

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 N. ROBINSON
OKLAHOMA CITY, OK 73102



In the Matter of:

ODS File #05-055

MERRICK ENERGY DEVELOPMENT, LLC,
MERRICK OPERATING COMPANY, now known as GO Energy Corp.,
BRUCE J. SCAMBLER, and
Jeff A. Berlin

Respondents

REQUEST FOR HEARING

Respondent Jeff A. Berlin, on his own behalf as an individual, hereby requests a formal adjudicatory hearing in the above stated matter. Respondent further requests a separate hearing from Respondent Scambler for the following reasons:

1. Respondent Jeff Berlin initiated this action with the Department of Securities both here in Oklahoma and in Kansas on behalf of himself and the investors involved in this action. Jeff Berlin is the largest monetary victim in this scam perpetrated by Bruce Scambler, and Scambler's frauds have been proven through the Kansas Department of Securities findings, as well as several other legal actions against Scambler.
2. Scambler's attorney, Mark Robertson, is the person that helped Scambler draft and authorize the Merrick Energy Development PPM. Robertson was paid close to \$6000.00 by Merrick for his work on the PPM. Scambler invited Berlin to meet with Robertson on one occasion to discuss the PPM. Berlin does not know the extent of Robertson's knowledge, but considers him to be a witness to the Merrick scam that Scambler perpetrated on respondent Berlin and the investors.
3. Respondent Berlin is the key witness to Scambler's fraudulent actions against the investors, and has successfully testified against Scambler in several other venues. Berlin does not wish to appear to be part of Scambler's actions by having simultaneous hearings.

4. Berlin and the investors sued Scambler in State Civil Court for fraud, conversion, theft of files and records, theft of property and cash, slander, libel and several other counts. We were successful in getting our wells and some of our properties back, but were unsuccessful in retrieving more than \$210,000 taken by Scambler, as he immediately filed for bankruptcy. We also were not successful in getting our files, documents and records back from Scambler, as he claimed that his gardener stole them.
5. Merrick investors also sued him in Arizona District Court, and won an \$85,000 judgment against him.
6. We were also successful in our action against him at the Kansas Department of Securities, where he was found guilty of fraud and was forced to pay a fine to the Merrick investors.
7. Added to this list of successful actions against Scambler is the arrest of Scambler for oil theft against the investors. He was investigated by the Lincoln County Sherriff's office for oil theft. The investigators then passed their evidence on to the Lincoln County Prosecutor's office who arrested, booked and charged Scambler for theft. Scambler posted bail, and then later negotiated a settlement payment to the investors in lieu of jail time.

ALLEGATIONS OF FACT

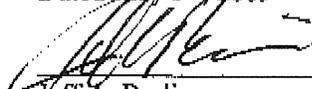
1. Respondent Berlin does not possess enough information to affirm or deny.
2. Respondent Berlin does not possess enough information to affirm or deny.
3. Respondent Berlin does not possess enough information to affirm or deny.
4. Respondent Berlin does not possess enough information to affirm or deny.
5. Respondent Berlin does not possess enough information to affirm or deny.
6. Respondent Berlin does not possess enough information to affirm or deny.
7. Affirm
8. Affirm
9. Affirm
10. Respondent Berlin does not possess enough information to affirm or deny.
11. Affirm
12. Affirm
13. Affirm
14. Respondent Berlin does not possess enough information to affirm or deny.
15. Respondent Berlin does not possess enough information to affirm or deny.
16. Respondent Berlin does not possess enough information to affirm or deny.
17. Respondent Berlin does not possess enough information to affirm or deny.
18. Respondent Berlin does not possess enough information to affirm or deny.
19. Respondent Berlin does not possess enough information to affirm or deny.

- 20. Affirm
- 21. Respondent Berlin does not possess enough information to affirm or deny.
- 22. Respondent Berlin does not possess enough information to affirm or deny.
- 23. Respondent Berlin does not possess enough information to affirm or deny.
- 24. Respondent Berlin does not possess enough information to affirm or deny.

RESPONSE TO CONCLUSIONS OF LAW

- 1. Affirm
- 2. Respondent Berlin does not possess enough information to affirm or deny.
- 3. Respondent Berlin does not possess enough information to affirm or deny.
- 4. Respondent Berlin does not possess enough information to affirm or deny.
- 5. Respondent Berlin does not possess enough information to affirm or deny.
- 6. Affirm
- 7. Affirm as to Scambler, but deny as to Respondent Berlin.

Dated May 3rd 2009



Jeff A. Berlin