



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

THE STATE OF OKLAHOMA, )  
Plaintiff, )

vs. )

WINDSTREAM CORPORATION, )  
Defendant. )

Case No. CF-12-3841  
The Honorable William Kellough

*WKK*

THE STATE OF OKLAHOMA, )  
Plaintiff, )

vs. )

JAMES DAVID SISNEY, )  
Defendant. )

Case No. CF-12-3842  
The Honorable William Kellough

DISTRICT COURT  
OCT 11 2012

SALLY HOWE SMITH, COURT CLERK  
STATE OF OKLA., TULSA COUNTY

**DESIGNATION OF RECORD FOR CERTIFIED ORIGINAL RECORD  
TO COURT OF CRIMINAL APPEALS OF OKLAHOMA**

COMES NOW the State of Oklahoma, E. Scott Pruitt, Attorney General of Oklahoma, by and through Charles S. Rogers, Assistant Attorney General, and hereby designates the following to be compiled into a certified *Original Record* for transmission within thirty (30) days of September 28, 2012, to the Court of Criminal Appeals of Oklahoma by the Attorney for the State of Oklahoma pursuant to Rule 10.2, *Rules of the Court of Criminal Appeals of Oklahoma*, 22 O.S., Ch. 18, App.:

1. A certified copy of the *Indictment* filed in each case on ~~October~~ <sup>August</sup> 30, 2012;
2. A certified copy of the *Order Determining Venue, Sealing Indictment, Requiring Transmittal of Indictment to County of Venue and Authorizing District Court to Open for Purpose of Issuance of Warrant* filed in each case on August 30, 2012;
3. A certified copy of the written *Order* filed on or about October 5, 2012 in Case Number CF-2012-3841 entering judgment regarding proceedings held in that case on September 28, 2012;

5. A certified copy the *Verified Motion to Stay Execution of Order Directing the Production of Grand Jury Transcripts For Windstream Corporation, Designating a Magistrate and Setting Date for Preliminary Examination in the Cases to Permit Orderly Review by Court of Criminal Appeals*, filed in each case by the State on October 11, 2012;

6. A certified copy of any *Order or Journal Entry* ruling upon the State's *Verified Motion to Stay Execution of Order Directing the Production of Grand Jury Transcripts For Windstream Corporation, Designating a Magistrate and Setting Date for Preliminary Examination in the Cases to Permit Orderly Review by Court of Criminal Appeals*;

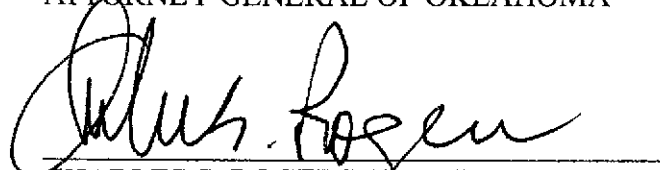
7. An original transcript of all proceedings held on September 28, 2012 in the above-styled and numbered case before the Honorable William Kellough, District Judge;

8. A certified copy of this *Designation of Record* filed in each case;

9. A certified copy of the *Appearance Docket in each case*.

Respectfully submitted,

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA



CHARLES S. ROGERS (OBA # 7715)  
ASSISTANT ATTORNEY GENERAL  
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ATTORNEYS FOR PLAINTIFF

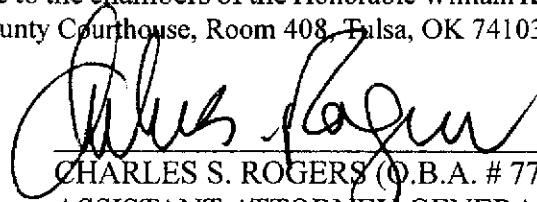
## CERTIFICATE OF SERVICE

I, Charles S. Rogers, Assistant Attorney General, do hereby certify that a true, exact and complete copy of the foregoing Designation of Record was transmitted by facsimile and a paper copy mailed by regular United States Mail, First Class postage prepaid, to the following attorneys for defendants at the address given this 11 day of October, 2012:

John D. Russell, Esq.  
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321 S. Boston Ave.  
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(918) 583-9659  
ATTORNEYS FOR DEFENDANT WINDSTREAM CORPORATION

Joel L. Wohlgemuth, Esq.  
John E. Dowdell, Esq.  
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Norman Wohlgemuth Chandler & Dowdell  
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401 S. Boston Avenue  
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(918) 584-7846  
ATTORNEYS FOR DEFENDANT JAMES DAVID SISNEY

An additional copy was delivered this date to the chambers of the Honorable William Kellough, District Judge, Fourteenth Judicial District, Tulsa County Courthouse, Room 408, Tulsa, OK 74103

  
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CHARLES S. ROGERS (O.B.A. # 7715)  
ASSISTANT ATTORNEY GENERAL