

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF)
SECURITIES EX REL. IRVING)
FAUGHT, ADMINISTRATOR,)
)
Plaintiff,)
)
v.)
)
)
STORYBOOK PROPERTIES, LLC,)
a California limited liability company;)
STORYBOOK INVESTMENTS WA,)
LLC, a Washington limited liability)
company; MATTHEW G. STORY)
an individual; JOE DON JOHNSON,)
an individual; and JAMES FARNHAM,)
an individual,)
)
Defendants.)

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

MAR - 1 2010

PATRICIA PRESLEY, COURT CLERK

By _____ DEPUTY

Case No. CJ-2009-7957

Judge: Gurich, Noma D.

**RECEIVER’S MOTION FOR AN ORDER (I) APPROVING CONTRACT FOR THE
SALE OF 1606 EAST INDEPENDENCE STREET, TULSA, OKLHOMA, SUBJECT TO
HIGHER BID; AND (II) AUTHORIZING RECEIVER TO CLOSE SALE OF
1606 EAST INDEPENDENCE STREET, TULSA, OKLHOMA**

Stephen J. Moriarty ("Receiver") the Court appointed Receiver for Storybook Properties LLC, Storybook Investments WA, LLC, and Matthew G. Story (all collectively referred to as "Companies") moves the Court for the entry of an Order (i) approving the Real Estate Purchase Contract submitted by Tim Long for 1606 East Independence Street, Tulsa, Oklahoma, subject to receipt by Receiver of a higher offer on or before April 1, 2010 and (ii) authorizing Receiver to take all actions necessary to close such sale. In support of the Motion, Receiver represents as follows:

Factual Background

1. On October 7, 2009, this Court entered its Order Appointing Receiver. Pursuant

to the Order, the Receiver was given full authority to “operate and manage all assets” of the Companies. Further, Receiver was given the authority to “take immediate custody, possession, and control of any and all assets” of the Companies.

2. The major assets of the Companies consist of (a) numerous residential properties located in Tulsa County, Oklahoma (the “Residential Properties”) and (b) a 5 unit apartment building located at 2436 East Sixth Street, Tulsa, Oklahoma and an 8 unit apartment building located at 2440 East Sixth Street, Tulsa, Oklahoma (the “Apartment Properties”).

Assets to Be Sold

3. Through this Motion, the Receiver proposes to sell 1606 East Independence, Tulsa, Oklahoma (the Property”). The Receiver has determined that a sale of the Property is in the best interests of the Companies and their creditors.

Relief Requested

4. By this Motion, the Receiver requests entry of an Order (a) authorizing Receiver to accept the Real Estate Purchase Contract submitted by Tim Long, dated February 25, 2010 (the "Long Purchase Contract"), subject to receipt by Receiver of a higher cash offer on or before April 1, 2010; and (b) authorizing Receiver to take all actions necessary to close such sale. A copy of the Long Purchase Contract is attached hereto as Exhibit “A”.

Marketing Efforts

5. Prior to the appointment of Receiver, the Companies had listed the Property for sale through Green Country Real Estate, Rusty Goodman, Listing Broker (the “Broker”)¹. Through the efforts of the Broker, the Long Purchase Contract was prepared and delivered to Broker. Broker believes the offer by Long to purchase the Property for \$16,000.00 is reasonable.

¹ Receiver seeks permission to pay broker a reasonable commission upon the Closing of the Long Purchase Contract.

Approval of Long Purchase Agreement and Authority to Close

6. The Long Purchase Agreement is the product of arms length negotiations and approval of the Long Purchase Agreement is in the best interest of the Companies and their creditors.

7. Receiver seeks authority to solicit and receive higher cash bids for the Apartment Properties through April 1, 2010. Receiver seeks authority to close on any bid, deemed to be a higher bid in the sole discretion of Receiver, upon receipt of such higher bid.

8. Receiver seeks authority to take all necessary steps to close on the Long Purchase Agreement, or any higher bid, including but not limited to delivery of a Receiver's deed to the Property and payment a reasonable broker's commission and all associated costs of the sale at closing.

WHEREFORE, the Receiver respectfully requests that the Court enter an order (i) Approving the Long Purchase Contract for 1606 East Independence Street, Tulsa, Oklahoma, subject to receipt by Receiver of a higher offer on or before April 1, 2010; (ii) authorizing Receiver to take all actions necessary to close such sale, and (iii) granting Receiver such other and further relief as this court deems just and proper.



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RECEIVER

NOTICE OF HEARING

Please be advised that a hearing on the foregoing Motion has been set for 11:00
A.m. on the 15th day of April, 2010 before the Honorable Noma D. Gurich.

CERTIFICATE OF MAILING

This is to certify that on the 1st day of March, 2010, the foregoing was sent by U.S. Mail, first class, postage prepaid to:

Patricia A. Labarthe, Esq.
Jennifer Shaw, Esq.
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, OK 73102

Matthew G. Story
27943 Seco Canyon Road
Suite 201
Santa Clarita, CA 91350



Stephen J. Moriarty

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