

Hearing
Sept. 11, 2015
11 a.m.

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

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

JUL 29 2015
TIM RHODES
COURT CLERK
31 _____

v.)
)
 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)
 Judith Karyn Seabrooke, individually and as trustee)
 of Tom Seabrooke 2007 Revocable Trust and)
 J. Karyn Seabrooke Revocable Trust,)
)
 Defendants.)

Case No. CJ-2014-4515

**RECEIVER'S FIRST APPLICATION TO
APPROVE DISTRIBUTIONS ON CLAIMS**

COMES NOW the Receiver, Ryan Leonard, and moves the Court to approve distributions on certain claims for which the Receiver is currently holding assets, as set forth herein:

1. On April 2, 2015, this Court entered an Agreed Order approving the sale by the Receiver of certain properties located on 17th Street in Oklahoma City, Oklahoma, with physical addresses of 1405 NW 17th Street, 1409 NW 17th Street, 1413 NW 17th Street, 1419 NW 17th Street and 1507 NW 17th Street for a combined sales price of \$1,185,000.00. ("Order," attached as Exhibit 1). As set forth in the Order, certain of the sales proceeds from this transaction were reserved, until further order of this Court. The Receiver has obtained the consent of the following interest holders to resolve these claims, and moves that distributions immediately be made from the assets of the Receiver in the following manner:

(1) That \$92,000.00 be paid to Patricia Ann Kramer as full and complete satisfaction of a mortgage instrument filed against 1507 NW 17th Street, more specifically described as Lot Eleven (11), in Block Two (2), in NICHOLS UNIVERSITY PLACE in Oklahoma City, Oklahoma County, Oklahoma, on June 21, 2012, in the Office of the County Clerk of Oklahoma County, State of Oklahoma, recorded in Book 11954, Page 532, and any other claim this claimant may have in the present or future against the Receiver or any defendant in this action;

(2) That \$125,000.00 be paid to David Curtis as full and complete satisfaction of a mortgage instrument filed against 1419 NW 17th Street, more specifically described as Lot Seven (7), in Block One (1), in NICHOLS UNIVERSITY PLACE in Oklahoma City, Oklahoma County, Oklahoma, on November 17, 2008, in the Office of the County Clerk of Oklahoma County, State of Oklahoma, recorded in Book 10956, Pages 1820-1822, and any

other claim this claimant may have in the present or future against the Receiver or any defendant in this action;

(3) That \$91,621.60 be paid to Frances Murray MacDonald as full and complete satisfaction of an ownership deed on 1419 NW 17th Street, more specifically described as Lot Seven (7), in Block One (1), in NICHOLS UNIVERSITY PLACE in Oklahoma City, Oklahoma County, Oklahoma, filed February 28, 2013, in the Office of the County Clerk of Oklahoma County, State of Oklahoma, recorded in Book 12174, Page 1764, and any other claim this claimant may have in the present or future against the Receiver or any defendant in this action;

2. Further, in full and complete satisfaction of any and all claims of any nature whatsoever against the Receiver, receivership and/or any defendant in this action by HPJ Family Trust, HPJ Limited Family Partnership and/or Peggy Johnston arising specifically from a mortgage instrument filed by HPJ Family Trust against 1609 NW 15th Street, more specifically described as Lots Nine (9) and Ten (10) of Block One (1) in HADLOCKS SUB DITTMER in Oklahoma City, Oklahoma County, Oklahoma, filed September 27, 2005, in the Office of the County Clerk of Oklahoma County, State of Oklahoma, recorded in Book 9870, Pages 918-920, and a mortgage instrument filed by "HPJ Family Limited Partnership" against 425 NW 11th Street, more specifically described as the East 14.8 feet of Lot Nineteen (19) in Block Six (6) and the West 27.7 feet of Lot Twenty (20) in Block Six (6) and the West 5 feet of the East 79.7 feet of Lot Twenty (20) in Block Six (6) in VENDOME ADDITION to Oklahoma City, Oklahoma County, being an amended plat of

Blocks 6 and 7, McClure's Addition to Oklahoma City, Oklahoma County, Oklahoma filed July 29, 2004, in the Office of the County Clerk of Oklahoma County, State of Oklahoma, recorded in Book 9409, Pages 1055-1058, the Receiver moves that payment be made from the assets of the Receivership to "HPJ Family Trust and HPJ Family Limited Partnership" in the amount of \$30,000.00.

Respectfully Submitted,



Ryan Leonard, OBA #19155
MEYER & LEONARD, PLLC
116 E. Sheridan, Suite 207
Oklahoma City, Oklahoma 73104
Telephone: 405-702-9900
Facsimile: 405-605-8381
Email: rleonard@leonard-law.net
RECEIVER

-and-

Robert D. Edinger, OBA No. 2619
Robert Edinger PLLC
116 East Sheridan, Suite 207
Oklahoma City, OK 73104
Telephone: (405) 702-9900
Facsimile: (405) 605-8381
redinger@edingerpllc.com
ATTORNEY FOR THE RECEIVER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this ___ day of July, 2015, a true and correct copy of this pleading was served via First Class Mail, postage prepaid, or by Email to:

Patricia A. Labarthe
Jennifer Shaw
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102
plabarthe@securities.ok.gov
jshaw@securities.ok.gov

Mark A. Robertson
Michael Paul Kirschner
Robertson & Williams
9658 N. May Avenue, Suite 200
Oklahoma City, OK 73120
mark@robertsonwilliams.com
mike@robertsonwilliams.com

Jim W. Lee
One Broadway Executive Park
201 N.W. 63rd, Suite 230
Oklahoma City, OK 73116-8237
jimlee@legalassociatesllc.net

Rollin Nash, Jr.
Nash, Cohenour
4101 Perimeter Center Dr., Suite 200
Oklahoma City, OK 73112
rnash@nashfirm.com

R. Stephen Haynes
R. Stephen Haynes, P.C.
First Commercial Bank Bldg.
3805 W. Memorial Road
Oklahoma City, OK 73134
shaynes@haynespc.com

David L. Nunn
P.O. Box 230
Edmond, OK 73083-0230
dnunn@davidlnunnpc.com

John M. Thompson
Crowe & Dunlevy
Braniff Building
324 N. Robinson Ave., Suite 100
Oklahoma City, OK 73102
John.thompson@crowedunlevy.com

Edward O. Lee
Billy Lewis
Lee, Goodwin, Lee, Lewis & Dobson
1300 E. 9th Ste. 1
Edmond, OK 73034
blewis@edmondlawoffice.com

Steve Elliott
Phillips Murrah P.C.
101 North Robinson
Corporate Tower, 13th Floor
Oklahoma City, OK 73102
swelliott@phillipsmurrah.com

Kelsey Dulin
Dulin Law Firm, P.L.L.C.
15310 North May Avenue, Suite 102
Edmond, OK 73013
Kelsey@dulinlawfirm.com

Terry Kordelski
Riggs, Abney, Neal, Turpen,
Orbison & Lewis
528 N.W. 12th Street
Oklahoma City, OK 73103-2407



Ryan Leonard