

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUN 21 2011

PATRICIA PRESLEY, COURT CLERK

by _____ DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L Faught,)
Administrator,)
Plaintiff,)
v.)
Brian McKye,)
Defendant)

Case No. CJ-2009-2773

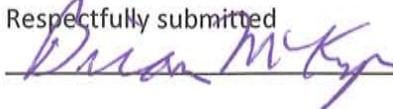
DEFENDANT'S OBJECTION TO STEPHEN J MORIARTY, SPECIAL MASTER'S
APPLICATION TO ESTABLISH PROCEDURES

Comes now the Defendant and respectfully requests the Court to deny Stephen j Moriarty, Special master's request for Application to Establish Procedure for the following reasons:

1. Stephen J Moriarty has been ineffectual in his role as Special Master. None of the 83 claimants have been paid any monies due to them since his appointment April 1 2009, (two years and three months past, of this filing).
2. His role as special master has an obligation to this Court effectuated on 04/01/2009 to "operate and maintain" Defendant's companies and to "report" to this Court dated April 1 2009.
3. Stephen J Moriarty has reported to this Court on his actions one time (all inclusive) filed 08/24/2010 (a voluminous largely unreadable report).
4. Courts across the country, including Oklahoma, reflect once appointed a Special Master is usually required to give an accounting and reporting every 90 days or every six months or at least annually (none of these have been done).
5. Special Master, Stephen J Moriarty has an obligation to this Court to report his collections of monies in a "timely" basis, not doing so causes harm to his appointment by this Court.
6. Special Master, Stephen J Moriarty has filed a REPORT TO INVESTOR CLAIMS May 19th 2011 which is grossly incorrect and not accurately reflecting monies owed by Defendant or his companies.
7. Special Master, Stephen J Moriarty has "depleted the assets" of the companies with his actions and inactions and must report his actions "instanter" by this Court's order of 04/01/2009.
8. Mr. Moriarty is not qualified to run Defendant's companies without Court supervision. Mr Moriarty has only one other experience of being appointed such a Special Master or receiver, anywhere.
9. Mr. Moriarty has no formal collection procedures submitted to this Court.
10. Defendant believes Mr. Moriarty is grossly overcharging the Court for his level of knowledge and experience.

For these reasons Defendant respectfully requests the Court to deny Special Masters' Application to Establish Procedures and to direct Special Master to provide all required reporting immediately.

Respectfully submitted

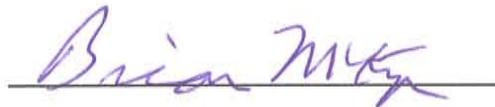
 Brian McKye -Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 21st of June, 2011, a true and correct copy of the foregoing was mailed by certified mail, return receipt requested, with postage paid there on or hand delivered addressed to:

Patricia A Labarthe
Oklahoma Department of Securities
120 N. Robinson su 860
Oklahoma City, Ok 73102

Stephen J. Moriarty
Fellers, Snider
100 N. Broadway, ste 1700
Oklahoma City Ok 73102



Brian McKye - Defendant

Brian McKye
P.O. Box 957
Jay, Oklahoma 74346