

IN THE DISTRICT COURT OF OKLAHOMACOUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

MAR - 4 2016

TIM RHODES
COURT CLERK

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Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)
)

v.)

Case No. CJ-2014-4515

Seabrooke Investments, LLC, an Oklahoma)
limited liability company;)
Seabrooke Realty LLC, an Oklahoma)
limited liability company;)
Oakbrooke Homes LLC, an Oklahoma)
limited liability company;)
Bricktown Capital LLC, an Oklahoma)
limited liability company;)
KAT Properties, LLC, an Oklahoma)
limited liability company;)
Cherry Hill LLC, an Oklahoma limited liability)
Company doing business as Cherry Hill Apartments;)
Tom W. Seabrooke, individually and as trustee of)
Tom Seabrooke 2007 Revocable Trust and J.)
Karyn Seabrooke 2007 Revocable Trust; and)
Judith Karyn Seabrooke, individually and as trustee)
of Tom Seabrooke 2007 Revocable Trust and)
J. Karyn Seabrooke 2007 Revocable Trust,)
)
Defendants.)

**FIRST SUPPLEMENT TO RECEIVER’S REPORT ON CLAIMS AND
RECOMMENDATION FOR CLASSIFICATION OF SAME**

COMES NOW the Receiver, Ryan Leonard (“Receiver”), and supplements the
“Receiver’s Report on Claims and Recommendation for Classification of Same”
 (“Receiver’s Report”) filed in this action on December 22, 2015, with a recommendation
on the claim of James Bradley:

(1) James Bradley:

James Bradley (“Bradley”) submitted an untimely claim on February 17, 2016, in the amount of \$45,000.00 against Cherry Hill, LLC (“Cherry Hill”), Tom W. Seabrooke (“Tom Seabrooke”) and Judith Karyn Seabrooke (“Karyn Seabrooke”) arising from his purchase of a “Membership Interest” in Cherry Hill through a “Private Placement Memorandum” offered by Karyn Seabrooke. Bradley paid \$25,000.00 to purchase the Membership Interest through his account at “Equity Trust Company,” and the agreement was executed on July 20, 2011.¹ Bradley’s claim includes \$20,000 in interest from the date of investment to the present. Bradley received no payments from Cherry Hill or any other defendant following his investment.

Receiver’s Recommendation: Bradley’s name did not appear in any of the records of Cherry Hill or the defendants since his investment was made through an account with “Equity Trust Company,” so he was not given personal notice by the Receiver of these proceedings. Moreover, as a resident of New Hampshire, it is foreseeable that Bradley did not receive actual notice of these proceedings by publication. According to Bradley, he learned of these proceedings through a February 2016 internet search, and submitted his claim on the day he became aware of them. As a result of these circumstances, the Receiver submits that equity favors not rejecting his claim based on timeliness alone.

¹ According to the “Private Placement Memorandum,” “Membership Interests” were being offered to 25 investors at a minimum subscription of \$25,000.00, and investors would be paid in monthly distributions based upon an annual interest rate of 15% on the principal investment.

Additionally, the Receiver, with the assistance of the Oklahoma Department of Securities, has confirmed through bank records that Bradley did in fact invest \$25,000 with the defendants through his account at Equity Trust Company on August 16, 2011.² As a result of these facts, and that Bradley's claim would have been approved if timely submitted, the Receiver recommends that Bradley be classified as a general creditor of the receivership estate in the amount of \$25,000.00 (principal investments less payments received), and that he be entitled to a proportionate distribution from the General Assets.

Respectfully submitted,



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RECEIVER

² The check was dated August 9, 2011, and deposited into Cherry Hill's bank account on August 16, 2011.

CERTIFICATE OF SERVICE

The undersigned certifies that on this 4th day of March, 2016, a copy of this pleading was served via First Class Mail, postage prepaid, to the following counsel of record:

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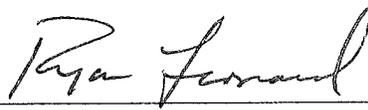
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