

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

DEC - 4 2009

PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
DEPUTY

IN THE DISTRICT COURT OF OKLAHOMA  
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF SECURITIES )  
*ex rel.* IRVING L. FAUGHT, Administrator, )  
 )  
Plaintiff, )  
v. )  
 )  
THE ESTATE OF BRYAN DAVID ROARK, )  
 )  
Defendant. )

Case No. CJ-2009-10905

**ORDER GRANTING RECEIVER'S EMERGENCY  
APPLICATION TO SELL CATTLE**

NOW on this 4 day of December, 2009, this matter comes on before the Court for consideration of the Receiver's Emergency Application to Sell Cattle. The Receiver appears by and through his attorney of record, Bradley E. Davenport of Gungoll, Jackson, Collins, Box & Devoll, P.C. The Oklahoma Department of Securities appears by and through its attorneys of record, Jennifer Shaw and Amanda Cornmesser. The Intervenors, Christi Roark, Craig Roark and Chad Roark, appear by and through their counsel of record, Clell Cunningham, III. The Court, being fully advised in the premises, finds that the Receiver's Emergency Application to Sell Cattle should be granted, *instanter*, and without notice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Emergency Application to Sell Cattle filed on December 2, 2009 is hereby **GRANTED**. The Receiver is authorized to sell all the cattle identified in his Application, or as many as he deems appropriate, at the Atoka Livestock Auction located in Atoka, Oklahoma on December 5, 2009.

IT IS FURTHER ORDERED that the Receiver is authorized to sell the subject cattle belonging to the estate of Bryan David Roark in the Receiver's name only, and that any cattle

purportedly belonging to Chad Roark will be sold and the sale proceeds made jointly payable to Chad Roark and the Receiver.

IT IS FURTHER ORDERED that the Receiver may net, or deduct, the costs of sale and any pasture rent due and owing relative to the cattle from the sale proceeds.

TWYLA MASON GRAY

---

Twyla Mason Gray  
Judge of the District Court

**APPROVED AS TO FORM:**



---

Jennifer Shaw, OBA #20839  
Amanda Commesser, OBA#20044  
Oklahoma Department of Securities  
120 N. Robinson, Suite 860  
Oklahoma City, OK 73102  
Attorneys for Plaintiff



---

Bradley E. Davenport, OBA #18687  
Gungoll, Jackson, Collins, Box & Devoll, P.C.  
3030 Chase Tower  
100 N. Broadway Avenue  
Oklahoma City, OK 73102  
(405) 272-4710 telephone  
(405) 272-5141 facsimile  
Attorney for Receiver

---

Clell Cunningham, III, OBA #2093  
Dunn, Swan & Cunningham, P.C.  
210 Park Avenue  
Suite 2800  
Oklahoma City, OK 73102  
Attorney for Intervenors

purportedly belonging to Chad Roark will be sold and the sale proceeds made jointly payable to Chad Roark and the Receiver.

IT IS FURTHER ORDERED that the Receiver may net, or deduct, the costs of sale and any pasture rent due and owing relative to the cattle from the sale proceeds.

---

Twyla Mason Gray  
Judge of the District Court

**APPROVED AS TO FORM:**

---

Jennifer Shaw, OBA #20839  
Amanda Commesser, OBA#20044  
Oklahoma Department of Securities  
120 N. Robinson, Suite 860  
Oklahoma City, OK 73102  
Attorneys for Plaintiff

---

Bradley E. Davenport, OBA #18687  
Gungoll, Jackson, Collins, Box & Devoll, P.C.  
3030 Chase Tower  
100 N. Broadway Avenue  
Oklahoma City, OK 73102  
(405) 272-4710 telephone  
(405) 272-5141 facsimile  
Attorney for Receiver



---

Clell Cunningham III, OBA #2093  
Dunn, Swan & Cunningham, P.C.  
210 Park Avenue  
Suite 2800  
Oklahoma City, OK 73102  
Attorney for Intervenors