

Oklahoma Department of Securities)
ex rel Irving L. Faught, Administrator,)
)
Plaintiff,)
)
v.)
)
Trade Partners, Inc., a Michigan corporation,)
et al,)
)
Defendants.)

APR - 2 2007
PATRICIA PRESLEY, COURT CLERK
By _____
Deputy
Case No. CJ-2004-6295

**RESPONSE OF DEFENDANT EDDIE ELKINS TO
APPLICATION OF INDIRECT CONTEMPT**

Defendants Eddie Elkins. ("Elkins") hereby submits his Response to the Application for Indirect Contempt filed herein by the plaintiff Oklahoma Department of Securities, *ex rel* Irving L. Faught, Administrator ("Department").

Admissions and Denials

Defendant Elkins submits the following admissions and denials to the enumerated paragraphs of the plaintiff's Application:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Denied. Defendant Elkins admits that he one of the owners of membership

interests in Big Boy Investments, L.L.C., an Oklahoma limited liability company. This

company did receive compensation as a result of the sale of mineral claims by Earthly Mineral Solutions, Inc., however, defendant Elkins did not solicit any of these sale transactions. To the best information and belief of defendant Elkins, the mineral claims are real property and are not properly considered securities under Oklahoma law, hence there would be no requirement to register the claims under the Act.

8. Denied. See response to paragraph 7 above.

9. Denied. Defendant Elkins did not sell or participate in the sale of any securities offered or sold by Monarch Visual Solutions, Inc.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. Denied.

15. Denied. All transfers of assets by defendant Elkins were done in good faith and in the ordinary course of his business, including the sale of the May Avenue real property and related repayment of obligations burdening this property. Defendant Elkins has not engaged in transactions that wilfully violated the intent of the injunctive order, to wit: to prevent transfers that would place assets beyond the jurisdiction of the Court pending disposition of the claims in this action.

Affirmative Defenses

First . Plaintiff has failed to state facts sufficient to state a claim upon which relief may be granted.

Second. Plaintiff's claims are barred by the applicable statutes of limitation.

Third. The EMS transactions alleged by plaintiff do not constitute the offer and sale of a security under Oklahoma law.

Fourth. Defendant Elkins did not wilfully violate any court order.

Demand for Jury Trial

Pursuant to 21 Okla. Stat. §567(A), defendant Elkins demands trial by jury of the charge of indirect contempt of court asserted by the plaintiff Department.

Dated: April 2, 2007



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Attorneys for defendant Eddie Elkins

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of April, 2007, a true and correct copy of the above and foregoing Answer was served by United States mail to the following:

Patricia A. Labarthe, Esq.
Melanie Hall, Esq.
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102
Attorneys for plaintiff



Kirk D. Fredrickson