nation.

Citing the companies' previously held position, the attorney general's office Dec. 15 asked the court to deny the poultry companies' Oct. 31 motion to dismiss the state's lawsuit. The companies motion argued that the state does not own the water it seeks to protect.

According to the state, the "Defendants unequivocally asserted in the City of Tulsa litigation that the State is the owner of waters encompassed within the historical bounds of the Cherokee Nation."

The state regulates water and other resources

in the Illinois River Watershed through agencies including the Department of Agriculture, the Department of Environmental Quality and the Oklahoma Water Resources Board.

"The state's interest in protecting these resources is well established," Edmondson said. "Ownership of the water is not at issue in this litigation. What is at issue is the poultry companies' continued degradation of a watershed that is shared by thousands of people, Cherokee and otherwise, in eastern Oklahoma."

"If the poultry companies truly believed the Cherokee Nation to be a necessary party to this litigation, they would have filed this motion three years ago," Edmondson said. "Instead, the companies continue their pattern of delay. We want our day in court. It seems the companies aren't as eager for that date to arrive."

## General Counsel Section:

### Section Assists Agencies, Communities Across Okla.

When it comes to providing legal representation to state agencies, boards and commissions in Oklahoma, the majority of the work falls squarely on the shoulders of the attorney general's General Counsel Section. Led by Assistant Attorney General Gay Tudor, the General Counsel Section provides legal advice to more than 150 separate state entities.

"The agencies we advise are diverse, and so the issues we deal with also cover a wide range of topics," said Tudor. "This work makes our attorneys extremely well-versed in many areas of the law."

In addition to providing legal counsel, the General Counsel Section also oversees the Attorney General Opinion process. Anytime a state legislator, district attorney or agency head needs interpretation of an Oklahoma law, they can request an official Opinion from the attorney general's office. The question is then assigned to an attorney within the General Counsel Section who will research case laws, statutes and court decisions to determine how to best apply the law. In 2008, the attorney general issued 34 official Opinions, each one carrying the full force and effect of law.



Gay Tudor  
Section Chief

The General Counsel Section also serves as the ex officio Bond Commissioner for the state. As such it reviews all bonds issued by any county, township, municipality, political or other subdivision of the state. In 2008, the Section reviewed 238 bond transactions totaling \$1,920,606,118.

"The bond work done by the General Counsel Section ensures that the public's money is spent on the purpose for which it is intended and that the process by which bonds are passed in accordance with the laws of the state," said Attorney General Edmondson. "This is work that affects every city, town and school district in Oklahoma."

Attorneys in the General Counsel Section also present cases before state licensing boards. These cases can result in discipline and license revocation of professionals including dentists, doctors, psychiatrists and social workers who have violated the laws of their professions and the trust of their patients and clients.

Together, the work provided by the General Counsel Section represents valuable service to not only state agencies, boards and commissions, but also to the general public.

## AG Opinion May Help Protect Oil and Gas Assets

While attorney general Opinions provide an interpretation of laws already in place in Oklahoma, an Opinion can serve to strengthen state law by providing research on the law's intent.

Such was the case in 2008, when State Senator Brian Bingman requested an Opinion regarding lease holders and their role in bankruptcy proceedings. The question arose after SemGroup filed for Chapter 11 protection in July of 2008.

Under federal bankruptcy laws, companies that file for Chapter 11 protection must list assets that will then be used to pay company debts.

However, AG-OP 08-31 confirmed that Oklahoma law has established the creation of "implied

trusts" meaning that companies such as SemGroup are really only leasing assets purchased from Oklahoma royalty owners. The distinction is important, because it could prevent oil and gas assets belonging to Oklahomans from being used to pay SemGroup debts.

"This Opinion resulted from extensive review through our office's Opinion process," Edmondson said. "We are gratified that it may assist oil producers in Oklahoma in recovering assets that should have been held in trust at the time of SemGroup's collapse. We hope our review of the law will provide some sense of relief to oil producers, and ultimately, lease holders and royalty owners in Oklahoma."

## Litigation Section: Protecting Oklahoma's Interests in Court

Each year, hundreds of lawsuits are filed against the state and its agencies, employees and officers, and it often falls to the attorney general's Litigation Section to provide a defense. In 2008, there were 357 new cases opened, and many of these cases will take years to litigate.

"It is our job to represent the state's interests in every county, the State Supreme Court, the state's federal district courts, the Tenth Circuit Court of Appeals and the U.S. Supreme Court," said Sue Noland, chief of the attorney general's Litigation Section. "We are also required to appear in courts in other jurisdictions."

For attorneys in the Litigation Section, the issues litigated are as diverse as the courts and jurisdictions in which they practice.

In 2008, the Litigation Section's duties included upholding the rights of individual gun owners and protecting Oklahoma water.

In the gun case, the Litigation Section defended a state statute that prohibits employers from forbidding employees from having legal firearms in locked vehicles in workplace parking lots. A group of corporations challenged the statute in 2004, filing suit against the governor and the attorney general. In 2007, the U.S. District Court for the Northern District held, among other things, that Oklahoma law did not result in an unconstitutional taking of private property or an unconstitutional deprivation of a fundamental right. However, the court also found that the statutes in question were preempted as in conflict with the Occupational Safety and Health Act, and the court enjoined enforcement of the law subject to that act. The state appealed that decision and oral argument was heard before the 10th Circuit in November 2008. The 10th Circuit

reversed the lower court and upheld the statute.

"Licensed, responsible gun owners should be able to store guns within the confines of their personal property," Attorney General Edmondson said. "There is simply nothing in our constitution nor in our statutes that says otherwise."



Sue Noland  
Section Chief

Also in 2008, the Litigation Section defended the Oklahoma Water Resources Board from two lawsuits filed against the agency. Both lawsuits deal with the sale of Oklahoma water to Texas, a practice opposed by the Water Resources Board. Those cases are also pending.

"The Litigation Section protects the integrity of our state's laws as well as the rights of individual citizens," Edmondson said. "The lawyers within the

Litigation Section carry a tremendous responsibility in that regard. The outcomes of the cases before them impact our future in so many ways, but because of the time and talent these attorneys dedicate to the service of the state, I know we are in good hands."

**In 2008, the Litigation Section saw 357 cases opened and 524 closed. The Section is comprised of 18 lawyers and six support personnel.**

## Multicounty Grand Jury Unit: Unit, Grand Jury Assist Law Enforcement in Okla.

It was a busy year for the staff of the Multicounty Grand Jury Unit. In addition to overseeing the state's Multicounty Grand Jury, which is authorized to investigate crimes of all characters and grades in Oklahoma, the unit also has authority to prosecute cases investigated by other agencies and frequently serves as legal advisor to county grand juries.

The unit is led by Assistant Attorney General Joel-lyn McCormick.

On July 31, thirty-two defendants associated with the Red River Playground in Thackerville were charged. The defendants were charged in Love County District Court after a joint investigation by the Oklahoma Horse Racing Commission and the Oklahoma State Bureau of Investigation. Those charged included track employees, horse owners and security guards, all of whom were accused of running an illegal horse racing operation. The prosecution of these individuals led to the forfeiture and sale of more than \$550,000 in money and property.

Love County was also home to a second illegal horse racing track that was investigated and prosecuted in 2008. The Rancho El Nevado track investigation led to criminal charges for the track's operators as well as more than \$131,000 in forfeited money and property.

The attorney general's office also administers the Oklahoma Multicounty Grand Jury through the office's Multicounty Grand Jury Unit. "The staff of the Multicounty Grand Jury unit handles everything from corruption to murder," Edmondson said. "The diversity of the work they do makes them uniquely qualified to assist agencies from all corners of the state."

The eleventh Multicounty Grand Jury adjourned Sept. 5 after a nineteen-month term that led to nine indictments charging a total of 16 individuals and one ouster. The grand jury also issued a record 2,497 subpoenas.

Those charged included Alan Keith Smiley, Marlow, who was indicted after allegedly defrauding the state's Waste Tire Indemnity Fund by falsifying information on the forms relating to the source, weight and/or number of tires he transported.



Joel-lyn McCormick  
Unit Chief

A Woodward County grand jury indicted Woodward County Sheriff Leslie Morton, who eventually pleaded no contest to five counts of embezzlement in Woodward County District Court after an investigation found he was using his county-issued vehicle and fuel card for personal use. Morton was sentenced to a one-year deferred sentence and ordered to pay restitution. He was defeated in his 2008 bid for re-election. The county grand jury was assisted

by the Multicounty Grand Jury Unit.

"We are here to assist law enforcement agencies across the state and that's what this grand jury has been able to do," McCormick said. "They are a beneficial tool for law enforcement."

The attorney general agrees.

"The grand jurors worked diligently over the nineteen months to pursue justice on behalf of the citizens of the State of Oklahoma," Attorney General Edmondson said. "They have been of immeasurable benefit to law enforcement agencies across the state. I commend them for their work, and I thank them for their service."

In all, the Eleventh Multicounty Grand Jury issued 2,497 subpoenas and entertained 145 witnesses, assisting 127 local, state and federal law enforcement agencies.

## Workers Compensation and Insurance Fraud: Unit Provides Justice and a Warning for Criminals

The workers' compensation system in Oklahoma is meant to be utilized by injured workers and companies alike. Sometimes though, businesses and their insurance companies are left holding the bill long after the pain and limitations associated with an on-the-job injury have subsided.

"Attempts to take advantage of a system that was put in place to protect businesses and workers hurt everyone," said Karen Dixon, chief of the attorney general's Workers' Compensation and Insurance Fraud Unit. "Businesses are forced to compensate for fraud in their prices, and fraud also drives the prices of insurance up. When someone takes advantage of our workers' compensation system, everyone pays."

In 2008, the Workers' Compensation and Insurance Fraud Unit filed 72 criminal charges against

42 different defendants and investigated countless others. Justice is the immediate goal in seeking out fraud in the system, but the cases filed by the unit also serve notice to criminals who may be considering a scam of their own.



Karen Dixon  
Unit Chief

"We do want justice for all Oklahomans -- those who must pay higher prices for goods and services and those who are forced to absorb skyrocketing insurance premiums in their homes and businesses," Dixon said. "But the work we do also serves as a deterrent. When the public knows that workers' compensation fraud is monitored and prosecuted, criminals have to think long and hard about the risks involved in perpetrating workers' compensation or insurance fraud, and the general citizenry knows where to go if they suspect fraud is occurring."

## Two to Stand Trial in Asset Inflating Scheme

Two Texas men were bound over for trial Sept. 31 in Oklahoma County District Court for allegedly inflating their assets in a scheme to dupe regulators regarding the solvency of their insurance company, Attorney General Drew Edmondson said.

Jimmy Warren Wolff and Rodney Alfred Williams, the controlling owners of Oklahoma-based Top Flight Insurance, will stand trial on one felony count of conspiracy against the state, nine felony counts of filing a false financial statement and one felony count of racketeering. The pair was charged in October 2007 by prosecutors from Edmondson's Workers' Compensation and Insurance Fraud Unit.

The state alleges Wolff and Williams regularly bolstered the Top Flight books by transferring money into the company's account on days immediately preceding Top Flight's annual and quarterly report deadlines at the

Oklahoma Insurance Department. The next day, the money would be removed. The pair are accused of filing these false reports on nine occasions between December 2002 to December 2004. In addition to their money transfer scheme, Williams and Wolff are accused of falsely reporting their real estate holdings to further prop up their financial standing with the Insurance Department.

"The defendants allegedly took in almost \$4 million in customer premiums during the time they were engaged in these practices," Edmondson said. "These customers were paying premiums for coverage that Williams and Wolff could not deliver. If a catastrophe had occurred, the company did not have the financial holdings to cover all the assets it insured."

Williams and Wolff were charged after an investigation by the Oklahoma State Bureau of Investigation.

## Patient Abuse and Medicaid Fraud Control: Unit One of Four in Country to Receive Top Rating

When it comes to protecting consumers from fraud and abuse in Medicaid-eligible facilities, no one does it better than Attorney General Edmondson's Patient Abuse and Medicaid Fraud Control Unit.

Oklahoma is one of only four states in full compliance with federal requirements for investigating and prosecuting Medicaid fraud, according to a 2008 audit of the office's operation and effectiveness.

Inspectors from the U.S. Department of Health and Human Services Office of Inspector General (OIG) conducted a routine onsite review in June to audit and evaluate the unit's compliance with federal requirements. Inspectors reviewed the unit's compliance with federal OIG regulations, its adherence to the uniform administrative rules for the use of federal grants and assessed the unit's effectiveness and efficiency based on 12 performance standards.

The OIG audits all 50 states' Medicaid fraud units on a regular basis, and Edmondson's office was found in full compliance with all requirements.



Don Brown  
Unit Chief

"Federal inspectors told us that we were one of only four states in full compliance," Edmondson said. "Assistant Attorney General Don Brown, unit director, and his staff are to be commended not only for the outstanding results they produce but also for the way in which they go about their work."

Edmondson's Patient Abuse and Medicaid Fraud Control Unit has statewide jurisdiction to investigate and

prosecute provider fraud and patient abuse and neglect in any Medicaid provider facility. Anyone with information regarding provider fraud or patient abuse can contact the attorney general's office at (405) 521-4274.

## PAMFCU Prosecutes Dope Dealing Doctor

A Tulsa doctor is accused of drug diversion after a multi-agency undercover operation found he dispensed medications without medical need.

Dr. George J. Blake was charged Dec. 18 in Tulsa County District Court with one count of distributing a controlled and dangerous substance. The state alleges Blake prescribed unnecessary medications "not in good faith and outside the course of professional practice."

According to the state's complaint, Blake prescribed controlled substances to undercover agents during numerous office visits without conducting any type of physical

examination or requesting any patient records.

During one office visit, an undercover agent asked Blake for Xanax and Adderall. When Blake asked if the agent had ADHD the agent replied, "Sure, whatever that is." Blake wrote the agent prescriptions for both drugs.

Edmondson's office is working the case in conjunction with the Oklahoma Bureau of Narcotics and Dangerous Drugs, Drug Enforcement Agency, Federal Bureau of Investigation, Department of Health and Human Services Office of Inspector General and Tulsa Police Department.

## Public Utilities Unit:

# PUU Works for Fair Utilities Rates for Consumers

When it comes to determining the rates utilities can charge for their services, there must be a balance between what is fair to the consumer and what is necessary to ensure reliable service. That's where the attorney general's Public Utilities Unit comes in. The unit represents ratepayers in cases presented before the Oklahoma Corporation Commission.

"The work we do is about ensuring quality service for Oklahoma ratepayers," said Bill Humes, chief of the Public Utilities Unit. "It's important that reliable service is available at a price that is fair and affordable, and that's what we try to negotiate."

One such case revolved around a utility companies efforts to recoup payment for round-the-clock work to restore power to Oklahoma consumers following a major ice storm.

In December 2007 the state was hit with a debilitating ice storm which left over 300,000 OG&E electric customers without power for extended periods of time. OG&E worked day and night to restore power to its customers.

In 2008, OG&E went to the Oklahoma Corporation Commission seeking a Storm Damage Rider which would allow the company to recover the extraordinary costs associated with restoring power after the ice storm. A settlement was reached in this case in order to maintain the balance of reliable service at a fair price.

The attorney general's office has been, in the past, on opposite sides of hearings against OG&E. The office fought the company's plan to build a coal generated facility in 2007, taking the position that proposals for the new facility were costly and unnecessary.

When the Corporation Commission ultimately denied the company's request for the facility, OG&E filed an application in March 2008 requesting that the Oklahoma Corporation Commission approve the purchase of the Redbud Plant in Luther. The purchase would provide

OG&E with needed generating capacity at a cost cheaper than building a new plant. Upon review, the attorney general's office agreed and stipulated to the purchase of the Redbud Plant. Although consumers may see a rate increase of up to \$3.34 a month, the plant's reliability and long-term power supply will help ensure cost savings to customers in the future.



Bill Humes  
Unit Chief

PSO requested the Oklahoma Corporation Commission grant a rate increase this year of \$132 million. After thorough review of the company's filing, the attorney general's experts recommended an increase of only \$66 million. This figure presented a fair balance of costs to consumers while ensuring the company's ability to address ongoing reliability issues. Following two weeks of testimony, the Oklahoma Corporation Commission granted an increase of about \$82 mil-

lion. Although higher than the AG recommendation, consumers will still pay \$50 million less than what PSO initially requested.

"These efforts required countless hours of work for the members of the Public Utilities Unit," Attorney General Edmondson said. "In the end though, their work saved consumers money. This is work that goes largely unnoticed. Unless people see an increase in their bills, they probably don't think about the people working to keep rates in check."

**The Public Utilities Unit is made up of three attorneys, one CPA/auditor and one support person.**

## Victims Services Unit:

# Unit, Wal-Mart Launch Statewide Program

There are few times when success and sadness go hand in hand, but the day he saw the statistics confirming an increase of 39.4 percent in victims seeking assistance was one of those times, Attorney General Edmondson said. The influx of calls came just four months after the launch of an innovative informational campaign and was evidence the campaign was working.

Edmondson and Angela Stoner, Wal-Mart Senior Manager for Public Affairs and Government Relations, announced July 23 that they were extending the jointly-launched "End the Silence – End the Violence" program to each of the company's 85 Oklahoma Supercenter and discount stores.

"Our goal with this program is to get the word out about the services available to domestic violence, sexual assault and stalking victims and their children," Edmondson said. "The fact that more people are getting help is a good thing. The fact that there are so many people who need this assistance is heartbreaking. People should not have to be fearful in their own homes."

The program was initially launched in stores in Poteau, Durant, Enid, Miami, Weatherford and Guymon. The pilot also included two stores each in Tulsa and Oklahoma City.

The idea was simple. Informational posters displaying Oklahoma Safeline information were placed in women's fitting rooms and restrooms. The posters included tear-off pads in English and Spanish, so that women could quickly and discreetly access the phone number while they were away from their abuser.

A 24-hour hotline, the Oklahoma Safeline serves as a statewide referral source for victims

of domestic violence, sexual assault and stalking. Calls to 1-800-522-SAFE are answered by a crisis intervention services specialist who can provide information about law enforcement and safety options and refer the caller to local resources for help.

From September 2006 to March 2007, 99 percent of domestic violence victims seeking assistance from Oklahoma service providers were women or children.

"We did not want to exclude men," Edmondson said. "Men are victims too, and we certainly hope those men who are abused will call the Safeline and get help. Far more often, it happens that the woman is the victim, and she is often physically controlled by her abuser to the point that she is rarely in public without him. A visit to the Wal-Mart bathroom might be her only opportunity to safely seek help."

The program, which was launched in November 2007, has already had a dramatic effect on the number of Oklahomans seeking assistance from service providers. One location, Clinton, saw a 215 percent increase in services provided.

The announcement marked the continuation of the attorney general's Victims Services Unit's (VSU) efforts to better serve victims. The VSU oversees training and certification for the state's 29 domestic violence and sexual assault service providers.

"Our partnership with Wal-Mart has proven invaluable as a means to spread a message," Edmondson said. "The local domestic violence service programs provide lifesaving assistance to victims every day. By bringing the two together, the possibilities are boundless."



Susan Damron Krug  
Unit Chief

## Call 1-800-522-SAFE

for information about domestic and sexual violence services in your area.

# With Honors

## Attorney General and Staff Garner Awards in 2008

Attorney General Edmondson, his wife, Linda, and members of the attorney general's staff were honored throughout 2008 for their dedication to preserving justice in Oklahoma. The list that follows is a sampling of the awards conferred on the office in 2008.

> Calling him a "tireless advocate for improving the health and well-being of the citizens of Oklahoma," Oklahoma Nurses Association Executive director Jane Nelson presented Attorney General Edmondson with the 2008 Friend of Nursing Award in October. "He is a true friend of nursing and a champion for our causes and issues," Nelson said.



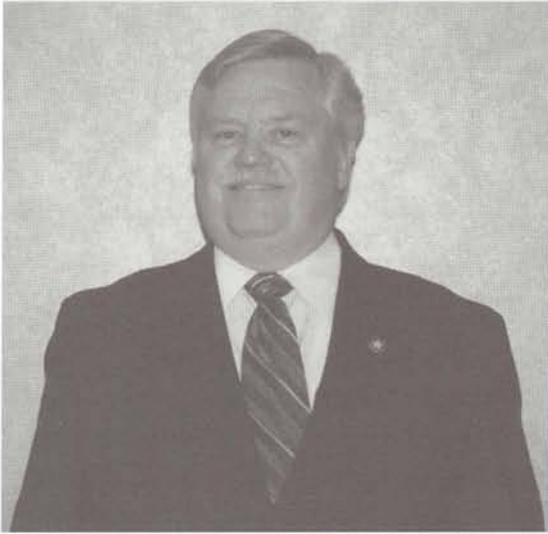
> In November, Attorney General Edmondson and his wife, Linda Edmondson, received the William G. Paul Oklahoma Justice Award at the Oklahoma Bar Association's annual conference. The Edmondsons were recognized for their work on behalf of Legal Aid Services, a non-profit organization that provides free legal services for low-income and elderly Oklahomans in civil court matters.

> In August, Attorney General Edmondson and his wife, Linda, were named to the AARP's 50 over 50 list for their life-long contributions toward making Oklahoma a better state. The award was given in conjunction with AARP's 50th Anniversary events.

> In September, Attorney General Edmondson and the late Jack Mildren were honored for their community service by the Knights of Columbus Oklahoma Council 1038 at the annual John F. Kennedy Community Awards Dinner.

> In December, Attorney General Edmondson received the 2008 National Aging and Law Award. Edmondson received the award during the eighth annual National Aging and Law Conference. He was honored for his "dedication and passion for his work for older persons not only in his home state of Oklahoma but also all across the country."

Attorney General Edmondson and his wife, Linda, (left) are named to AARP's 50 over 50 list. The Edmondsons received their awards from AARP State President Nancy Coffer.



< Assistant Attorney General **Robert Whittaker** was honored in December with the Oklahoma State Bureau of Investigation's Directors Award for Law Enforcement. OSBI director A. DeWade Langley presented Whittaker with the award for his "extraordinary resolve in ensuring justice would prevail for a murdered 11-year-old girl." Whittaker, a capitol appeals attorney in the office's Criminal Appeals Section, spent 12 years defending the conviction and death sentence of James Cummings. Cummings was executed Sept. 25, 2008, for murdering his niece, Melissa Moody.



> Assistant Attorney General **Tina Izadi** began serving her term as Director of the Oklahoma Bar Association's Young Lawyer's Division. Izadi was elected to the post in a statewide vote. She also serves as chair of the OBA's Tolerance Education Committee, and she was accepted to the OBA's 2008-2009 Leadership Academy.



Above: The Oklahoma City-based members of the Patient Abuse and Medicaid Fraud Control Unit.

After reviewing Medicaid fraud units in all 50 states, the U.S. Department of Health and Human Services Office of Inspector General found Oklahoma's **Patient Abuse and Medicaid Fraud Control Unit** to be one of only four fraud units in the country in full compliance with federal requirements.



Right: Tulsa-based members of the Unit.

# Celebrating Success

## State Marks 10-Year Anniversary of Tobacco Settlement

Governor Brad Henry proclaimed Nov. 23, 2008, "A Healthier Oklahoma Day," at a ceremony marking the 10-year anniversary of the Master Settlement Agreement (MSA) with the nation's largest tobacco manufacturers, and he honored Attorney General Drew Edmondson for his role in negotiating the historic agreement.

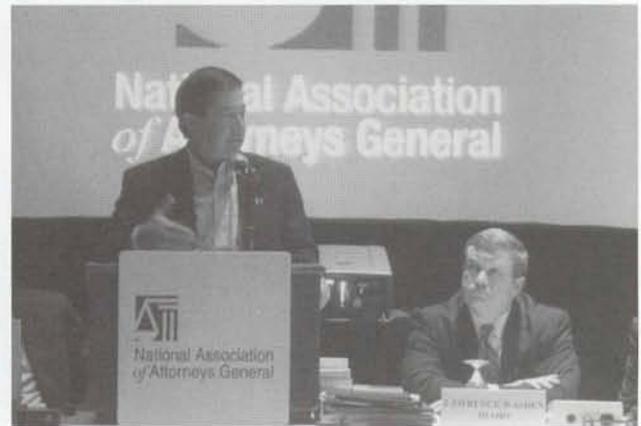
The governor's proclamation, which was read at the capitol ceremony by Gerald Adams, chief of staff for Governor Henry, offered "gratitude to Attorney General Edmondson for his leadership and vision on this critical issue."

Edmondson and Adams were joined at the ceremony by Dr. Robert McCaffree, chief of staff at the Oklahoma VA Medical Center and Tracey Strader, executive director of the Oklahoma Tobacco Settlement Endowment Trust (TSET).

"The funding generated by the MSA is helping make a positive difference in the lives of Oklahomans," said Gov. Henry. "By directing the proceeds to health care needs, particularly smoking cessation efforts, we are making our state healthier. I applaud Attorney General Drew Edmondson for the leadership role he has played in this important effort."

Edmondson was one of eight attorneys general chosen to negotiate the settlement with the nation's largest tobacco manufacturers including R.J. Reynolds, Phillip Morris, Lorillard and Brown and Williamson.

"This is a great, great milestone for the State of Oklahoma," Edmondson said. "When we first filed suit against the tobacco companies in 1996, they had never lost a case in court. They were thought to be invulnerable. When the MSA was signed in 1998, it was met with skepticism. The statistics tell the story though. The number of smokers is down, and the number of smokers who want to quit is up. From a public health



Attorney General Edmondson participates in a panel discussion regarding the 10-year anniversary of the Master Settlement Agreement.

standpoint, the success of the MSA is irrefutable."

The most significant legal reform of the tobacco industry, the MSA imposes sweeping changes in tobacco advertising, bans the tobacco companies from targeting children, allocates funding for tobacco education efforts and provides the states annual payments based on the number of cigarettes sold in the country.

According to the U.S. Department of Agriculture, U.S. consumption has declined by more than 100 billion cigarettes over the past decade. The decline is significant because the U.S. Department of Health and Human Services estimates that 80 percent of lung cancer deaths in women and 90 percent of lung cancer deaths in men can be attributed to smoking.

According to the Oklahoma Behavioral Risk Factor Surveillance System, the number of adult smokers has fallen from 28.7 percent in 2001 to 25.2 percent in the first six months of 2008.

Among kids, the decline is even more pronounced. According to the Oklahoma Youth Tobacco Survey, in 1999, 33.5 percent of Oklaho-

ma high school students smoked, and in 2007, that number had dropped to 23.4 percent.

"We are most proud of the decline in smoking among our youth," Edmondson said. "The MSA really changed the way the tobacco industry markets its products. Gone are the days of cartoon Joe Camel and billboard tobacco ads. Instead, there is money dedicated to countering the tobacco industry's mass marketing. Kids are hearing the anti-tobacco message. We are seeing results."

Additionally, the MSA provides a revenue stream to help states offset the cost of treating smoking-related illnesses. Nationally, payments from the MSA are projected to be in excess of \$206 billion over 25 years, and payments will continue as long as cigarettes are sold. To date, Oklahoma has received \$647,884,892.46.

Of the money received by the state, \$368,430,218.09 has been placed in the Oklahoma Tobacco Settlement Endowment Trust fund (TSET), which was created at Edmondson's urging by a voter-approved constitutional amendment in November 2000. Only the interest and dividend earnings of the Trust may be spent, and the money must be spent on programs to improve the health

of Oklahomans. In this fiscal year, the endowment's investments earned the largest amount of interest and earnings to date, \$15.5 million, which has been used for tobacco control programs and countermarketing.

Oklahoma is the only state to have constitutionally protected its tobacco fund.

"In Oklahoma, as the earnings from the endowment's investments have grown, the board of directors has focused funding on effective programs to reduce tobacco use," said Strader.

Additionally, in 2008, the state received its first "strategic contribution" payment, which will be awarded annually over 10 years because

of Edmondson and the work of Oklahoma's legal team.

"The work that's been done over the last 10 years is really just a jumping off point for us," Edmondson said. "Because of the way our trust fund is set up, the money Oklahoma has to spend on cessation programs and counter-marketing will steadily increase while the money available to other states will steadily decline. Ten years from now, I hope we are a state of non-smokers. I believe it is possible."

"I applaud Attorney General Drew Edmondson for the leadership role he has played in this important effort."

*-Governor Brad Henry*

## AG Looks Back at Historic MSA Negotiations

There were only eight of them. Eight attorneys general were chosen to face off against the world's largest tobacco manufacturers in a legal battle that would have repercussions for generations.

The lawyers for R.J. Reynolds, Phillip Morris, Brown and Williamson and Lorillard had been here before. This was not the first time someone had attempted to hold them responsible for their deceptive claims of safer cigarettes and their youth-aimed marketing campaigns, but no one had ever launched a successful legal attack on the industry's tactics. No, they had definitely been here before, but across from them sat eight state attorneys general representing taxpayers and children.

This time would be different. The eight lawyers the companies faced were chosen to negotiate on behalf of 46 states and six other U.S. territo-

ries. Among them, Oklahoma's Attorney General Drew Edmondson, North Carolina Attorney General Mike Easley, Pennsylvania Attorney General Mike Fisher, Washington Attorney General Chris Gregoire, North Dakota Attorney General Heidi Heitcamp, California Attorney General Dan Lungren, Colorado Attorney General Gale Norton and New York Attorney General Dennis Vacco.

"We knew that we were on the right side of the issue," Edmondson said. "We all know, as we did then, that smoking causes cancer, but we didn't have a single case where we could prove an individual's cancer was caused by smoking. We were facing scores of lawyers with a seemingly endless budget. We were essentially eight people holding a single card – state-by-state litigation. The card had to be a winner, and it was."

The MSA was finalized Nov. 23, 1998.

# Year in Review

## January

Jan. 9 - Attorney General Edmondson asks an Oklahoma court to permanently enjoin Pure Energy Labs from conducting fraudulent business in Oklahoma.

Jan. 14 - Oklahoma and 49 other states announce an agreement with social networking site MySpace to protect kids from online predators.

Jan. 15 - The state files a notice to seize and forfeit almost 100 acres of land used in the operation of an illegal Love County horse racing track.

Jan. 22 - Jesse Romero is sentenced after previously pleading guilty to his role in managing an illegal horse racing track in Love County.

Jan. 23 - Alfred Soulek pleads guilty to six counts of consumer fraud in Oklahoma County District Court.

## February

Feb. 7 - AARP and the Attorney General's Office host the fourth annual Consumer Protection Day at the Capitol and Attorney General Edmondson names Sean Voskuhl as the winner of the inaugural Brad Edwards Consumer Champion Award.

Feb. 12 - Mohammed Mannan is accused in Tulsa County District Court of violating Oklahoma's price gouging statute after an investigation by the Consumer Protection Unit.

Feb. 14 - Attorney General Edmondson and the Social Security Administration issue a warning



Attorney General Edmondson and Allyson Carson participate in a flower planting ceremony held at the attorney general's office in recognition of National Crime Victims Rights Week.

about a telephone scam centered around expected federal tax rebate checks.

Feb. 21 - Arturo Cavazos and Juan Antonio Lopez are accused with operating an illegal Love County horse racing track called Rancho El Nevado.

Feb. 25 - Oklahoma and 34 other jurisdictions announce an agreement that settles allegations that Barr Pharmaceuticals conspired to keep a generic form of Ovcon off the market.

## March

Mar. 3 - Attorney General Edmondson and District Attorneys Council Executive Coordinator Suzanne Atwood express concern about proposed cuts in federal law enforcement grants.

Mar. 6 - Danny Earl Blugonski is charged with embezzlement after a joint investigation by the Consumer Protection Unit and the Custer County District Attorney's Office

Mar. 12 - Jerl Methvin pleads no contest to funneling excessive campaign contributions to Oklahoma County Commissioner Brent Rinehart.

Mar. 13 - Attorney General Edmondson is in Idabel to discuss the school's receipt of a grant from the Oklahoma Education Technology Trust.

Mar. 20 - Attorney General Edmondson updates his fellow attorneys general on the status of Oklahoma's poultry pollution lawsuit at a meeting of the Southern Region of the National Association of Attorneys General.

Mar. 21 - With tornado season approaching, Attorney General Edmondson warns consumers to beware of home repair fraud.

Mar. 24 - Tulsa gas station owner Mohammed Mannan pleads no contest to violating the Emergency Price Stabilization Act.

Mar. 27 - A Woodward County Grand Jury calls for the removal of Sheriff Leslie Morton on accusations including bogus travel claims and willful neglect of duty.

## April

Apr. 10 - Michael Plant will pay \$4,000 restitution after pleading guilty to his part in a scheme to steal Coca-Cola products from Muskogee's Love Bottling Company.

Apr. 15 - The Patient Abuse and Medicaid Fraud Control Unit announces an agreement with Concentra Health Services to rectify problems with the company's billing practices.

Apr. 15 - The Multicounty Grand Jury issues two sealed indictments and one accusation for removal.

Apr. 16 - Attorney General Edmondson and Treasurer Scott Meacham announce that Oklahoma receives more than \$85.1 million from the tobacco industry as part of its annual payment

under the Master Settlement Agreement.

Apr. 16 - Crime victims and advocates plant flowers at the attorney general's office to commemorate National Crime Victim's Rights Week.

Apr. 16 - Execution dates are requested for death row inmates Terry Lyn Short and Kevin Young.

Apr. 17 - Oklahoma receives an additional \$3.8 million from the tobacco industry.

Apr. 17 - The Multicounty Grand Jury adjourns from its April session after issuing one sealed indictment.

Apr. 18 - Thomas J. Charlebois, Jr., will pay almost \$132,000 in restitution after pleading guilty to filing bogus Medicaid claims through his business, Charlebois Medical Systems.

Apr. 21 - Attorney General Edmondson says Senate Bill 1987 is retroactive.

Apr. 25 - Attorney General Edmondson and his wife Linda are named co-chairs of Legal Aid's Campaign for Justice.



Attorney General Edmondson participates in free document shredding event in Tulsa. The event, which was hosted by the attorney general's office and AARP Oklahoma encouraged consumers to shred documents to avoid identity theft.

Apr. 29 - The Oklahoma Court of Criminal Appeals sets June 17 as the execution date for Oklahoma County death row inmate Terry Lyn Short.

## May

May 8 - Social networking site Facebook agrees to better protect children who use the site following talks with state attorneys general.

May 8 - The Multicounty Grand Jury adjourns from its May session after issuing two sealed indictments.

May 9 - Stephen Douglas Lewis is charged in Rogers County District Court with scamming almost \$51,000 from online auction consumers.

May 12 - Oklahomans overcharged for hotel rooms during December 2007's ice storms will receive free hotel rooms as part of the settlement of a price gouging case against LaQuinta Inns.

May 13 - Attorney General Edmondson announces he has sent investigators to storm damaged areas in northeastern Oklahoma to assist local law enforcement.

May 14 - Attorney General Edmondson announces his support for pending legislation to strengthen Oklahoma domestic abuse laws.

May 14 - Alfred Soulek will pay almost \$45,000 in restitution and serve 90 days imprisonment on charges of home repair fraud.

May 15 - Eric Organ is accused of illegally distributing ephedrine and pseudoephedrine in a Multicounty Grand Jury indictment unsealed in Oklahoma County District Court.

May 19 - Aletha Ann Vaught is accused of providing false testimony to the Multicounty Grand Jury in an indictment unsealed in Oklahoma County District Court.

May 19 - The state files a lawsuit against Nan-



Brinda White and Gay Tudor of the General Counsel Section display a check they helped recover for the Oklahoma Pharmacy Board..

jing Cigarette Factory for violating Oklahoma's escrow law.

May 23 - Norman optician Cornelius Jemeel Carter will pay almost \$23,000 in restitution after pleading no contest to Medicaid fraud.

May 27 - Kelly Turpin, owner of Custom Steel Frame Homes, is accused of embezzling more than \$37,000 from consumers after an investigation by the Consumer Protection Unit.

May 29 - Attorney General Edmondson asks U.S. Attorney General Michael Mukasey to closely review JBS's proposed acquisition of National Beef Packing Company and Smithfield Beef Group.

May 30 - The Oklahoma Court of Criminal Appeals sets July 22 as the execution date for Oklahoma County death row inmate Kevin Young.

## June

June 4 - Oklahoma is set to receive almost \$247,000 as part of an agreement with Walgreen Company to settle allegations that the pharmacy improperly billed the state's Medicaid program for three medications.

June 16 - Attorney General Edmondson asks the Oklahoma Court of Criminal Appeals to set an execution date for Coal County death row inmate Jessie James Cummings, Jr.

June 18 - The National Association of Attorneys General passes a resolution sponsored by Attorney General Edmondson to support the concept of prepaid legal services plans.

June 19 - The VINE criminal tracking system now includes information on inmates in Department of Corrections' custody, Attorney General Edmondson announces.

June 24 - In a letter to Senate leadership, Attorney General Edmondson and 40 other attorneys general express their support for a federal reporter shield law.

June 26 - Attorney General Edmondson applauds a U.S. Supreme Court ruling that strikes down the District of Columbia's handgun law.

June 26 - Vanessa Blaylock is charged in Jackson County District Court with two counts of home repair fraud.

June 26 - The Multicounty Grand Jury adjourns from its June session after issuing one sealed indictment.

June 27 - The Oklahoma Court of Criminal Appeals sets Sept. 25 as the execution date for Coal County death row inmate Jessie James Cummings, Jr.

June 30 - A Multicounty Grand Jury indictment naming Alan Keith Smiley on 18 counts of filing fraudulent claims and one count of racketeering is unsealed in Oklahoma County District Court.

## July

July 1 - The Attorney General's tobacco-free campus policy becomes effective.

July 2 - Oklahoma joins 43 other jurisdictions in an agreement with MoneyGram Payment Systems to protect consumers who use the service to wire money from frauds and scams.

July 10 - Attorney General Edmondson praises

Steve Burrage's appointment as state auditor and inspector.

July 15 - Attorney General Edmondson speaks to the Oklahoma Bar Association's Programs Advancing Citizenship Education Institute.

July 18 - Ryan Anthony Anderson is sentenced to seven years imprisonment for stealing credit card information from guests at Oklahoma City hotels.

July 21 - Chelsey Davis pleads guilty to online auction fraud after an investigation by the Consumer Protection Unit.

July 21 - Attorney General Edmondson addresses the Institute for Oklahoma Nurse Educators about end-of-life health care issues.

July 23 - After a successful pilot project, an informational campaign aimed at reducing domestic violence is launched at Wal-Mart stores statewide.

July 23 - Bobbie Jo Wilhelm, a former nursing home admission coordinator, is charged in Washington County District Court after an investigation by the Patient Abuse and Medicaid Fraud Control Unit found she took money from residents in her care.

July 28 - Gregory Thomas McKay is charged in McIntosh County District Court with consumer



Attorney General Edmondson talks to reporters at his Oklahoma City office.

fraud on allegations of illegally taking more than \$100,000 from eight different customers.

## August

Aug. 7 - Susan Gail Evers, former administrator at Edmond's Grace Living Center, pleads guilty to caretaker exploitation for taking money from residents' trust fund accounts.

Aug. 8 - Douglas Barry is accused in Oklahoma County District Court of four counts of consumer fraud for failing to pay customers for their items which he sold through his Warr Acres online auction consignment store.

Aug. 26 - The Consumer Protection Unit files a motion to accelerate judgement and sentencing and files two additional home repair fraud charges against Alan Holcombe.

Aug 26 - Attorney General Edmondson and his wife Linda are named to AARP Oklahoma's list of 50 Oklahomans over 50 who have made a difference in the lives of others.

Aug. 27 - Two men, Arturo Cavazos and Juan Antonio Lopez, are sentenced to a five-year deferred sentence and are each ordered to pay a \$65,000 assessment after pleading guilty to conspiracy for operating an illegal horse racing track called Rancho El Nevado.

## September

Sept. 5 - Oklahoma's Eleventh Multicounty Grand Jury adjourns after a nineteen-month term that led to nine indictments charging 16 people and one petition for ouster.

Sept. 13 - Attorney General Edmondson reminds Oklahomans that the state's price gouging statute is in effect due to a governor's emergency declaration in the wake of Hurricane Ike.

Sept. 22 - Attorney General Edmondson attends a meeting of the Balanced Pain Policy Initiative to work on a draft prosecutorial protocol.



Mary Ann Eckstein, Sean Voskuhl, Attorney General Edmondson and Ashton Edwards attend Consumer Protection Day at the Capitol. Voskuhl received the Brad Edwards Consumer Champion Award at the event.

Sept. 24 - Attorney General Edmondson testifies before the U.S. Senate Committee on Aging.

Sept. 30 - Jimmy Wolff and Rodney Williams are ordered to stand trial in Oklahoma County District Court for a scheme to dupe insurance regulators about the solvency of their company.

## October

Oct. 3 - Dr. David Crass is charged with multiple charges of prescription drug diversion and fraud after a three-year undercover investigation.

Oct. 6 - Attorney General Edmondson announces that his office's Patient Abuse and Medicaid Fraud Control Unit is one of only four state programs in the country in full compliance with the federal requirements for investigating and prosecuting Medicaid fraud.

Oct. 7 - AARP, Shred-It and Attorney General Edmondson sponsor free document shredding at the first-ever Tulsa Consumer Protection Day.

Oct. 8 - Oklahoma and 46 other jurisdictions announce an agreement with Shell gasoline retail outlets to curb the illegal sale of tobacco products to minors.

Oct. 8 - Stephen Lewis, on the run from attorney

general investigators for five months, is arrested in Nebraska on charges of consumer fraud.

Oct. 9 - "Wind Walker," a 23-foot bronze statue by Oklahoma artist Bert Seabourn, is dedicated on the grounds of the attorney general's office.

Oct. 14 - Attorney General Edmondson asks the Oklahoma Court of Criminal Appeals to set an execution date for Tulsa County death row inmate Darwin Demond Brown.

Oct. 15 - Aletha Ann Vaught is ordered to stand trial in Oklahoma County District Court for perjuring herself before the Multicounty Grand Jury.

Oct. 16 - Attorney General Edmondson says more than 650 law enforcement officers, prosecutors, victims and advocates attend the Partnership Conference on Domestic Violence, Sexual Assault and Stalking.

Oct. 20 - Oklahoma, the U.S. Department of Justice and the attorneys general of 12 other beef-producing states ask a federal court to block JBS's acquisition of National Beef Packing Company.

Oct. 22 - Secretary of Public Safety and Security Kevin Ward and Attorney General Edmondson remind teen drivers and their parents of the importance of seat belts and attentive driving to mark National Teen Driver Safety Week.

Oct. 31 - Attorney General Edmondson receives the 2008 Friend of Nursing Award from the Oklahoma Nurses Association.

## November

Nov. 3 - The Oklahoma Court of Criminal Appeals sets Jan. 22, 2009, as the execution date for Tulsa County death row inmate Darwin Demond Brown.

Nov. 6 - Oklahoma and 42 other states announce an agreement with Craigslist to stop inappropriate content and illegal conduct on the site's erotic

services section.

Nov. 9 - Attorney General Edmondson celebrates Veterans Day with a speech at the Anadarko First Assembly of God.

Nov. 10 - Bobbie Jo Wilhelm, former admissions coordinator at Bartlesville Care Center, pleads guilty to eight counts of financial exploitation.

Nov. 11 - Attorney General Edmondson is the featured speaker at the American Legion Gill-Mattox Post 16 Veterans Day celebration in Shawnee.

Nov. 17 - Governor Brad Henry proclaims Nov. 23 as "A Healthier Oklahoma Day" in honor of the 10-year anniversary of the tobacco Master Settlement Agreement.

Nov. 21 - The Oklahoma Bar Association honors Attorney General Edmondson and his wife Linda with the William G. Paul Oklahoma Justice Award.

Nov. 21 - Alan Keith Smiley waives preliminary hearing and is bound over for trial on charges he defrauded the state's waste tire recycling program.

Nov. 24 - United Way CEO Bob Spinks and At-



Attorney General Edmondson presents items donated by the attorney general's staff to Caitlin Buchner of Infant Crisis Services (ICS). The office chose ICS for its annual holiday charity drive.

torney General Edmondson warn Oklahomans to beware of fraudulent charity solicitations.

Nov. 25 - Oklahoma County Sheriff John Whetsel and Attorney General Edmondson remind Oklahomans to be safe when holiday shopping.

Nov. 26 - Attorney General Edmondson warns Oklahomans to protect their holiday shopping budgets from Internet fraud.

## *December*

Dec. 1 - Attorney General Edmondson announces his office is seeking nominations for the 2009 Brad Edwards Consumer Champion Award.

Dec. 15 - Oklahoma will receive almost \$220,000 as part of a settlement with Mattel and Fisher Price over excessive lead paint in the companies' Chinese-manufactured toys.

Dec. 16 - Oklahoma ask the court to throw out a defendant motion to dismiss Oklahoma's poultry pollution lawsuit. The defendants claim the state does not own the water it seeks to protect.

Dec. 16 - The owner of a Muskogee LaQuinta Inn and Suites will refund more than \$2,200 to almost 70 consumers who were overcharged for rooms during the December 2007 ice storms.

Dec. 16 - Walter Pelfrey pleads guilty to making an excessive campaign contribution to Oklahoma County Commissioner Brent Rinehart.

Dec. 17 - MillerCoors has agreed to stop brewing an alcoholic energy drink line after negotiations with Oklahoma and a group of 25 state attorneys general.

Dec. 18 - Kelly Turpin, owner of Custom Steel Frame Homes, will pay \$16,500 in restitution after pleading no contest to embezzlement.

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