IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPT. OF SECURITIES: IRVING FAUGHT, ADMINISTRATOR
PLAINTIFF

vs.

GLOBAL WEST FUNDING Ltd.
GLOBAL WEST FINANCIAL Ltd.
SURELOCK FINANCIAL Ltd.
SURELOCK LOANS LLC.
THE WAKE-GOLDMADE Ltd.
BRIAN MCKEE
JOE DON JOHNSON
DEFENDANTS

CASE No. CJ-2009-2773
Judge LISA T. DAVIS

DEFENDANTS OBJECTION TO SPECIAL MASTER STEPHEN MORIARTY'S MOTION FOR ORDER DIRECTING BANK OF OKLAHOMA TO TURN OVER PROCESSMART PAYMENT SYSTEMS LTD. Co. ACCOUNT.

COMES NOW, BRIAN MCKEE, defendant and objects to the motion and Requests the Court to deny said MOTION FOR THE FOLLOWING REASONS.

DEFENDANT'S ARGUEMENTS to Special Master claims:
NUMBER 1 Though Mr. Moriarty was Appointed to "operate and manage all assets" April 1st 2009, he was not given unlimited authority to seize

bank accounts or anything else not directly set forth in the original court order dated April 1, 2009. Merely being a signator or a signee on an account does not equate to "ownership." "ownership" has specific legal and constitutional protections afforded in law to those who hold it in property. Defendant is not the owner of processmart payment systems Ltd. Co. Mr. Moriarty has submitted no proof of his claim of ownership. To attempt to do so at this time, more than three years after his appointment, shows great over-reaching by this special master, and he has no basis in law to do so.

Number 2 This special master claims that "at all times relevant, processmart maintained a BOK account."
This "fact" must have just now become "relevant" to this special master since it wasn't relevant enough to become part of the original court order. Nor was it relevant to this special master to request any unrelated accounts (known to Mr. Moriarty shortly after his appointment) which were blanket frozen by ODS's subpoena of March 24 2009. Mr. Moriarty should be estopped from this action which wasn't relevant in the court order of Judge Gurich, wasn't relevant to ODS in their original subpoena wasn't relevant before special master sought a

"FINAL PAYMENT" to the Eighty three depositors of defendant companies and should not be relevant now.

Number 3 This special master states that "on February 19th 2009, defendant, The Wave-Goldmade transfered $25,000 to [sic into] the account." "the remaining balance is $3500. Upon appointment, BOK Agreed to freeze account."

This statement is factually untrue as well as overly misleading. Correct, the week of Feb. 19th 2009, $25,000 came into the account of The Wave-Goldmade. However, candidly omitted from the statement is that just days later the exact amount in question $25,000 came out of the account (give or take some small change) as a service of the Wave to its client company Processmart. At no times relevant has The Wave-Goldmade owned Processmart. As recorded in previous court filings in this case, it was known that the Wave-Goldmade account was a service account set up for the sole purpose of being a "pass-through" account for literally hundreds of entities, customers, account holders and employees of defendant and defendants' companies. Funds were electronically transfered for the benefit of the affiliate individual or company in order to effect a proper pass through. Merely the transfer of money does not, for this special master, prove ownership, nor "assets" within the original court order.

Also untrue is that BOK did any freezing of the Processmart or any other unrelated accounts at this special masters' request. BOK froze any accounts on which, defendant McKee, was a signer on the account. This was done on the "temporary order" of March 24 2009, This would have made it impossible for this special master to have directed BOK to do anything before his April 1st Appointment. The simple fact that though known to all relevant parties, BOK has not released to the special master funds belonging to Processmart is further evidence that the wisdom of the original court order was properly upheld and enforced by BOK.

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Defendants final objections to this motion.

A) This one singular event in February 2009 is the only transaction conducted prior to special masters Appointment. Though this transaction involved The Wager-Goldmacle as a payment service, however, it did not involve any of the eighty three investors or their invested money and can not be demonstrated by special master to be so.

B) Given the date of this transaction 2/19/2009, defendant asserts that statute of limitations for financial transactions of a civil court in Oklahoma is thirty six months. Therefore, special master is statutorily barred from this action.

c) Further proof that this action is nothing more than a transparent attempt at self enrichment by Mr. Moriarty, he requested a "final payout" to affected investors in 2011. He was granted that request by this court. It therefore must be assumed by this court that granting his motion serves only to pad his pocketbook, and should be denied.

In summation, this special master has made no timely request before now, lacks legal authority, has no rightful custody nor this courts' mandate by the official record as of April 1st 2009. Defendant objects to this motion and respectfully asks that it be denied for lack of legal standing.

Respectfully,
Brian Mckee
Defendant

Certificate of Mailing

This is to certify that on April 28th 2012 the foregoing was sent by U.S. mail first class postage prepaid.

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