

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

DEC 17 2010

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

OKLAHOMA DEPARTMENT OF)
SECURITIES, *ex. rel.* Irving L. Faught,)
Administrator,)
)
Plaintiff,)
)
vs.)
)
GLOBAL WEST FUNDING, LTD., CO.,)
an Oklahoma limited liability company, et al.,)
)
Defendants.)

Case No. CJ-2009-2773

APPLICATION FOR CITATION OF CONTEMPT AGAINST JOE DON JOHNSON

Plaintiff, Oklahoma Department of Securities (“Department”) *ex rel.* Irving L. Faught, Administrator, hereby charges and accuses Defendant Joe Don Johnson of having knowingly, willfully and contemptuously disobeyed and violated this Court’s lawfully issued *Permanent Injunction Against Defendants Heritage Estate Service LLC and Joe Don Johnson* (Permanent Injunction) and *Defendant Joe Don Johnson Agreed Order of Restitution* (Restitution Order).

Background

1. On March 24, 2009, the Department filed a *Petition for Permanent Injunction and Other Equitable Relief* (Petition) against Defendant Joe Don Johnson (Johnson) pursuant to Section 1-603 of the Oklahoma Uniform Securities Act of 2004 (Act), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2003). *See* Exhibit “A.”

2. On April 10, 2009, the Department amended the Petition to include Heritage Estate Service LLC (Heritage) as a Defendant. Defendant Johnson controlled all acts of Heritage.

3. On November 3, 2009, this Court entered a Permanent Injunction, *see* Exhibit A, against Heritage and Johnson (collectively, "Heritage Defendants") that provided:

IT IS FURTHER ORDERED that the Heritage Defendants pay restitution to all investors who purchased securities in the nature of notes (Investment Notes) from the Heritage Defendants or who transferred money to the Heritage Defendants for the purpose of purchasing the Investment Notes or otherwise making investments on their behalf, and that the amount and allocation of restitution to such investors shall be determined by this Court at the conclusion of this case as to all Defendants.

4. On August 26, 2010, at the request of Defendant Johnson to be separate from the other defendants, this Court issued the Restitution Order that provided:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Johnson pay restitution in the amount of Five Hundred Thousand Dollars (\$500,000) for the benefit of all investors who purchased Investment Notes. Defendant Johnson shall pay the restitution amount in monthly installment payments that shall begin on September 15, 2010.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Johnson shall pay Five Hundred Dollars (\$500) on or before the 15th day of each month in restitution. This amount may be increased by order of the Court based on an analysis of Defendant Johnson's financial statements.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Johnson shall provide the Plaintiff with a copy of his most recent paycheck to verify his monthly income on or before September 15, 2010.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Johnson shall provide the Plaintiff with financial statements on or before March 1 and September 1 of each year regarding his monthly income to allow Plaintiff and the Court to reevaluate Defendant Johnson's monthly restitution payment amount.

See Exhibit "B."

Violations of Order

5. Johnson has failed to make any required payments of restitution.

6. Johnson has failed to provide the Department with verification of his monthly income.

7. The conduct described herein constitutes violations of this Court's Permanent Injunction and Restitution Order and are instances of indirect contempt of court.

Wherefore, the Department requests that this Court issue a citation directing Johnson to appear and show cause why he should not be held in contempt, and, after a full and complete hearing, that Johnson be adjudged guilty of indirect contempt for failure to comply with the Permanent Injunction and Restitution Order entered by this Court, and punished by the maximum fine, imprisonment, or both, and/or by and through such other relief as this Court deems appropriate.

Respectfully Submitted,

OKLAHOMA DEPARTMENT OF SECURITIES
IRVING L. FAUGHT, ADMINISTRATOR

By:



Patricia A. Labarthe, OBA# 10391
Jennifer Shaw, OBA #20839
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102
Telephone (405) 280-7700
plabarthe@securities.ok.gov
jshaw@securities.ok.gov

CERTIFICATE OF MAILING

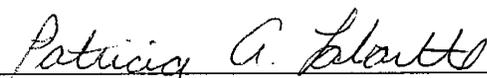
The undersigned certifies that on the 14th day of December, 2010, a true and correct copy of the foregoing was mailed by first class mail, with postage prepaid thereon, addressed to:

Brian McKye
PO Box 957
Jay, OK 74346
Pro Se

Michael McBride
204 North Robinson, Suite 2600
Oklahoma City, OK 73102

James Farnham
6308 N. Harvard Avenue
Oklahoma City, OK 73122

Stephen J. Moriarty
Fellers, Snider, Blankenship, Bailey and Tippens, PC
100 N. Broadway, Ste. 1700
Oklahoma City, OK 73102



Patricia A. Labarthe

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY NOV 03 2009
STATE OF OKLAHOMA

PATRICIA PRESLEY, COURT CLERK
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OKLAHOMA DEPARTMENT OF)
SECURITIES, *ex. rel.* Irving L. Faught,)
Administrator,)
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vs.)
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GLOBAL WEST FUNDING, LTD., CO.,)
an Oklahoma limited liability company, et al.,)
)
Defendants.)

Case No. CJ-2009-2773

PERMANENT INJUNCTION AGAINST
DEFENDANTS HERITAGE ESTATE SERVICE LLC
AND JOE DON JOHNSON

This matter came on for hearing this 27 day of November, 2009, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, upon the verified *Petition for Permanent Injunction and Other Equitable Relief and First Amendment to Petition for Permanent Injunction and Other Equitable Relief* filed by Plaintiff (Petition) pursuant to the Oklahoma Uniform Securities Act of 2004 (the "Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2004).

It appears to this Court from the facts alleged in the Petition that Plaintiff is entitled to the relief requested as to Defendant Heritage Estate Service LLC (Heritage Estate) and Defendant Joe Don Johnson (Johnson) (collectively, "Heritage Defendants"). It further appears that the public will suffer irreparable damage and injury unless Defendants, their affiliates, agents, servants, employees, assigns, and any other persons acting on their behalf and under their direction and control, are enjoined.

EXHIBIT
A

Defendants have executed the *Stipulation and Consent to Permanent Injunction by Defendants Heritage Estate Service LLC and Joe Don Johnson* (Stipulation and Consent) attached hereto at Exhibit "A" and made a part hereof. The Plaintiff has no objection to the terms of the Stipulation and Consent and agrees to the entry of this Order.

IT IS HEREBY ORDERED that a permanent injunction be and is hereby entered forever enjoining and restraining the Heritage Defendants from offering and/or selling securities in and/or from this state.

IT IS FURTHER ORDERED that the Heritage Defendants pay restitution to all investors who purchased securities in the nature of notes (Investment Notes) from the Heritage Defendants or who transferred money to the Heritage Defendants for the purpose of purchasing the Investment Notes or otherwise making investments on their behalf, and that the amount and allocation of restitution to such investors shall be determined by this Court at the conclusion of this case as to all Defendants.

IT IS FURTHER ORDERED that Defendant Heritage Estate shall remain subject to all provisions of the Court's March 24, 2009 *Temporary Restraining Order, Order Freezing Assets and Order for Accounting*, and April 23, 2009, *Order Modifying, in Part, Temporary Restraining Order, Order Freezing Assets and Order for Accounting and Appointing Special Master* (collectively, "Restraining Orders").

IT IS FURTHER ORDERED that the Restraining Orders shall be lifted as to Defendant Johnson.

IT IS FURTHER ORDERED that this Court will retain jurisdiction of this matter for the purpose of enforcement of this Order.

CERTIFICATE OF MAILING

The undersigned certifies that on the 3rd day of November, 2009, a true and correct copy of the foregoing was mailed by first class mail, with postage prepaid thereon, addressed to:

Brian McKye
PO Box 957
Jay, OK 74346

Global West Funding, Ltd.
Global West Financial, LLC
Sure Lock Financial, LLC
Sure Lock Loans, LLC
The Wave Gold-Made, Ltd.
PO Box 60725
Oklahoma City, OK 73146

Michael McBride
204 North Robinson, Suite 2600
Oklahoma City, OK 73102

James Farnham
6308 N. Harvard Avenue
Oklahoma City, OK 73122

Stephen J. Moriarty
Fellers, Snider, Blankenship, Bailey and Tippens, PC
100 N. Broadway, Ste. 1700
Oklahoma City, OK 73102

Brenda London

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF)
SECURITIES, *ex. rel.* Irving L. Faught,)
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Plaintiff,)
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GLOBAL WEST FUNDING, LTD., CO.,)
an Oklahoma limited liability company, et al.,)
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Defendants.)

Case No. CJ-2009-2773

**STIPULATION AND CONSENT TO PERMANENT INJUNCTION BY DEFENDANTS
HERITAGE ESTATE SERVICE LLC AND JOE DON JOHNSON**

Defendants Heritage Estate Service LLC and Joe Don Johnson (collectively, "Heritage Defendants") stipulate to the following facts and consent to the following stipulations and undertakings:

Stipulations:

The Heritage Defendants hereby stipulate as follows:

1. The Oklahoma Department of Securities ("Plaintiff") is the proper party to bring this action seeking the relief requested in the verified *Petition for Permanent Injunction and Other Equitable Relief* and *First Amendment to Petition for Permanent Injunction and Other Equitable Relief* filed by Plaintiff ("Petition") filed in this matter.

2. The Heritage Defendants are subject to the jurisdiction of this Court by proper service of the Petition and their appearance in this matter.

3. Heritage Estate Service LLC ("Heritage") is an Oklahoma limited liability company with its principal place of business in Oklahoma City, Oklahoma. At all times material hereto, Heritage offered and/or sold securities in and/or from Oklahoma as described herein. Defendant Joe Don Johnson controlled all acts of Heritage.

4. Joe Don Johnson ("Johnson"), an individual and Oklahoma resident, was an agent of Defendants Global West Funding, Ltd., Co., Global West Financial, LLC, Sure Lock Financial, LLC, Sure Lock Loans LLC, Storybook Properties LLC, Storybook Investments WA LLC ("Defendants") and Heritage. At all times material hereto, Johnson offered and/or sold securities in and/or from Oklahoma.

5. The Heritage Defendants, directly and indirectly, engaged in the offer and sale of securities in the nature of notes (Investment Notes) issued by Defendants Global West Funding, Ltd., Co., Global West Financial, LLC, Sure Lock Financial, LLC, Sure Lock Loans LLC and by Defendants Storybook Properties LLC and Storybook Investments WA LLC. The Investment Notes are securities as defined by Oklahoma Uniform Securities Act of 2004 (the "Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2004).

6. The Heritage Defendants do not contest the application of the Act to the issuance, offer and/or sale of the Investment Notes in and/or from the state of Oklahoma referenced in paragraph 5 above.

Undertakings:

The Heritage Defendants hereby undertake as follows:

1. The Heritage Defendants consent to the entry of the Permanent Injunction Against Heritage Estate Service LLC and Joe Don Johnson ("Permanent Injunction"), in the form attached as Exhibit "A" hereto and made a part of this Stipulation and Consent to Permanent Injunction of Heritage Estate Service LLC and Joe Don Johnson ("Stipulation and Consent").

2. The Heritage Defendants state that this Stipulation and Consent is entered into voluntarily and that no threat or promise of immunity of any kind has been made by Plaintiff, the Administrator of the Oklahoma Department of Securities, or any employee of the Oklahoma Department of Securities, to coerce agreement with this Stipulation and Consent.

3. The Heritage Defendants waive any right to appeal from the Permanent Injunction.

4. The Heritage Defendants agree that this Stipulation and Consent and all provisions hereof shall be incorporated by reference into the Permanent Injunction.

5. The Heritage Defendants hereby transfer and assign to the Special Master, all rights and claims they have to funds or other assets, that are held for, invested on behalf of, controlled by, or owed to any of the Defendants or any investor.

6. The Heritage Defendants agree that the allocation of restitution to investors shall be determined by this Court at the conclusion of this case.

7. The Heritage Defendants agree that the Special Master shall continue to exercise that authority granted by the *Order Modifying, in Part, Temporary Restraining Order, Order Freezing Assets and Order for Accounting and Appointing Special Master* (Order) issued on April 23, 2009.

8. The Heritage Defendants agree that this Court will retain jurisdiction of this matter for the purpose of enforcement of the Permanent Injunction and this Stipulation and Consent.

9. The Heritage Defendants understand that Plaintiff will take action as authorized by law, including, but not limited to, an enforcement action under the Act, for the failure of any Heritage Defendant to comply with the terms of the Permanent Injunction and this Stipulation and Consent in any material respect or for any future violation of the Act.

10. The Heritage Defendants agree to the presentation of this Stipulation and Consent, executed by each Heritage Defendant, and the Permanent Injunction in the form attached as Exhibit "A", to the Court to be entered without further notice.

IN WITNESS WHEREOF, the Heritage Defendants have executed this Stipulation and Consent as of the date and year set forth below their signatures hereto.

HERITAGE ESTATE SERVICE LLC

By:

Joe D. Johnson

Title:

Managing Member

Date:

11-2-09

Address:

JOE DON JOHNSON

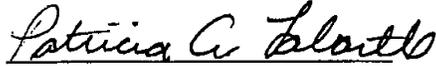
Date:

11-2-09

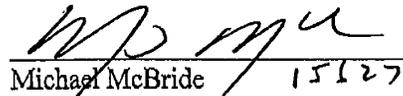
Address:

*2421 SW 90th Pl
OKC, OK 73159*

Approved as to form and substance:



Patricia A. Labarthe, OBA #10391
Jennifer Shaw, OBA #20839
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102
(405) 280-7700
Attorneys for Plaintiff



Michael McBride 15127
204 North Robinson, Suite 2600
Oklahoma City, OK 73102
Attorney for Heritage Estate Service LLC and Joe Don Johnson



Stephen J. Moriarty, OBA #6410
Special Master
Fellers, Snider, Blankenship,
Bailey & Tippens, P.C.
100 North Broadway, Suite 1700
Oklahoma City, OK 73102
(405) 232-0621

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY AUG 26 2010
STATE OF OKLAHOMA

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

OKLAHOMA DEPARTMENT OF)
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GLOBAL WEST FUNDING, LTD., CO.,)
an Oklahoma limited liability company, et al.,)
)
Defendants.)

Case No. CJ-2009-2773

DEFENDANT JOE DON JOHNSON
AGREED ORDER OF RESTITUTION

This matter came on for hearing on the 5th day of August, 2010, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, on the *Plaintiff's Motion to Establish Restitution* (Motion). Plaintiff, Oklahoma Department of Securities, appeared by and through its attorneys, Patricia A. Labarthe and Jennifer Shaw. Defendant Joe Don Johnson (Defendant Johnson) appeared by and through his attorney, Michael McBride. The Court finds that good cause exists for granting the Motion on the terms set forth herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Johnson pay restitution in the amount of Five Hundred Thousand Dollars (\$500,000) for the benefit of all investors who purchased Investment Notes. Defendant Johnson shall pay the restitution amount in monthly installment payments that shall begin on September 15, 2010.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Johnson shall pay Five Hundred Dollars (\$500) on or before the 15th day of each month in restitution. This amount may increased by order of the Court based on an analysis of Defendant Johnson's financial statements.

EXHIBIT
3

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Johnson shall provide the Plaintiff with a copy of his most recent paycheck to verify his monthly income on or before September 15, 2010.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Johnson shall provide the Plaintiff with financial statements on or before March 1 and September 1 of each year regarding his monthly income to allow Plaintiff and the Court to reevaluate Defendant Johnson's monthly restitution payment amount.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all restitution payments made by Defendant Johnson shall be deposited directly to Bank of Oklahoma bank account 7803 (only last four digits of account number provided), in the name of Sure Lock Loans LLC.

IT IS SO ORDERED.


DISTRICT JUDGE

Agreed to by:


Patricia A. Labarthe, OBA #10391
Jennifer Shaw, OBA #20839
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102
(405) 280-7700
Attorney for Plaintiff


Michael McBride, OBA #15627
204 North Robinson, Suite 2600
Oklahoma City, OK 73102
Attorney for Defendant Joe Don Johnson

PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the District Court Clerk's Office of Oklahoma County, Okla., this 16 day of Aug, 2010
PATRICIA PRESLEY, Court Clerk
By  Deputy

CERTIFICATE OF MAILING

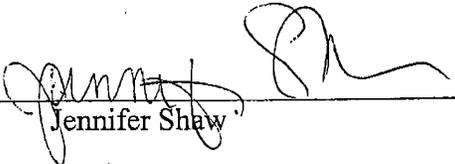
The undersigned certifies that on the 21 day of August, 2010, a true and correct copy of the foregoing was mailed by first class mail, with postage prepaid thereon, addressed to:

Brian McKye
PO Box 957
Jay, OK 74346
Pro Se

Michael McBride
204 North Robinson, Suite 2600
Oklahoma City, OK 73102

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