OKLAHOMA STATE COURTS NETWORK

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SCHRAMMEL & WARD v. COLYER HEREFORDS AND ANGUS, INC.

2026 OK 78

Case Number: 123591

Decided: 11/03/2026

THE SUPREME COURT OF THE STATE OF OKLAHOMA

Cite as: 2026 OK 78, __ P.3d __

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DAVID SCHRAMMEL and RANDY WARD, Plaintiffs/Appellants,

v.

COLYER HEREFORDS AND ANGUS, INC., Defendant/Appellee.

APPEAL FROM THE DISTRICT COURT OF OKLAHOMA COUNTY, STATE OF OKLAHOMA, HONORABLE DON ANDREWS PRESIDING

¶0 Plaintiffs, Oklahoma cattle ranchers, filed suit in Oklahoma County against Defendant, a nonresident cattle breeder, arising from an agreement governing the care of a Hereford bull and the profits derived from the sale of its semen. Defendant entered a special appearance and moved to dismiss for lack of personal jurisdiction. The district court granted the motion, concluding Oklahoma courts lacked both general and specific jurisdiction. An order memorializing that decision was filed on October 3, 2025; however, no certificate of service was made of record until October 28, 2025. Plaintiffs filed their petition in error on December 1, 2025. Defendant moved to dismiss the appeal as untimely. We retained the proceeding and conclude: (1) the petition in error was timely under 12 O.S.2025, § 990A and our decision in *Owens v. Owens*; and (2) the district court erred in granting the motion to dismiss for lack of personal jurisdiction over the Defendant.

DEFENDANT/APPELLEE'S MOTION TO DISMISS APPEAL AS UNTIMELY IS DENIED; THE TRIAL COURT ORDER DISMISSING THE UNDERLYING LAWSUIT IS REVERSED; AND THE CAUSE IS REMANDED FOR PROCEEDINGS CONSISTENT WITH THIS OPINION.

JACK DAWSON MILLER DOLLARHIDE, P.C. MUSTANG, OK ATTORNEY FOR APPELLANTS

TREVOR S. PEMBERTON PENMBERTON LAW GROUP, P.L.L.C. OKLAHOMA CITY, OK ATTORNEY FOR APPELLEE

GURICH, J.

I. FACTUAL & PROCEDURAL HISTORY

¶1 Defendant Colyer Herefords and Angus, Inc. (Colyer) is incorporated and headquartered in Idaho, with its principal place of business in Bruneau, Idaho. Plaintiffs David Schrammel and Randy Ward are Oklahoma residents engaged in the cattle business. Colyer promotes its cattle nationally through several forms of advertising, including Hereford World, the official publication of the American Hereford Association, and

promotional materials posted to its Facebook page. Two Hereford World sale catalogs are distributed nationally each year, and 506 copies have been sent to Oklahoma. Colyer has also sold 43.5 head of cattle to Oklahoma purchasers, although those transactions occurred in or through its Idaho sale barn.

¶2 In November 2021, Schrammel viewed a promotional video featuring a Hereford bull registered as C GKB Guardian 1015 ET (Guardian) on Colyer's Facebook page and thereafter contacted Colyer by telephone on several occasions. The parties dispute whether their agreement was finalized during those calls or at a later time. Before December 31, 2021, Plaintiffs mailed deposit checks to Colyer in anticipation of the transaction. The contemplated arrangement required Plaintiffs to submit the successful $100,000 bid for Guardian at the upcoming Cattlemen's Congress in Oklahoma City. In exchange, Plaintiffs would acquire an ownership interest in Guardian and a one-fourth share of the proceeds generated from the sale of Guardian's semen. The agreement also contemplated an ongoing custodial arrangement under which Guardian would spend at least one-half of each year in Oklahoma.

¶3 In January 2022, Colyer transported Guardian to Oklahoma City and entered him in the Cattlemen's Congress sale, where Plaintiffs submitted the winning bid. Following the auction, however, Guardian remained in Colyer's possession and did not return to Oklahoma; Colyer housed, fed, and maintained him outside this State. Colyer nevertheless continued to participate in the Cattlemen's Congress, serving as an evaluator in 2024 and returning to exhibit additional cattle in 2025. In 2023, Colyer transported Guardian to a national stock show in Denver, Colorado. Plaintiffs allege that Colyer negligently cared for and prepared Guardian for that show and excessively fed him, causing him to founder and develop chronic laminitis to such a degree that he was ultimately euthanized. On April 15, 2025, Plaintiffs filed the underlying action in the District Court of Oklahoma County, asserting claims arising from Guardian's care and death and seeking an accounting for their share of the semen-sale proceeds. Colyer entered a special appearance and moved to dismiss for lack of personal jurisdiction or, alternatively, on the ground that Oklahoma was an inconvenient forum.

¶4 Following a hearing, the district court granted Colyer's motion to dismiss, concluding Oklahoma courts lacked both general and specific personal jurisdiction over Colyer. A journal entry memorializing that ruling was filed on October 3, 2025. The order did not contain a certificate of service, and no separate proof of service was contemporaneously filed. On October 28, 2025, however, Colyer filed a certificate stating that the final judgment had been served on October 3, 2025.

¶5 Plaintiffs commenced this appellate proceeding by filing a petition in error on December 1, 2025. Colyer moved to dismiss the appeal as untimely. We retained the matter on January 7, 2026.

II. MOTION TO DISMISS

¶6 Colyer filed a motion to dismiss the appeal, arguing that the December 1, 2025, filing of the petition in error was submitted "59 days after the appealable order was filed and served on them." [1] Thus, Colyer argues, the matter was filed past the thirty-day deadline prescribed by 12 O.S.2025, § 990A. In response, the Plaintiffs argue that their time to commence an appeal ran from the actual filing of the certificate of service and not from the date Colyer purports to have served the final judgment by mail. There is no dispute that Colyer's counsel prepared and filed the journal entry of judgment. According to Colyer's motion and the Plaintiff's response, it is undisputed that Colyer's attorney delivered a copy of the journal entry of judgment via electronic mail on October 3, 2025. Nothing in the record demonstrates that the plaintiffs consented to service by electronic mail in accordance with 12 O.S.2025, § 2005(B). [2]

¶7 The time to commence an appeal in Oklahoma is governed by 12 O.S.2025, § 990A, which reads in relevant part:

A. An appeal to the Supreme Court of Oklahoma, if taken, must be commenced by filing a petition in error with the Clerk of the Supreme Court of Oklahoma within thirty (30) days from the date a judgment, decree, or appealable order prepared in conformance with Section 696.3 of this title is filed with the clerk of the trial court. If the appellant did not prepare the judgment, decree, or appealable order, and Section 696.2 of this title required a copy of the judgment, decree, or appealable order to be served upon the appellant, and the court records do not reflect the service of a copy of the judgment, decree, or appealable order to the appellant within three (3) days, exclusive of weekends and holidays, after the filing of the judgment, decree, or appealable order, **the petition in error may be filed within thirty (30) days after the earliest date on which the court records show that a copy of the judgment, decree, or appealable order was served upon the appellant**.

B. The filing of the petition in error may be accomplished either by delivery or mailing by certified or first-class mail, postage prepaid, to the Clerk of the Supreme Court. The date of filing or the date of mailing, as shown by the postmark affixed by the post office or other proof from the post office of the date of mailing, shall constitute the date of filing of the petition in error. If there is no proof from the post office of the date of mailing, the date of receipt by the Clerk of the Supreme Court shall constitute the date of filing of the petition in error.

C. The Supreme Court shall provide by rule, which shall have the force of statute, and be in furtherance of this method of appeal:

1. For the filing of cross-appeals;

2. The procedure to be followed by the trial courts or tribunals in the preparation and authentication of transcripts and records in cases appealed under this act; and

3. The procedure to be followed for the completion and submission of the appeal taken hereunder.

D. In all cases the record on appeal shall be complete and ready for filing in the Supreme Court within the time prescribed by rule.

E. Except for the filing of a petition in error as provided herein, all steps in perfecting an appeal are not jurisdictional.

F. 1. If a petition in error is filed before the time prescribed in this section, it shall be dismissed as premature; however, if the time to commence the appeal accrues before the appeal is dismissed, the appellant may file a supplemental petition in error, without the payment of any additional costs. Such supplemental petition in error shall state when the time for commencing the appeal began and shall set out all matters which have occurred since the filing of the original petition in error and which should be included in a timely petition in error. When a proper supplemental petition in error is filed, the appeal shall not be dismissed on the ground that it was premature.

2. If an appeal is dismissed on the ground that it was premature, the appellant may file a new petition in error within the time prescribed in this section for filing petitions in error or within thirty (30) days after notice is mailed to the parties which states that the appeal was dismissed on the ground that it was premature, whichever date is later. A notice that an appeal was dismissed on the ground that it was premature shall include the date of mailing and the ground for dismissal.

(Emphasis added). This Court has long recognized the jurisdictional nature of the time limitation contained in Section 990A. *Tinker Inv. & Mortg. Corp. v. City of Midwest City*, 1994 OK 41, ¶ 9, 873 P.2d 1029, 1036. Failure to timely invoke appellate review requires dismissal, as this Court is "powerless to entertain a plea for corrective relief lodged after the expiration of maximum statutory time." *Rodgers v. Higgins*, 1993 OK 45, ¶ 32, 871 P.2d 398, 413.

Accordingly, resolution of Colyer's motion to dismiss turns on identifying which event triggered the commencement of the time to appeal under §990A(A)---the date the court records reflect the judgment was served or the date the court records reflect the certificate of service was filed.

¶8 The parties advance competing interpretations of Section 990A(A), regarding when the thirty-day period for commencing an appeal begins to run if proof of service is not reflected in the court record within three days of the final judgment. Colyer contends the statute focuses on a single operative consideration--when service of the judgment was accomplished. Under Colyer's interpretation, if the record reflects service within three days of the judgment, the appellate deadline runs from the filing date of the judgment itself. Conversely, if service is not reflected in the court record within three days, the appellate period begins on the earliest date the record shows the judgment was actually served, regardless of when proof was filed. Plaintiffs advocate for a more bright-line construction of the statute. They maintain that the thirty-day period runs from the filing date of the judgment only when the record reflects proper service within three days of filing. Otherwise, Plaintiffs assert the thirty-day period begins only upon the filing of proof of service in the court record, even if the judgment had been served earlier.

¶9 In *Owens v. Owens*, 2023 OK 12, 529 P.3d 905, this Court considered the interplay between the filing of a final judgment, proof of service, and the time to commence an appeal. Therein, we addressed the operation of Section 990A where a certificate of service was not filed contemporaneously with, or within three days after, the filing of a final judgment. In Owens, a final divorce decree was filed with the district court clerk on September 10, 2021. Although the decree included a certificate of service signed by counsel, the spaces identifying the date of service were left blank. Wife thereafter filed her petition in error on October 13, 2021, more than thirty days after the filing of the decree. After this Court directed the parties to address timeliness, Husband's counsel represented that the decree had been mailed to Wife's counsel on September 13, 2021, within three business days of the filing of the judgment. Wife did not dispute the date of mailing, but argued the court record did not reflect timely proof of service because the certificate of service was incomplete. Wife further asserted she received actual notice of the filing on September 15, 2021, and maintained the appeal was therefore timely under Section 990A.

¶10 *Owens* makes it clear that Section 990A(A) establishes a record-based trigger--when the appellant did not prepare the judgment, the thirty-day clock does not begin until the court record reflects proof of service:

> Under this provision, if the party wishing to appeal also happens to have prepared the judgment, the 30-day clock begins on the date the judgment is filed with the court clerk. Otherwise, the appeal clock does not start until proof of service on the aggrieved party has been filed of record. There is a reward for promptness, however. If proof of service is filed within three business days of the filing of the judgment itself (as required by Section 696.2(B)), then the appeal start date is "backdated" to the earlier date.

Id. ¶ 5, 529 P.3d at 910 (emphasis added). We also rejected prior decisions which focused on when an appellant received "actual notice" of a final judgment:

> The current version makes record proof of service the trigger for starting the 30-day appeal clock. As noted above, if the party responsible for serving notice of the judgment files proof that he did so within three business days of the filing of the judgment itself, he shortens the appeal time, as the filing of the judgment becomes the starting point. Otherwise, the filing of proof of service is the starting point.

Id. ¶ 13, 529 P.3d at 911 (emphasis added). If proof of service is absent or not promptly filed, the appellate deadline is not triggered until a pleading acknowledging actual service is filed with the district court clerk. By looking to proof of service, we can "avoid case-by-case, appellate-level, extra-record inquiry into timeliness of an appeal." *Id*. ¶ 22, 529 P.3d at 913. We also noted that "[w]hen the Legislature provides for the right to appeal, that right should be liberally construed." *Id*. ¶¶ 29-30, 529 P.3d at 914-15.

¶11 Applying Section 990A and *Owens* to the present case, Plaintiffs' appeal was timely commenced. The district court's order was filed on October 3, 2025. Proof of service was not made of record until October 28, 2025, when Defendant filed a certificate attesting that the judgment had been served earlier. Under *Owens*, the thirty-day

period did not begin to run until October 28, 2025--the first date the record reflected service of the final judgment. [3] Plaintiffs filed their petition in error on December 1, 2025, within thirty days of that date. [4] Because timeliness in this case is measured from the date evidence of service was filed of record in the lower court, Plaintiffs' appeal was timely filed. Colyer's motion to dismiss is therefore denied.

III. ANALYSIS

Standard of review

¶12 When in personam jurisdiction is challenged, jurisdiction over a nonresident defendant may not be presumed and instead must affirmatively appear from the record. *Powers v. Dist. Ct. of Tulsa Cnty.*, 2009 OK 91, ¶ 7, 227 P.3d 1060, 1069. A defendant contesting personal jurisdiction bears the initial procedural burden to place jurisdictional facts in dispute, ordinarily through a motion to dismiss supported by affidavits or similar evidentiary materials. *Barfell v. Freeman Health Sys.*, 2025 OK 61, ¶ 5, 579 P.3d 591, 594. Once that showing is made, the plaintiff must come forward with proof supporting the existence of personal jurisdiction. *Id*. To defeat a motion challenging personal jurisdiction, plaintiffs need only make a prima facie showing of jurisdiction. *Powers*, ¶ 6, 227 P.3d at 1066-67. Allegations contained in the complaint are accepted as true insofar as they are not controverted by the defendant's affidavits, and any factual conflicts arising from competing affidavits are resolved in the plaintiff's favor. *Id*.; *see also Old Republic Ins. Co. v. Continental Motors, Inc.*, 877 F.3d 895, 903 (10th Cir. 2017) (explaining that, in determining whether a prima facie showing of personal jurisdiction has been made, all factual disputes are resolved in the nonmovant's favor). [5] A trial court's order dismissing an action for lack of personal jurisdiction presents a question of law reviewed de novo. *Montgomery v. Airbus Helicopters, Inc.*, 2018 OK 17, ¶ 17, 414 P.3d 824, 829.

Oklahoma's exercise of personal jurisdiction

¶13 When evaluating the issue of personal jurisdiction, "we must find that both the State's long-arm statute and the requirements of federal due process are satisfied." *Barfell*, ¶ 6, 579 P.3d at 594. Oklahoma's long-arm statute extends jurisdiction to the outer limits permitted by the Oklahoma and United States Constitutions. *Galier v. Murco Wall Prod., Inc.*, 2022 OK 85, ¶ 13, 528 P.3d 293, 298; 12 O.S.2025, § 2004(F). "The Due Process Clause of the Fourteenth Amendment limits the power of a state court to render a valid personal judgment against a nonresident defendant." *Galier*, ¶ 13, 528 P.3d at 298. Under the dispositive inquiry, we must determine whether the defendant purposefully established sufficient contacts with Oklahoma such that the exercise of jurisdiction comports with traditional notions of fair play and substantial justice. *Id*. ¶ 14, 528 P.3d at 298 (citing *Int'l Shoe Co. v. Washington*, 326 U.S. 310, 316, 66 S. Ct. 154, 90 L. Ed. 95 (1945)). Focus should be on the nature and extent of a defendant's relationship to the forum state. *Bristol-Myers Squibb Co. v. Superior Court of Cal., San Francisco Cty.*, 582 U. S. 255, 262, 137 S.Ct. 1773, 198 L.Ed.2d 395 (2017). The United States Supreme Court has outlined two categories of personal jurisdiction: general and specific. *Id*. (citing *Goodyear Dunlop Tires Operations, S.A. v. Brown*, 564 U.S. 915, 919, 131 S. Ct. 2846, 2851, 180 L. Ed. 2d 796 (2011)); see also *Ford Motor Co. v. Mont. Eighth Jud. Dist. Ct.*, 592 U.S. 351, 358, 141 S.Ct. 1017, 209 L.Ed.2d 225 (2021) (identifying the "two kinds of personal jurisdiction: general (sometimes called all-purpose) jurisdiction and specific (sometimes called case-linked) jurisdiction.").

General personal jurisdiction

¶14 General personal jurisdiction permits a court to exercise adjudicatory authority over a defendant for any and all claims, regardless of whether those claims arise from the defendant's activities in the forum state. *See Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 473, n.15, 105 S.Ct. 2174, 85 L.Ed.2d 528 (1985). General jurisdiction may be exercised over a nonresident party when their affiliations with the forum state are "'so continuous and systematic'" as to render them essentially at home." *Goodyear Dunlop Tires*, 564 U.S. at 919, 131 S.Ct. at 2851. For an individual, general jurisdiction ordinarily lies in the person's domicile; for a corporation, it encompasses the entity's place of incorporation and principal place of business. *Id*. at 924. However, "*Goodyear* did not hold that a corporation may be subject to general jurisdiction only in a forum where it is incorporated or has its principal place of business; it simply typed those places paradigm all-purpose forums." *Daimler AG v. Bauman*, 571 U.S. 117, 137, S.Ct. 746, 187 L.Ed.2d 624 (2014). Courts have also found continuous and systematic contacts necessary to

support general personal jurisdiction where a corporation maintains an in-state operational presence through employees performing core business functions, directly markets and sells large quantities of products within the forum, or exercises significant oversight and control over franchisees or affiliated entities operating in the forum state. [6] "Because general jurisdiction is not related to the events giving rise to the suit, courts impose a more stringent minimum contacts test, requiring the plaintiff to demonstrate the defendant's continuous and systematic general business contacts." *Old Republic Ins. Co.*, 877 F.3d at 904.

¶15 The undisputed record in this case indicates that Colyer was an out-of-state corporation with its principal place of business in the State of Idaho. According to an affidavit executed by a company officer, Colyer did not maintain offices, employees or operations in Oklahoma. Further, Colyer did not conduct substantial business in this state. Although Guardian was brought to Oklahoma for the Cattlemen's Congress auction, the bull was otherwise housed and cared for exclusively outside of this state. Additionally, the bull's semen bank was maintained outside of Oklahoma.

¶16 Plaintiffs have not demonstrated the type of continuous and systematic affiliations necessary to render Colyer essentially at home in Oklahoma. Although Guardian was temporarily brought to Oklahoma for the Cattlemen's Congress auction, all other aspects of Colyer's business operations occurred outside Oklahoma. The company's contacts, as outlined in the motion to dismiss and response, fall well short of the type of "exceptional case" in which a foreign corporation's operations in another forum may be so substantial as to support the exercise of general jurisdiction. *See BNSF Ry. Co. v. Tyrrell,* 581 U.S. 402, 413, 137 S. Ct. 1549, 198 L. Ed. 2d 36 (2017) (explaining that "in an 'exceptional case,' a corporate defendant's operations in another forum 'may be so substantial and of such a nature as to render the corporation at home in that State.'") *quoting Daimler*, 571 U.S. at 139 n. 19. Accordingly, the district court correctly determined that it lacked general personal jurisdiction over Colyer.

Specific personal jurisdiction

¶17 The more difficult question is whether the district court properly sustained Colyer's motion to dismiss for lack of specific personal jurisdiction. In *Ford Motor Co. v. Mont. Eighth Jud. Dist. Ct*, the United States Supreme Court outlined the basic framework for analyzing specific personal jurisdiction:

> Specific jurisdiction is different: It covers defendants less intimately connected with a State, but only as to a narrower class of claims. The contacts needed for this kind of jurisdiction often go by the name purposeful availment. The defendant, we have said, must take some act by which it purposefully avails itself of the privilege of conducting activities within the forum State. The contacts must be the defendant's own choice and not random, isolated, or fortuitous. They must show that the defendant deliberately reached out beyond its home--by, for example, exploiting a market in the forum State or entering a contractual relationship centered there. Yet even then--because the defendant is not at home--the forum State may exercise jurisdiction in only certain cases. The plaintiff's claims, we have often stated, must arise out of or relate to the defendant's contacts with the forum. Or put just a bit differently, there must be an affiliation between the forum and the underlying controversy, principally, an activity or an occurrence that takes place in the forum State and is therefore subject to the State's regulation.

592 U.S. at 359-60 (citations and quotations omitted).

¶18 In *Ford*, the Supreme Court considered two consolidated products-liability actions arising from automobile accidents involving Ford vehicles in Montana and Minnesota. *Id*. at 356. Each accident occurred in the respective forum states and involved one of its residents. *Id*. Ford moved to dismiss both actions for lack of personal jurisdiction, asserting neither forum could exercise jurisdiction because the vehicles involved were neither designed, manufactured, nor originally sold there. *Id*. at 356--57. Montana and Minnesota supreme courts rejected those arguments, concluding Ford's extensive in-state activities--including advertising, selling, and servicing

identical vehicle models--created a sufficient connection among Ford, the forums, and the litigation to support specific jurisdiction. *Id*. at 357. The United States Supreme Court granted certiorari to address the scope of specific personal jurisdiction under those circumstances.

¶19 Before the Supreme Court, Ford argued that the requisite connection for specific jurisdiction must rest upon a direct causal relationship between the defendant's conduct within the forum state and the plaintiff's asserted injuries. *Id*. at 361. Thus, under Ford's contention, specific jurisdiction would exist only in the state where the particular vehicle was sold or where the vehicle was designed and manufactured. *Id*. However, the Supreme Court rejected this narrow view, explaining that a suit must "arise out of **or** relate to the defendant's contacts with the forum." *Id*. at 362 (quoting *Bristol-Myers*, 582 U.S. at 262) (emphasis modified). Although the "arise out of" component of the specific-jurisdiction analysis implicates causation, the "relate to" component recognizes that jurisdiction may exist even absent a strict causal connection between the defendant's forum conduct and the plaintiff's claims. *Id*.

¶20 In our most recent decision on the subject, *Barfell v. Freeman Health Sys.*, *supra*, this Court examined specific personal jurisdiction in the context of out-of-state health care providers who provided medical services to Oklahoma residents. The plaintiff was an Oklahoma resident who had traveled to Joplin, Missouri, for medical treatment with complaints of headaches and dizziness. She received care at an area hospital and, six days later, a follow-up examination with a Joplin physician. After receiving this medical treatment, the plaintiff was subsequently diagnosed with a severe neurological condition and underwent emergency treatment. Following surgical intervention, she required long-term acute care and continued to suffer significant neurological deficits. Thereafter, the plaintiff filed a professional negligence action against the Missouri healthcare providers. The defendants moved to dismiss for lack of personal jurisdiction, and the district court granted the motion, concluding that the treatment giving rise to the plaintiff's negligence claims occurred in Missouri and did not arise from FHS's contacts with Oklahoma.

¶21 Relying on *Ford*, the *Barfell* decision recognized that specific jurisdiction exists when a plaintiff's claims either "arise out of" or "relate to" a defendant's contacts with the forum state. *Id*. ¶¶ 7--9, 579 P.3d at 595--96. After examining the record, we held that the district court erred by failing to consider "whether the suit 'relate[d] to' the [hospital's] contacts with Oklahoma." *Id*. ¶ 12, 579 P.3d at 597. Our decision additionally concluded that the plaintiff had presented sufficient evidence of the hospital's Oklahoma contacts--including maintaining Oklahoma facilities, employees, advertising, and treatment of Oklahoma residents--to require further proceedings on whether the litigation sufficiently related to those contacts. *Id*. ¶¶ 12--13, 579 P.3d at 597--98. However, the Court affirmed dismissal of the physician because the record failed to establish that he had purposefully availed himself of conducting activities within Oklahoma. *Id*. ¶ 16, 579 P.3d at 598.

¶22 Three years prior to *Barfell*, we addressed whether Oklahoma courts could exercise specific personal jurisdiction over a Texas manufacturer of asbestos-containing drywall joint compound that had sold its product in Oklahoma. *Galier v. Murco Wall Products, Inc*., *supra*. For several years during the 1970's, Murco sold substantial quantities of asbestos-containing joint compound to Oklahoma customers. The company also worked with a local distributor to market its products for resale in this state. Michael Galier, an Oklahoma resident, developed mesothelioma and sued Murco and other defendants based on claims of negligence and products liability. Galier attributed his cancer to Murco's asbestos-containing products at Oklahoma construction sites.

¶23 Applying the principles governing specific jurisdiction, we concluded that Murco had purposefully availed itself of the Oklahoma forum through deliberate efforts to serve the state's market for asbestos-containing joint compound. *Id*. ¶ 18, 528 P.3d at 299. We further held that Galier's claims related to Murco's Oklahoma contacts because his alleged injury resulted from exposure to the very product Murco marketed and sold there. *Id*. ¶ 25, 528 P.3d at 301. We also rejected Murco's argument that Galier was required to trace the specific product that caused his injury to a particular Oklahoma sale, specifically finding that a strict causal nexus was unnecessary where the defendant deliberately served the Oklahoma market for the product at issue. *Id*. ¶¶ 17, 24--25, 528 P.3d at 299, 300-01.

¶24 Both *Barfell* and *Galier* presented factual scenarios which stand in sharp contrast to those in *Montgomery v. Airbus Helicopters, Inc.*, *supra*. In *Montgomery*, an air ambulance helicopter crashed shortly after takeoff from Oklahoma City, killing two Oklahoma residents and seriously injuring a third. EagleMed, was a Delaware company headquartered in Wichita, Kansas, that provided air ambulance services throughout the region, including Oklahoma. The helicopter had been designed and manufactured in France, and sold by Airbus Helicopters, Inc. in Texas. EagleMed assumed responsibility for transporting the aircraft to Kansas for assembly. [7] Although Airbus allegedly knew the helicopter would be used in Oklahoma, neither Airbus nor Soloy designed, manufactured, sold, assembled, or delivered the helicopter or its components in Oklahoma. Further, neither company maintained offices, employees, property, or other business operations in the state.

¶25 Following the crash, multiple plaintiffs sued Airbus, Honeywell, and Soloy in Oklahoma. Soloy and Airbus both filed motions to dismiss, arguing Oklahoma lacked personal jurisdiction over the defendants. Both companies' connections to Oklahoma resulted primarily from EagleMed's unilateral decision to operate the helicopter here. *Id*. ¶ 36, 414 P.3d at 834. Accordingly, the Court held that Oklahoma lacked specific jurisdiction over Airbus and Soloy because the conduct giving rise to the claims occurred outside the state. *Id*. ¶ 37, 414 P.3d at 834. Thus, while the accident occurred in Oklahoma and injured Oklahoma residents, the claims did not arise from forum-directed conduct by the defendants themselves. *Id*.

¶26 Applying these principles to this case, Plaintiffs made a prima facie showing that Colyer purposefully availed itself of the privilege of conducting activities in Oklahoma. Colyer did not merely enter a contract with Oklahoma residents or place Guardian into the stream of commerce with knowledge that the bull might eventually arrive in this State. Colyer itself transported Guardian to Oklahoma and placed the bull in Cattlemen's Congress auction in Oklahoma City. The contemplated transaction required Plaintiffs to submit the winning $100,000 bid at the auction, transferred to them a one-fourth interest in Guardian's sperm-bank proceeds, and established a continuing custodial arrangement under which Guardian was to spend six months of each year in Oklahoma. These contacts resulted from Colyer's own deliberate conduct and were neither random, isolated, nor fortuitous. *See Ford*, 592 U.S. at 359; *Burger King Corp.*, 471 U.S. at 475--76 (noting "that a defendant will not be haled into a jurisdiction solely as a result of 'random,' 'fortuitous,' or 'attenuated' contacts.").

¶27 Plaintiffs' claims also arise out of or relate to Colyer's Oklahoma contacts. Their claims concerning the sperm-bank proceeds and Colyer's alleged failure to provide a proper accounting arise directly from the ownership interest acquired through the Oklahoma auction. The negligent-care claim likewise relates to those contacts because it concerns Colyer's obligations while the bull was in their custody and alleges conduct that destroyed the ownership and revenue-producing interests created through the parties' Oklahoma-centered transaction. Although the allegedly negligent care occurred outside this State, specific jurisdiction does not require proof that the defendant's forum conduct directly caused the asserted injury. *Ford*, 592 U.S. at 362. Rather, the "relate to" component of the analysis recognizes that some relationships will support jurisdiction without a strict causal showing. *Id*.; *Galier*, ¶¶ 17, 25, 528 P.3d at 299, 301; *see also Barfell*, ¶ 8, 579 P.3d at 595. Here, Colyer's Oklahoma contacts and Plaintiffs' claims concern the same bull, the same ownership arrangement, and the same continuing obligations.

¶28 The exercise of jurisdiction also comports with traditional notions of fair play and substantial justice. Once purposeful availment and the required connection to the litigation have been established, a defendant must present a compelling case that other considerations render jurisdiction unreasonable. *Burger King*, 471 U.S. at 477. Colyer voluntarily entered Oklahoma to conduct a substantial commercial transaction with Oklahoma residents and agreed to a continuing relationship contemplating Guardian's presence here for half of each year. Oklahoma has a legitimate interest in adjudicating disputes arising from that transaction and protecting property interests acquired by its residents within this State. Nothing in the present record demonstrates that requiring Colyer to defend the action in Oklahoma would be constitutionally unreasonable.

CONCLUSION

¶29 We conclude the district court correctly determined that Oklahoma lacks general personal jurisdiction over Colyer. Plaintiffs nevertheless established a prima facie basis for the exercise of specific personal jurisdiction because Colyer purposefully directed its activities toward Oklahoma and Plaintiffs' claims arise out of or relate to those activities. The district court's dismissal for lack of personal jurisdiction is therefore reversed, and the cause is remanded for further proceedings consistent with this opinion.

DEFENDANT/APPELLEE'S MOTION TO DISMISS APPEAL AS UNTIMELY IS DENIED; THE TRIAL COURT ORDER DISMISSING THE UNDERLYING LAWSUIT IS REVERSED; AND THE CAUSE IS REMANDED FOR PROCEEDINGS CONSISTENT WITH THIS OPINION.

CONCUR: Kuehn, V.C.J., Edmondson, Combs, Gurich and Darby, JJ.

DISSENT: Rowe, C.J., Winchester (by separate writing), Kane, and Jett, JJ.

Winchester, J., with whom Kane, J. joins, dissenting:

¶1 The majority correctly finds that Colyer is not "at home" in Oklahoma and is therefore not subject to general personal jurisdiction here. I respectfully dissent to the majority's finding that Colyer is subject to specific personal jurisdiction in Oklahoma. For an Oklahoma court to exercise specific personal jurisdiction over an out of state defendant, not only must the defendant purposefully avail itself of the state's market, but the suit also must arise out of or relate to the defendant's contacts with the forum. *Ford Motor Co. v. Montana Eighth Judicial Dist. Court*, 592 U.S. 351, 360, 141 S. Ct. 1017, 1025, 209 L. Ed. 2d 225 (2021); *Bristol-Myers Squibb Co. v. Superior Court of California*, 582 U.S. 255, 262, 137 S. Ct. 1773, 1780, 198 L. Ed. 2d 395 (2017). "In order for a court to exercise specific jurisdiction over a claim, there must be an 'affiliation between the forum and the underlying controversy, *principally, [an] activity or an occurrence that takes place in the forum State*.' . . . When there is no such connection, specific jurisdiction is lacking regardless of the extent of a defendant's unconnected activities in the State. . . . '[E]ven regularly occurring sales of a product in a State do not justify the exercise of jurisdiction over a claim unrelated to those sales'." *Bristol-Myers Squibb*, *supra*, 582 U.S. at 264, 137 S. Ct. at 1781, quoting *Goodyear Dunlop Tires Operations, S.A. v. Brown*, 564 U.S. 915, 918, 131 S.Ct. 2846, 180 L.Ed.2d 796 (2011) (emphasis added).

¶2 In this case, an Idaho company sold a partial interest in a bull, along with a partial interest in the proceeds of the bull's semen, to Oklahoma residents. The Idaho company cared for the bull in Idaho and the Idaho company's alleged negligence led to the bull being euthanized in Colorado. The fact that the bull was briefly in Oklahoma for a show and auction years before the alleged negligence is not relevant or connected to Plaintiffs' injury. Plaintiffs could have submitted the winning bid for the bull at an auction held anywhere; the location of the show and sale had no affiliation to the bull's loss from alleged negligence occurring outside of Oklahoma. Colyer's actions, in advertising their bulls in a national industry magazine and showing them at an event in Oklahoma, may show it purposefully availed itself of the Oklahoma market, but the injury alleged did not arise out of or relate to those actions. The alleged negligence plainly did not occur in Oklahoma and did not relate to the Oklahoma sale. The facts alleged do not demonstrate that Colyer reasonably should have expected to be haled into court in Oklahoma based on alleged negligence occurring outside of Oklahoma.

FOOTNOTES

GURICH, J.

[1] Appellee's Motion to Dismiss Appeal, p. 1.

[2] Section 2005(B) reads in relevant part:

> Service upon the attorney or upon a party shall be made by delivering a copy to the attorney or the party or by mailing it or sending it by third-party commercial carrier for delivery within three (3) calendar days to the attorney or the party at the last-known address of the attorney or the party or by electronic means if the attorney or party consents in writing to receiving service in a particular case by electronic means and the attorney or party provides instructions for making the electronic service consented to by the attorney or party. The required written consent and electronic service instructions may be made in the entry of appearance filed by the attorney or the party pursuant to subsection A of Section 2005.2 of this title or may be made in another pleading filed by the attorney or party in the case. For purposes of this subsection, "electronic means" includes communications by facsimile or electronic mail through the internet, commonly known as e-mail.

(Emphasis added).

[3] Note that the computation is affected when the three-day period encompasses weekends or legal holidays. For example, if a final judgment is filed on Wednesday, November 26, 2025, proof of service filed on or before Wednesday, December 3, 2025, is still deemed filed within three days. Under 12 O.S.2025, § 2006(A), the day of filing is excluded, and because the prescribed period is less than eleven days, intermediate weekends and legal holidays are likewise excluded.

[4] Plaintiffs' appellate deadline fell on November 27, 2025. Because the Oklahoma Supreme Court Clerk's Office was closed for the Thanksgiving holiday on November 27 and 28, Plaintiffs' time to file extended to the next business day, December 1, 2025. *See* 25 O.S.2025, § 82.1; Okla. Sup. Ct. R. 1.3.

[5] Because the doctrine of *in personam* jurisdiction derives from the Due Process Clause of the United States Constitution, federal decisions are instructive in articulating the governing constitutional principles. *See generally Tulsa Ambulatory Proc. Ctr., LLC v. Olmstead*, 2024 OK 57, ¶ 24, n. 26, 558 P.3d 374, 385 (recognizing that federal cases interpreting the Federal Rules of Civil Procedure provide guidance in construing parallel provisions of the Oklahoma Pleading Code).

[6] In *Trierweiler v. Croxton and Trench Holding Corp.*, 90 F.3d 1523, 1533 (10th Cir. 1996), the Circuit Court observed:

> [C]ourts have considered such factors as: (1) whether the corporation solicits business in the state through a local office or agents; (2) whether the corporation sends agents into the state on a regular basis to solicit business; (3) the extent to which the corporation holds itself out as doing business in the forum state, through advertisements, listings or bank accounts; and (4) the volume of business conducted in the state by the corporation.

[7] The helicopter was also modified later in Kansas with an engine designed by Honeywell International, Inc. of New Jersey, and a conversion kit designed and supplied by Soloy, a Washington company.

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1993 OK 45, 871 P.2d 398, 64 OBJ 1255,	Rodgers v. Higgins	Discussed

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1994 OK 41, 873 P.2d 1029, 65 OBJ 1422,	Tinker Investment & Mortgage Corp. v. City of Midwest City	Discussed
2009 OK 91, 227 P.3d 1060,	POWERS v. DISTRICT COURT OF TULSA COUNTY	Discussed
2018 OK 17, 414 P.3d 824,	MONTGOMERY v. AIRBUS HELICOPTERS	Discussed
2022 OK 85, 528 P.3d 293,	GALIER v. MURCO WALL PRODUCTS	Discussed
2023 OK 12, 529 P.3d 905,	OWENS v. OWENS	Discussed
2024 OK 57, 558 P.3d 374,	TULSA AMBULATORY PROCEDURE CENTER v. OLMSTEAD	Discussed
2025 OK 61, 579 P.3d 591,	BARFELL v. FREEMAN HEALTH SYSTEM AND GULSHAN UPPAL, M.D., et al.	Discussed

Title 12. Civil Procedure

Cite	Name	Level
12 O.S. 990A,	Appeal to Supreme Court of Oklahoma - Filing of Petition - Rules - Procedure - Dismissal	Discussed at Length
12 O.S. 2004,	Process	Cited
12 O.S. 2005,	Service and Filing of Pleadings and Other Papers	Cited
12 O.S. 2006,	Time	Cited

Title 25. Definitions and General Provisions

Cite	Name	Level
25 O.S. 82.1,	Holidays	Cited