

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) JOHN KRUEGER, individually and as)
Co-Administrator of the Estate of Jeffery)
Krueger, *et al.*)

Plaintiffs,)

vs.)

Case No. 21-CV-044JFH

(1) SHERIFF CHRIS ELLIOTT, Sheriff of)
Wagoner County, Oklahoma, in his)
official capacity; *et al.*)

Defendants.)

PLAINTIFFS’ RESPONSE TO COURTS ORDER TO SHOW CAUSE

COME NOW the Plaintiffs, John Krueger and Pamela Krueger, by and through their attorney of record, Mark D. Lyons, and hereby responds to the Court’s Minute dated February 19th, 2026 (Doc. #416), instructing the Plaintiffs to show cause as to why Defendant Wagoner Emergency Services, Inc. should not be dismissed for failure to prosecute as follows:

1. The Defendant was served with summons and complaint on February 19th, 2021 (Doc. #16).
2. The Defendant did not answer or otherwise plead and, therefore, the Plaintiffs filed their Motion for Entry of Default on March 29th, 2021 (Doc #49).
3. The Clerk’s Entry of Default was filed on May 24th, 2021 (Doc. #64).
4. There is no basis upon which to dismiss Wagoner Emergency Services, Inc.

Respectfully submitted,

s/ Mark D. Lyons

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the _____ day of March, 2026, a true and correct copy of the above and foregoing *Plaintiffs' Response to Court's Order to Show Cause* was transmitted via electronic transmission through the CM/ECF System, to the following:

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s/ Mark D. Lyons

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