

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

MAY 16 2008

PATRICIA PRESLEY, COURT CLERK
by _____

Case No. CJ-2006-~~35147~~95147

OKLAHOMA DEPARTMENT OF SECURITIES)
<i>ex rel.</i> Irving L. Faught, Administrator,)
)
Plaintiff,)
)
vs.)
)
FARMERS & MERCHANTS BANK, et al.)
)
Defendants,)
)
and)
)
ROBERT LYNN POURCHOT, Trustee of the)
Robert Lynn Pourchot Trust, et al.,)
)
Intervenors.)

**DEFENDANTS' MOTION FOR LEAVE TO FILE OVERSIZED BRIEF
IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendants Farmers & Merchants Bank, Farmers & Merchants Bancshares, Inc., John V. Anderson and John Tom Anderson (collectively referred to as "Defendants"), pursuant to Rule 4 of the Rules for District Courts and Rule 37 of the Rules for the Seventh and Twenty-Sixth Judicial Districts, respectfully move the Court for leave to file an oversized brief not to exceed thirty-one (31) pages in support of their Motion for Partial Summary Judgment against Plaintiff, Oklahoma Department of Securities. In support of this motion, Defendants would show the Court as follows:

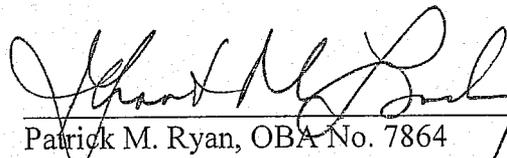
1. Pursuant to the Court's Scheduling Order, the deadline for filing dispositive motions is June 30, 2008.
2. In order to properly address the issues in support of Defendants' Motion for Partial Summary Judgment, Defendants believe that an additional eleven (11) pages of argument

and authority will be necessary. Defendants, therefore request leave of Court to file an oversized brief, not to exceed thirty-one (31) pages.

3. Counsel for Plaintiff has been contacted regarding this motion and undersigned counsel is authorized to state that counsel for Plaintiff has no objection to the filing of an oversized brief.

WHEREFORE, Defendants Farmers & Merchants Bank, Farmers & Merchants Bancshares, Inc., John V. Anderson and John Tom Anderson respectfully request the Court for leave to file an oversized brief not to exceed thirty-one (31) pages in support of their Motion for Partial Summary Judgment against Plaintiff, Oklahoma Department of Securities.

Respectfully submitted,



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V. ANDERSON and JOHN TOM ANDERSON**

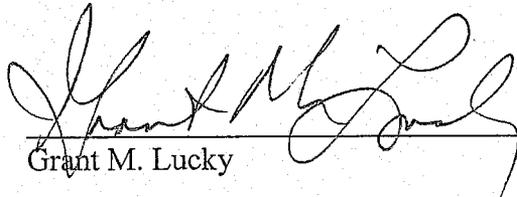
CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of May 2008, a true and correct copy of the above and foregoing instrument was mailed, via U.S. Mail, first-class, postage prepaid, to the following attorneys of record:

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