

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.
NOV 12 2010
PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

OKLAHOMA DEPARTMENT OF SECURITIES)
ex rel. IRVING L. FAUGHT, Administrator, et al.,)
)
Plaintiffs,)
v.)
)
ROBERT W. MATHEWS, et al.,)
)
Defendants.)
_____)

Case No. CJ-2005-3796

MOTION TO REQUIRE JUDGMENT DEBTOR, KENNETH LARUE,
TO APPEAR AND ANSWER AS TO ASSETS

Plaintiffs, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, and Douglas L. Jackson, in his capacity as court appointed receiver for the benefit of the claimants and creditors of Marsha Schubert and Schubert and Associates, move this Court for an Order requiring the Judgment Debtor named below to appear at a date certain and answer concerning his property and assets.

Plaintiffs are Judgment Creditors, having obtained judgment and costs in the above captioned case against the Defendant set forth below in the following amounts:

Defendant	Judgment Date	Judgment Amount	Costs
Kenneth LaRue	October 1, 2010	\$108,361.93	\$75.00

with interest accrued and accruing on the judgment amount at the statutory rate from the judgment date, until paid in full. A copy of the Journal Entry of Judgment relative to this Defendant is attached as Exhibit A.

The Defendant has property which he unjustly refuses to apply toward the satisfaction of the judgment; and Plaintiffs are entitled to an order of this Court requiring the Defendant to appear and answer concerning his property and assets before the Judge of this Court.

Plaintiffs further move that the Court enter an order against the Defendant restraining him from transferring or otherwise disposing of any property which he may have, either real or personal, pending the outcome of the hearing of this matter before the Court and subject to any other order of this Court.

Wherefore, Plaintiffs request that the Court enter an order requiring and directing the Defendant to appear before the Judge of this Court at a specified time and place to answer concerning property and assets belonging to him.

Respectfully submitted,



Bradley E. Davenport, OBA #18687
GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.
100 N. Broadway Avenue
3030 Chase Tower
Oklahoma City, OK 73102
(405) 272-4710/(405) 272-5141
davenport@gungolljackson.com
Attorneys for Plaintiff/Receiver, Douglas L. Jackson

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing instrument was mailed this 12th day of November, 2010, with postage prepaid, to:

Amanda Cornmesser
Gerri Kavanaugh
Melanie Hall
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102
(405) 280-7700 PH (405) 280-7742 FAX
acornmesser@securities.ok.gov
gkavanaugh@securities.ok.gov
mhall@securities.ok.gov
Attorneys for Plaintiff, Oklahoma Department
of Securities

G. David Bryant
Julie Brower
Kine, Kline, Elliott & Bryant, P.C.
720 N.E. 63rd Street
Oklahoma City, OK 73105
Phone: 405-848-4448
Fax: 405-842-4539
jbrower@klinefirm.org
Attorney for Defendants, Marvin and Pamela Wilcox

Kenneth LaRue
908 Devon
Yukon, OK 73099



Bradley E. Davenport

IN THE DISTRICT COURT OF OKLAHOMA COUNTY OCT - 1 2010
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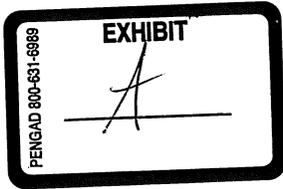
JOURNAL ENTRY OF JUDGMENT

NOW on the 1st day of October, 2010, the *Motion for Summary Judgment* relative to Kenneth LaRue (Defendant LaRue), came on for hearing. The Department appeared by and through its attorneys, Amanda Commesser and Gerri Kavanaugh. The Plaintiff Receiver appeared by and through his attorney, Bradley Davenport. Defendant LaRue failed to oppose the Motion.

Based on the briefs filed, the arguments of counsel, and being fully advised in the premises, this Court finds as follows:

1. There is no genuine issue of material fact pertaining to Plaintiffs' unjust enrichment cause of action against Defendant LaRue; and,
2. Plaintiffs' *Motion for Summary Judgment* against Defendant LaRue should be and hereby is granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that summary judgment is entered against Defendant LaRue on Plaintiffs' unjust enrichment cause of action, and Defendant LaRue is ordered to disgorge and/or repay to Plaintiffs the amount of



\$108,361.93, prejudgment interest in the amount of \$35,541.66, post-judgment interest at the statutory rate, and costs of the action in the amount of \$75.00.

IT IS FURTHER ORDERED that Defendant LaRue shall disgorge and/or repay the sums of money set forth above, including interest to Plaintiff/Receiver, Douglas L. Jackson.

Date: Oct. 1, 2010

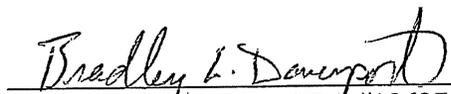
PATRICIA G. PARRISH

Honorable Patricia G. Parrish
Judge of the District Court

Approved as to Form:



Amanda Cornmesser, OBA #20044
Gerri Kavanaugh, OBA #16732
Melanie Hall, OBA #1209
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, OK 73120
(405) 280-7700 phone/(405) 280-7742
Attorneys for Plaintiff, Oklahoma Dept. of Securities



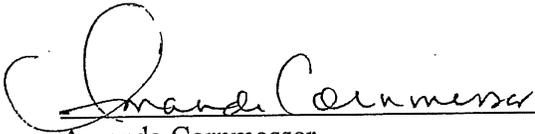
Bradley E. Davenport, OBA #18687
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3030 Chase Tower
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Oklahoma City, OK 73102
(405) 272-4710 phone number
(405) 272-5141 facsimile number
Attorney for Plaintiff/Receiver, Douglas L. Jackson

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing instrument was mailed this 1st day of October, 2010, with postage prepaid, to:

G. David Bryant
Julie Brower
Kline, Kline, Elliott & Bryant, P.C.
720 N.E. 63rd Street
Oklahoma City, OK 73105
Attorneys for Defendant Kenneth LaRue

Kenneth Young, *Pro Se*
Leslie Young, *Pro Se*
6020 NW 85th
Oklahoma City, OK 73132


Amanda Cornmesser

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OKLAHOMA DEPARTMENT OF SECURITIES)
ex rel. IRVING L. FAUGHT, Administrator, et al.,)
)
Plaintiffs,)
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)
ROBERT W. MATHEWS, et al.,)
)
Defendants.)

**ORDER TO APPEAR AND ANSWER AS TO ASSETS
AND INJUNCTION FORBIDDING TRANSFER
OR OTHER DISPOSITION OF PROPERTY**

THE STATE OF OKLAHOMA TO: Kenneth LaRue
908 Devon
Yukon, OK 73099

YOU ARE HEREBY ORDERED to appear in person and answer concerning your property and assets before Judge Humble of the District Court at his/her Courtroom in the Oklahoma County Courthouse, Courtroom 600, 321 Park Avenue, Oklahoma City, Oklahoma, at the hour of 9:00 a. .m., on the ~~17th~~ day of December, 2010.

YOU ARE ALSO ORDERED to bring with you the following:

1. All financial records for the past six (6) months;
2. All bank statements for the past six (6) months;
3. Copies of all income tax returns, state and federal, for the past three (3) years;
4. Records of any and all real property you own or which may be held in trust for you by anyone else, including a legal description thereof;
5. A complete list of all personal property owned by you;
6. A complete list of all banks, savings and loan associations, or any other place where you may have money on deposit, stating the amounts being held;

7. Titles to all vehicles owned by you;
8. Any stocks, bonds or other securities owned by you;
9. Keys to any safety deposit boxes held by you;
10. Records of any and all other property owned by you or held in trust for you by any other person.

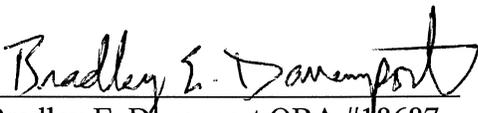
YOU ARE FURTHER ORDERED not to pay out, transfer, mortgage, alienate, encumber or make any other disposition of money, property or assets, either real or personal, not exempt by law, until further order of this Court, other than in the ordinary course of your affairs.

DATED this 12th day of November, 2010.

GEARY L. WALKER

Special Judge of the District Court

Approved as to Form:


Bradley E. Davenport OBA #18687
Gungoll, Jackson, Collins, Box & Devoll, P.C.
100 N. Broadway Avenue
3030 Chase Tower
Oklahoma City, OK 73102
(405) 272-4710 ph. / (405) 272-5141 fax
davenport@GungollJackson.com
Attorney for Plaintiff/Receiver, Douglas L. Jackson

ISSUED THIS 12 DAY OF NOV 20 10
IN OKLA. COUNTY, OKLA.
PATRICIA (RESIDENT) COURT CLERK

Deputy