

STATE OF OKLAHOMA  
LOGAN COUNTY SS  
FILED FOR RECORD

IN THE DISTRICT COURT OF LOGAN COUNTY,  
STATE OF OKLAHOMA

2012 JUL 20 PM 1:32

OKLAHOMA DEPARTMENT OF SECURITIES, )  
*ex rel.*, IRVING L. FAUGHT, Administrator, )  
 )  
Plaintiff, )  
vs. )  
 )  
MARSHA SCHUBERT, an individual, and d/b/a )  
SCHUBERT AND ASSOCIATES; et al., )  
 )  
Defendants. )

REJEANNA ZHEK  
COURT CLERK

BY \_\_\_\_\_ DEPUTY

Case No. CJ-2004-256

**ORDER GRANTING RECEIVER'S CORRECTED APPLICATION FOR AUTHORITY  
TO DESTROY DOCUMENTS AND MISCELLANEOUS ITEMS IN STORAGE**

On the 20<sup>th</sup> day of July, 2012, the Receiver's Corrected Application for Authority to Destroy Documents and Miscellaneous Items in Storage Upon Notice to Interested Parties came on for hearing before the Court. Based on the Corrected Application of the Receiver and presentation of counsel, the Court finds as follows:

1. That proper notice of the Receiver's Corrected Application and the hearing thereon was given to the parties, counsel of record, and the interested parties;
2. That the miscellaneous papers and other items the Receiver has in a storage unit are several years old, and no request for access to or inspection of these papers and items has been made of the Receiver for at least three years;
3. That no objection has been filed of record by any party, interested party, or attorney to the Receiver's Corrected Application for Authority to Destroy Documents and Miscellaneous Items in Storage Upon Notice to Interested Parties;
4. That, under the circumstances, it would be unnecessary and wasteful to require the Receiver to continue paying a monthly storage fee out of funds held by the Receivership estate to

store these dated miscellaneous items that no one has sought to inspect or otherwise use in at least three years; and,

5. That the Receiver has stated sufficient grounds for this Court to grant his Corrected Application for Authority to Destroy Documents and Miscellaneous Items in Storage Upon Notice to Interested Parties as filed on June 27, 2012.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Corrected Application to Destroy Documents and Miscellaneous Items in Storage Upon Notice to Interested Parties, filed June 27, 2012, is granted.

IT IS FURTHER ORDERED that the Receiver mail a copy of this Order to the parties, attorneys of record, and interested parties that were identified on the certificate of service attached to his Corrected Application by first-class mail, postage prepaid, to each of those persons or entities at their last-known mailing address.

IT IS FURTHER ORDERED that any party, attorney of record, or interested party shall have 30 days from the date this Order is *entered* to contact the Receiver's counsel, Bradley Davenport, at 405-272-4710 to arrange for a time to inspect and/or claim any of the documents or miscellaneous items in storage within the aforementioned 30-day time period.

IT IS FURTHER ORDERED that upon expiration of 30 days from the date this Order is entered, the Receiver is hereby authorized to destroy any remaining documents and other miscellaneous items that he has in storage that have not been claimed or taken in the time allotted herein by shredding or other appropriate means, and that he may destroy such items without the necessity of making further application with this Court.

Dated: 7-20-12

**PHILLIP CORLEY**

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HONORABLE PHILLIP C. CORLEY  
JUDGE OF THE DISTRICT COURT

APPROVED:

  

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