

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

NOV - 3 2008

PATRICIA PRESLEY, COURT CLERK
By _____
DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)
)
v.)
)
Franklin D. Christon,)
)
Defendant.)

Case No. CJ-2008-8837

MOTION FOR DEFAULT JUDGMENT

Plaintiff, Oklahoma Department of Securities *ex rel.* Irving L. Faught, moves this Court to enter judgment by default against Defendant, Franklin D. Christon, for the relief prayed for in Plaintiff's *Petition for Permanent Injunction and Other Relief* ("Petition"), without notice, pursuant to Rule 10 of the Rules for District Courts of Oklahoma. In support of this motion, Plaintiff states as follows:

1. Defendant was served with a summons, with the Petition attached thereto, by a licensed process server on October 6, 2008. A copy of the *Proof of Service* is attached hereto as Exhibit "A".
2. The date by which Defendant was required to appear and defend this action was October 27, 2008.
3. No appearance has been made by Defendant nor has any motion or pleading been filed on his behalf, and his time for doing so has expired.
4. The allegations contained in the Petition should be deemed admitted.
5. Plaintiff is entitled to the relief prayed for in the Petition.

WHEREFORE, Plaintiff prays that this Court enter an order, by default, against Defendant:

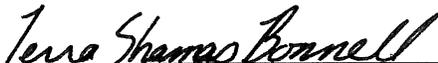
1. Permanently enjoining Defendant, his agents, servants, employees, assigns and all those persons, directly or indirectly, acting on his behalf, under his direction and control, and/or in active concert or participation with him, who receive actual notice of the temporary and/or permanent injunction, by personal service, facsimile or otherwise, from violating the Oklahoma Uniform Securities Act of 2004 (“Act”), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2004);

2. Requiring Defendant to make restitution to any and all persons who purchased, or invested in, a “Financial Instrument,” the “Investment Opportunity,” the “Trading Program,” the “Financial Guarantee,” and/or the “Joint Venture Interest,” as those terms are used in the Petition, from Defendant or who transferred money to Defendant for the purpose of purchasing, or investing in, a “Financial Instrument,” the “Investment Opportunity,” the “Trading Program,” the “Financial Guarantee,” and/or the “Joint Venture Interest” on their behalf;

3. Requiring Defendant, his agents, servants, employees, assigns, and all persons, directly or indirectly, acting on his behalf, under his direction and control, and/or in active concert or participation with him, to disgorge all ill-gotten gains received in connection with the offer and/or sale of a “Financial Instrument,” the “Investment Opportunity,” the “Trading Program,” the “Financial Guarantee,” and/or the “Joint Venture Interest,” as those terms are used in the Petition; and

4. Imposing a civil penalty against Defendant in the amount of \$10,000.

Respectfully submitted,



Terra Shamas Bonnell (OBA No. 20838)
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102
Telephone: (405) 280-7715
Facsimile: (405) 280-7742
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that on the 3rd day of November, 2008, a copy of the foregoing *Motion for Default Judgment* was mailed to:

Franklin D. Christon
1909 E. Madison St.
Oklahoma City, OK 73111-3337



Terra Shamas Bonnell

OUR FIRM FILE NUMBER:

Client: OKLAHOMA STATE DEPT. OF SECURITIES County: Oklahoma

Case Number: CJ-2008-8837

OKLAHOMA DEPARTMENT OF SECURITIES EX REL.
IRVING L - Plaintiff(s)
vs

FRANKLIN D. CHRISTON - Defendant(s)

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.
OCT - 7 2008
PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Date Served: 10/6/2008 6:20:00 PM

Served By: LATOYA CURRY (PSS-05-32)

County of Origin: Oklahoma

Proof of Service

Case Number: CJ-2008-8837

DOCUMENTS SERVED: I, being duly sworn, certify that I received the forgoing, to wit:

*Summons with Petition

METHOD OF SERVICE:

And served the same according to the law in the following manner, to wit:

Personal Service by delivering a true copy of said process personally to FRANKLIN D. CHRISTON 1909 E. MADISON STREET, OKC, OK 73111. Date and Time: 10/6/2008 6:20:00 PM

Other Information:

Subscribed and sworn to before me this

day of OCT 7 2008
John J. Shadid
Notary Public Commission Exp. 11/06/11
(SEAL)

Undersigned declares under penalty of perjury that the foregoing is true and correct.

Latoya Curry 10/7/2008
Name of Server (date)

tabbles
EXHIBIT
A

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
Plaintiff,)
v.)
Franklin D. Christon,)
Defendant.)

Case No. CJ **CJ -2008-8837**

Franklin D. Christon
1909 E. Madison St.
Oklahoma City, OK 73111-3337

SUMMONS

To the above-named Defendant:

You have been sued by the above-named plaintiff, and you are directed to file a written answer to the attached petition in the court at the above address within twenty (20) days after service of this summons upon you, exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff.

Unless you answer the petition within the time stated, judgment will be rendered against you with costs of the action.

Issued this 1 day of October, 2008.

PATRICIA PRESLEY, COURT CLERK

(Seal)

By: *Patricia Presley*

Attorneys for Plaintiff
Name: Terra Shamas Bonnell, OBA #20838
Address: First National Center, Suite 860
120 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 280-7700

This summons was served on _____
(date of service)

Signature of person serving summons

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.