

AFFIDAVIT OF SERVICE

State of Oklahoma

County of Oklahoma

District Court

Case Number: CV-2014-2093

Plaintiff:
Oklahoma Department of Securities ex rel. Irving L Faight,
Administrator

vs.

Defendant:
Nicholas P Yukich, III, Nick's Oil & Gas Corp and NUCO Energy, LLC

For:
Robert Fagnant
120 N Robinson Avenue
Oklahoma City, OK 73102

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

DEC - 8 2014

TIM RHODES
COURT CLERK

40

Received by On Time Process Service on the 19th day of November, 2014 at 10:15 am to be served on Nicholas P Yukich, III, 410 Leameadow Dr., Allen, TX 75002.

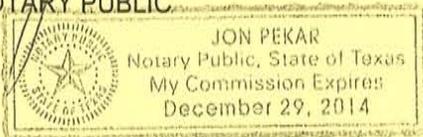
I, Kenneth R Palmer, being duly sworn, depose and say that on the 26th day of November, 2014 at 10:29 am, I:

Executed service by delivering a true copy of the **Summons with copy of Plaintiff's Application To Enforce Subpoena Compliance and Authority In Support and Exhibits**, to: Eric Fein as Attorney Of Record at the address of: **15455 N Dallas Parkway, Suite 1225, Addison, TX 75001**, who is authorized to accept service for Nicholas P Yukich, III, and informed said person of the contents therein, in compliance with state statutes.

"I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served. I have personal knowledge of the facts set forth in this affidavit, and they are true and correct."

Subscribed and Sworn to before me on the 26th day of November, 2014 by the affiant who is personally known to me.

NOTARY PUBLIC



Kenneth R Palmer

Kenneth R Palmer
SCH 950 Expires 7/31/2017

On Time Process Service
1700 Pacific Ave
Suite 1040
Dallas, TX 75201
(214) 740-9999
Our Job Serial Number: ONT-2014004839
Ref: ODS/Yukich



AFFIDAVIT OF SERVICE

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Case Number: CV-2014-2093

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Plaintiff:

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DEC - 8 2014

TIM RHODES
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For:

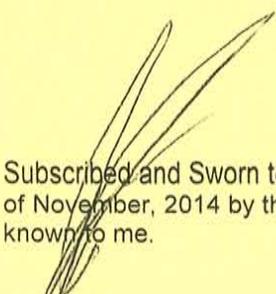
Robert Fagnant
120 N Robinson Avenue
Oklahoma City, OK 73102

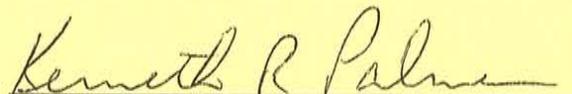
Received by On Time Process Service on the 19th day of November, 2014 at 10:15 am to be served on **Nick's Oil & Gas Corp., 701 E Hwy. 16, Beggs, OK 74421.**

I, Kenneth R Palmer, being duly sworn, depose and say that on the **26th day of November, 2014 at 10:29 am, I:**

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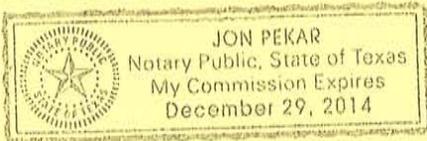

Subscribed and Sworn to before me on the 26th day of November, 2014 by the affiant who is personally known to me.



Kenneth R Palmer
SCH 950 Expires 7/31/2017

NOTARY PUBLIC

On Time Process Service
1700 Pacific Ave
Suite 1040
Dallas, TX 75201
(214) 740-9999
Our Job Serial Number: ONT-2014004840
Ref: ODS/Yukich



AFFIDAVIT OF SERVICE

State of Oklahoma

County of Oklahoma

District Court

Case Number: CV-2014-2093

**FILED IN DISTRICT COURT
OKLAHOMA COUNTY**

Plaintiff:

**Oklahoma Department of Securities ex rel. Irving L Faight,
Administrator**

vs.

Defendant:

Nicholas P Yukich, III, Nick's Oil & Gas Corp and NUCO Energy, LLC

DEC - 8 2014

TIM RHODES
COURT CLERK

40

For:

Robert Fagnant
120 N Robinson Avenue
Oklahoma City, OK 73102

Received by On Time Process Service on the 19th day of November, 2014 at 10:15 am to be served on NUCO Energy, LLC, 701 E Hwy. 16, Beggs, OK 74421.

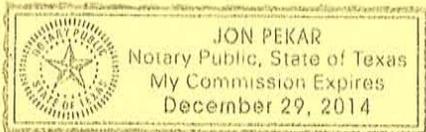
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"I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served. I have personal knowledge of the facts set forth in this affidavit, and they are true and correct."

Subscribed and Sworn to before me on the 26th day of November, 2014 by the affiant who is personally known to me.

NOTARY PUBLIC



Kenneth R Palmer

Kenneth R Palmer
SCH 950 Expires 7/31/2017

On Time Process Service
1700 Pacific Ave
Suite 1040
Dallas, TX 75201
(214) 740-9999
Our Job Serial Number: ONT-2014004841
Ref: ODS/Yukich



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

NOV - 5 2014

TIM RHODES
COURT CLERK

75

Oklahoma Department of Securities)
<i>ex rel.</i> Irving L. Faught,)
Administrator,)
Plaintiff,)
)
v.)
)
Nicholas P. Yukich, III,)
Nick's Oil & Gas Corp, and)
NUCO Energy, LLC,)
)
Defendants.)

Case No.

CV-2014-2093

PLAINTIFF'S APPLICATION TO ENFORCE SUBPOENA COMPLIANCE
AND
AUTHORITY IN SUPPORT

Plaintiff, Oklahoma Department of Securities ("Department") *ex rel.* Irving L. Faught, Administrator, moves this Court for an order to comply with subpoena duces tecums issued pursuant to Section 1-602(B) of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011), to Nick's Oil & Gas Corp. ("NOG") and Nicholas P. Yukich, III ("Yukich"), and NUCO Energy, LLC ("NUCO") (the "Subpoenas"). The Subpoenas were issued for the purpose of obtaining documents necessary to the Department's investigation of possible violations of the Act.

BACKGROUND

1. Based on information and belief, Yukich resides, at times, in Beggs, Oklahoma. Yukich is the sole owner and president of NOG. See Exhibit A at ¶ 2 and pg. 3 (letter dated March 27, 2014 (the "Letter")).
2. NOG is, on information and belief, an unincorporated and unregistered entity operating out of Beggs, Oklahoma.

3. NUCO is a Nevada limited liability company. NUCO, on information and belief, operates from Beggs, Oklahoma, and was registered in Oklahoma as a foreign limited liability company until its cancellation on September 25, 2014. NUCO's company and registered agent addresses on file with the Oklahoma Secretary of State were in Beggs, Oklahoma. See Exhibit B.

4. Based on information received by the Department, NOG, Yukich and NUCO (collectively, "Defendants") may have violated, may be continuing to violate, and/or may have aided, or are materially aiding, violations of the Act.

5. The Department has initiated an investigation of securities transactions in which Defendants have participated. Section 1-602 of the Act sets out the authority of the Administrator of the Department ("Administrator") to investigate as follows:

(A) The Administrator may:

(1) Conduct public or private investigations within or outside of this state which the Administrator considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate this act or a rule adopted or order issued under this act, or to aid in the enforcement of this act or in the adoption of rules and forms under this act[.]

6. Subsection (B) of Section 1-602 of the Act authorizes the Administrator to subpoena witnesses and require production of documents as follows:

For the purpose of an investigation or proceeding under this act, the Administrator or its designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the Administrator considers relevant or material to the investigation or proceeding.

7. On March 5, 2014, the Department issued two subpoenas with a production deadline of March 27, 2014 (the "March Subpoenas"). The March Subpoenas were properly served on the Defendants, via certified mail, return receipt requested, with postage prepaid thereon, in accordance with 660:2-7-3(e) of the Rules of the Oklahoma Securities Commission and the Administrator of the Department of Securities ("Rules"), Okla. Admin. Code §§ 660:1-1-1 through 660:25-7-1.¹ See Exhibits C and D.

8. On March 28, 2014, the Department received several documents, including the Letter, in response to the subpoena issued to NOG and Yukich. However, the production received from NOG and Yukich is incomplete and/or non-responsive. In the Letter, NOG and Yukich claim responsive documents were stolen from a NUCO facility in Beggs, Oklahoma. See Exhibit A at item no. 4. To date, no response has been received from NUCO.

9. On April 8, 2014, the Department sent letters to the Defendants, via electronic and certified mail, return receipt requested, outlining their failures to comply with the March Subpoenas and again requested the information required by the same. See Exhibits E and F.

10. On April 21, 2014, after several unsuccessful telephonic attempts, the Department contacted Yukich via email regarding the failures to comply with the March Subpoenas. In the email, the Department explicitly reiterates, *inter alia*, its request for financial account information. See Exhibit G, email from the Department to Yukich dated April 21, 2014 at 10:28 AM.

¹660:2-7-3(e) of the Rules states: "Subpoenas shall be served in the manner provided by law." Subpoenas commanding production of documents and things before trial shall be served on a party in accordance with 12 O.S. § 2005.B. 12 O.S. § 2004.1.B.1. Service upon the attorney or upon a party shall be made by . . . mailing it[.] [S]ervice by mail is complete upon mailing[.] 12 O.S. § 2005.B.

11. On April 24, 2014, Yukich replied to the Department via email. In the email, Yukich provided additional information and promised to produce the police report regarding the alleged break in at the NUCO facility. In addition, Yukich identified two full time employees—both of whom resided in Okmulgee, Oklahoma—who “made telephone calls to potential qualified investors[.]” See Exhibit G, email from Yukich to Department dated April 24, 2014 at 4:34 PM. As to the required financial account information, Yukich stated: “My bank account information does not elude me, my accounts are active, open and several.” *Id.*

12. On May 12, 2014, the Department sent a follow up email inquiring into NUCO’s complete lack of response and to confirm the entity’s refusal to disclose financial account information in accordance with the March Subpoenas. See Exhibit G, email from the Department to Yukich dated May 12, 2014 at 8:43 AM. The Department has not received a reply to this communication.

13. On July 1, 2014, based on the information provided by Yukich in his April 23, 2014, email regarding the offer and potential sales of securities to investors in, and out of, Oklahoma, *supra*, the Department issued an expanded subpoena duces tecum to Yukich and NOG with a due date of July 21, 2014 (the “July Subpoena”). Service of the July Subpoena was attempted via certified mail, return receipt requested, with postage prepaid thereon. In addition, the July Subpoena was emailed to the address Yukich utilized to contact the Department. See Exhibit H. Although the July Subpoena was sent to the same addresses where successful service was made on the March Subpoena to Yukich and NOG, the July Subpoena remained unclaimed and returned to the Department. *Id.* However, the email sent to Yukich with the attached July Subpoena was received and replied to by Yukich. See Exhibit I, email from Yukich to

the Department dated July 1, 2014, at 9:00 PM. Yukich's response, in part, states he had already received this "exact letter" and that "[t]his appears to be a witch hunt" and would refer the matter to counsel. *Id.* On July 2, 2014, in several emails between Yukich and the Department, the Department attempted to explain the difference in scope between the March and July Subpoenas. Finally, Yukich ended the communication by stating "You have NO jurisdiction outside of the state of Oklahoma. My counsel will be your next communication from this end." See Exhibit I, emails between the Department and Yukich dated July 2, 2014.

14. NUCO has completely failed to produce any items required by the March Subpoena. See Exhibit F and J.

15. Yukich and NOG have failed to produce all items required by the March Subpoena. Specifically, Yukich and NOG have failed to produce documents required in the subpoena's Appendix "A", item nos. 2 – 10. See Exhibit E. In addition, Yukich and NOG have failed to produce any item required by the July Subpoena. See Exhibit J.

AUTHORITY

Pursuant to Section 1-602 of the Act, the Administrator has the authority to apply to this Court to enforce compliance with the Subpoenas. Subsection (C) of Section 1-602 of the Act provides as follows:

If a person does not . . . obey a subpoena as required by the Administrator under this act, the Administrator may apply to the district court of Oklahoma County . . . to enforce compliance. The court may:

1. Hold the person in contempt;

* * *

4. Order the production of records;

5. Grant injunctive relief, *including* restricting or prohibiting the offer or sale of securities or the providing of investment advice (emphasis added);

6. Impose a civil penalty up to a maximum of Five Thousand Dollars (\$5,000.00) for a single violation or Two Hundred Fifty Thousand Dollars (\$250,000.00) for multiple violations in a single proceeding or a series of related proceedings; and

7. Grant any other necessary or appropriate relief.

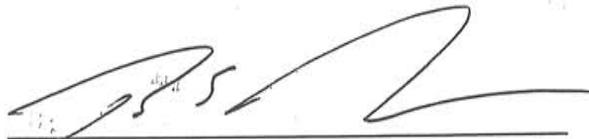
Enforcement of the Subpoenas under Section 1-602 is necessary for the effective enforcement of the Act by the Administrator.

WHEREFORE, the Department requests this Court order Defendants to produce records in compliance with the Subpoenas and grant such other relief as this Court deems appropriate.

Respectfully submitted,

OKLAHOMA DEPARTMENT OF SECURITIES
IRVING L. FAUGHT, ADMINISTRATOR

By:



Robert Fagnant, OBA # 30548
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102
Telephone (405) 280-7700
Fax (405) 280-7742
Email: rfagnant@securities.ok.gov

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

NOV - 5 2014

TIM RHODES Court Clerk
Oklahoma County


Nick's Oil & Gas Corp
13881 Debbie Lane
Quinlan, Texas 75474
And
701 E. Hwy 16
Beggs Oklahoma 74421
Tele-903-226-8018
Fax-903-226-7014
Email-nicksoilandgas@gmail.com

March 27, 2014

Subject: Response to the letter from the Oklahoma Department of Securities dated March 5, 2014, requesting information from Nick's Oil & Gas Corp, in regards to the NUCO A-#1 & A-#2 wells, which are proposed to be drilled for the purpose of extracting potential hydrocarbons, in the SE/4 of Section 29, Township 15N, and Range 12E of Okmulgee County, Oklahoma. The scope of the inquiry outlined specific focus on the potential investors or investors who are residents of the state of Oklahoma.

Greetings Mr. Fagnant,

Overview:

Dear Sir, Nick's Oil & Gas Corp is solely owned and operated by myself (Nicholas P. Yukich III), who in the fourth quarter of 2012 entered an agreement with NUCO Energy, LLC and its members to become a partner and actively act in a general manner in the future development of NUCO Energy, LLC which is an oil field operator on record in the State of Oklahoma, bonded with the Corporation Commission. NUCO Energy, LLC "NEL" is a Commercial Salt Water Disposal facility, dedicated to servicing oil field producers in and around the Okmulgee County, Oklahoma area. Nick's Oil & Gas Corp "NOG" was formed in July of 2012 in the state of Texas for the purpose of oil and/or natural gas field development in the continental United States. In April 2013, "NOG" then secured the mineral rights for hydrocarbon extraction under and around the "NEL" facility from Open Door Holdings Inc., "ODH", which the lease agreement is recorded in the Okmulgee County, Oklahoma court house. During any and all activity of Nick's Oil & Gas Corp having taken place into, or from, the state of Oklahoma, "NOG" had two (2) salaried individuals who were full time employees; one (1) who served as the "NEL" Facility Manager, and one (1) served as the "NEL" Maintenance Supervisor. Any other work was performed as part time help for purposes such as, but not limited to, mowing, minor repairs and painting on an as needed basis, and being paid at the minimum wage level. All other individuals or entities from the past or in the future are and will be on a contractor or sub-contractor basis.

1. "NOG" physically assumed control at NUCO beginning the Second quarter 2013.
2. The two employees of "NOG" were both terminated as of August 2013.

EXHIBIT

A

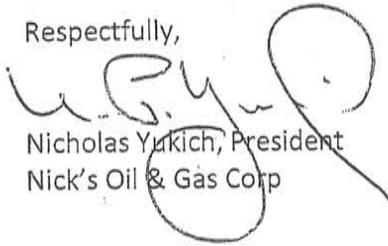
3. Each individual was on a \$26,000 salary per year & profit sharing, as a percentage of the "NEL" facility net profit being allocated as a bonus. Additionally, the full time employees were authorized as a "secondary" role with the company, to attempt to assist with the capitalization of future prospects, being offered a percentage of the potential mineral production revenue from any company well interest, in which the employee assisted in the procurement of development capital for that specific well. The percentage was to vary by prospect and contribution of the employee, ultimately being based on company need.
4. Some of the Key Guidelines and facts for the capital procurement efforts of the employees;
 - Communicate only with Accredited and Sophisticated Individuals who have extensive prior oil and gas investment experience, or other oil and gas companies who participate in the Non-Operating Working Interest position.
 - The employees were instructed to communicate through telephone and email only on company computers and telephone lines; further, only using company issued data and email addresses, while maintaining a perpetual company log of all offerings being made to potential investors. Additionally, a Suitability Prospect Form was to be completed on all Potential Investors.
 - Other forms of communication with the potential investor were regular U.S. Mail and Federal Express, being based upon the individual prospect request.
 - From May 2012 to August of 2012, while "NOG" or I actively was seeking large level industry partner(s) for the development of the NUCO wells in addition to other interests; the employees efforts met with minimal results in ALL roles, while several industry financial arms pursued participation in the program; at which time (August 2013) the in house offering was discontinued and the remaining employee was terminated. Incidentally and also; during this same time period, discrepancies with "NEL" inventory and accounting; as well as attendance continued to be a problem at the facility. Further, shortly after the relieving personnel in August, the facility was burglarized, which was reported to the Beggs City, Oklahoma Police Department. Amongst a list of equipment and gear stolen, employee files and other miscellaneous data were also taken.
 - We are in the process of attempting to restore the email addresses of those past employees, to identify any additional information for the purposes of this inquiry. Incidentally, the email addresses were immediately shut down upon the employee departure.
 - To the best of "NOG" or my knowledge, with the data I have available presently, the only offering into the State of Oklahoma, was to a resident of Oklahoma City, who purchased 1% of each well in the prospect for \$13,000.
 - As a standard industry practice and company policy, industry contact, partner, participant, and/or venture confidentiality is always a priority.

Status of the Prospect:

Currently, title check is complete; both locations have been surveyed by a contracting land surveyor, with both drilling permits having been filed and approved. One (1) location has been built, however weather stalled development in late 2013; and upon arrival after the turn of 2014 the contracting rig supervisor deemed the new road (bridge) into the newly built location, as "washed out" from the hard winter weather. The road is scheduled for repairs in order to move the rig in for drilling. Finally, an industry partner company out of Texas has purchased all outstanding interest in the prospect and plans are set to move forward with the operation this upcoming April, 2014. All accounting and pay information is with my CPA for end of 2013 accounting.

If there is anything I can answer or possibly provide you, feel free to contact me at any time 214-697-7325 or nicksoilandgas@gmail.com

Respectfully,

A handwritten signature in black ink, appearing to read 'N. Yukich', with a large circular flourish at the end.

Nicholas Yukich, President
Nick's Oil & Gas Corp

Corporate Records & Business Registrations

Source Information

This Record Last Updated: 09/28/2014
Database Last Updated: 10/13/2014
Update Frequency: WEEKLY
Current Date: 10/20/2014
Source: AS REPORTED BY THE SECRETARY OF STATE OR
OTHER OFFICIAL SOURCE

Company Information

Name: NUCO ENERGY, LLC
Address: 4655 BEELINO RD
BEGGS, OK 74421
UNITED STATES OF AMERICA

Filing Information

Filing Number: 3712172895
Filing Date: 03/17/2008
State of Incorporation: NEVADA
Country of Incorporation: UNITED STATES OF AMERICA
Date Incorporated: 03/17/2008
Duration: PERPETUAL
Status: CANCELLED
Status Attained Date: 08/01/2009
Business Type: FOREIGN LIMITED LIABILITY COMPANY
Report Due Date: 07/01/2009
Where Filed: SECRETARY OF STATE/CORPORATE DIVISION
STATE CAPITOL
OKLAHOMA CITY, OK 73105

Registered Agent Information

Name: JERRY GRIGGS
Address: 4655 BEELINO RD

BEGGS, OK 74421
USA

Appointed Date: 03/17/2008

Amendment Information

Amendments: 09/25/2014 CANCELLED
08/01/2009 TERMINATED
03/17/2008 CERTIFICATE OF REGISTRATION

The preceding public record data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

The public record items reported above may have been paid, terminated, vacated or released prior to today's date.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387)
for on-site manual retrieval of documents related to this or other matters.
Additional charges apply.

END OF DOCUMENT

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102



SUBPOENA DUCES TECUM
ODS File No. 14-036

To: Nicholas P. Yukich, III; and
Nick's Oil & Gas Corp.

IN THE NAME OF THE STATE OF OKLAHOMA, and pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011), **YOU ARE COMMANDED TO PRODUCE**, in compliance with the Definitions and Instructions sections included herein, all documents, records, and materials described in Appendix "A", attached hereto and incorporated herein by reference, before the Administrator of the Oklahoma Department of Securities, or his designated representative, at 120 North Robinson, First National Center, Suite 860, Oklahoma City, County of Oklahoma, State of Oklahoma, or via electronic upload at <http://www.securities.ok.gov/DocumentDelivery>, **on or before March 27, 2014, at 5:00 p.m.**

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 5th day of March, 2014.

(SEAL)

A handwritten signature in cursive script, appearing to read "Melanie Hall".

Melanie Hall, Deputy Administrator
Oklahoma Department of Securities
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102
(405) 280-7700

EXHIBIT

C

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102

Definitions

1. As used herein, the terms "you" or "your" refers to **Nicholas P. Yukich, III, Nick's Oil & Gas Corp. ("Nick's O&G")**, and all entities in which such person has or has had a controlling interest; all affiliates thereof; all principals and employees thereof; and all agents, representatives, attorneys or other persons acting or purporting to act on his behalf.
2. As used herein, the term "Department" shall refer to the Oklahoma Department of Securities.
3. As used herein, the term "person" shall refer to any natural person, association, partnership, limited liability company, corporation, business trust, estate, trust, joint venture, or other form of business entity, or any government or any agency, subdivision or instrumentality thereof.
4. As used herein, the term "affiliates" when used to indicate a relationship with any person, shall mean (a) a corporation or organization of which such person is an officer or partner or is, directly or indirectly, the beneficial owner of 10 percent or more of any class of equity securities; (b) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar capacity; and, (c) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person or who is a director or officer of the entity or any of its parents or subsidiaries.
5. As used herein, the terms "identification," "identify," or "identity," when used in reference to (a) a natural individual, require you to state his or her full name and residential, business and electronic mail addresses and telephone numbers; (b) a firm, association, partnership, limited liability company, corporation or other form of business entity, require you to state its full name and any names under which it does business, its state of organization, the address of its principal place of business, and the addresses of all of its offices; (c) a business, require you to state the full name or style under which the business is conducted, its business address or addresses, the types of businesses in which it is engaged, the geographic areas in which it conducts those businesses, and the identity of the person or persons who own, operate, and/or control the business; (d) a communication, requires you, if any part of the communication was written, to identify the document(s) which refer to or evidence the communication, and, to the extent that the communication was non-written, to identify the persons participating in the

communication and to state the date, manner, place, and substance of the communication.

6. As used herein, "Electronically Stored Information" ("ESI") shall mean all stored computer generated data, and associated metadata, including, but not limited to, word processing, spreadsheet, database, instant message, graphic, chart and presentation, electronic mail message, electronic facsimile, any digital form for representing an electronic document (such as the ISO 32000 format) and scanned material files regardless of its storage method including, but not limited to, removable hard drives, removable storage media, optical disks, flash memory, personal digital assistants, smart phones, online and/or "cloud" storage, backup and archive tape cartridges, reels and cassettes, or fixed storage media, including, but not limited to, internal hard drives, external hard drives, and Local Area Network drives.

7. As used herein, the term "document" or "writing" means, any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation; any ESI item, invoice, bill, order form, receipt, financial statement, account statement, accounting entry, diary, written material, book, file, note, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting), calendar, telex, telegram, cable, report, record, contract, agreement, study, handwritten note, working paper, chart, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced.

8. As used herein, the terms "relation," "pertaining to," "relating to," "related to," or "related" mean pertaining in any way to, referring to, reflecting, recording, memorializing, mentioning, constituting, describing, or concerning, directly or indirectly.

9. The following rules of construction apply to this subpoena:

(a) the connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the attachment all responses that might otherwise be construed to be outside of its scope; and

(b) the use of the singular form of any word includes the plural and vice versa.

Instructions

1. Documents required by the subpoena shall be accompanied by a list briefly identifying each document or other material, its custodian, and the item or items of the subpoena to which it relates.
2. Documents required by the subpoena must be produced in an electronic format. The documents shall be in their native format with all associated metadata.¹
3. Files shall be given a meaningful name in relation to their content (e.g. Smith_ChkBnk_Stmnt_1-1-12.xlsx, SmithContract_1-1-12.tiff) and NOT a generic file name (e.g. Bnk_0001.xlsx).
4. File names shall be unique and non-duplicative.
5. Electronic mail messages shall be produced to the Department in their native format (e.g. as a .pst, .msg, etc. file).
6. Imaged productions in the TIFF format will be accepted, when the documents requested are ordinarily used and maintained as such, if:
 - a. Images are at least 300 Dots Per Inch in resolution; and
 - b. The file type lends itself to imaging. If it does not, the production must include copies of the original file in its native format (for example, spreadsheets shall be produced as .xls or .xlsx files).
7. Adobe PDF files are acceptable as native file productions *only* when they have been used and maintained as PDF files in the normal course of business.
8. Instant Message production should be in the Yahoo!™ Messenger version 6.x to 8 format or must:
 - a. Be in a tab delimited, quotation mark (") text qualified, text file;
 - b. Include, at a minimum, the following fields: DATE, TIME, FROM, TO, CONVERSATION TEXT, CONVERSATION INDEX; and
 - c. Include field names in the first row of the text file.
9. Audio and video file production must:
 - a. Be produced in a format that is playable using Microsoft Windows Media Player™; and

¹ Assistance complying with subpoenaal technical requirements may be attained by calling the Department's IT office at (405) 280-7710. The subpoenaed person shall, at all times, retain the legal obligation and responsibility of complying with the *Subpoena Duces Tecum*.

b. For telephonic recordings, include a tab delimited, quotation mark (") text qualified, text file with the following metadata fields, at a minimum: CALLER_NAME, CALLING_NUMBER, DATE, TIME, CALLED_PARTY, CALLED_NUMBER and FILENAME. The filename must match exactly the name used to name the corresponding audio file. The field names must be included in the first row of the text file.

10. Files shall NOT be individually password protected. Password protection shall be applied only to the media the file(s) is stored upon when produced to the Department. Provide passwords to the Department via a separate, mailed or hand-delivered response.

11. Exception files shall be provided to the Department. The Exception file shall list, at a minimum: (a) the error(s) preventing the production of the file(s); (b) the file(s) name(s) and extension(s); (c) the file(s) creator(s), custodian(s) and date(s) of creation; and (d) a brief summary of the file(s) content.

12. Files that are listed in the Exception file shall temporarily satisfy the Subpoena, until such time as the file can be produced electronically, by producing the file in a hardcopy format to the Department.

13. Should any document(s), required to be produced by the subpoena, be withheld pursuant to a claim of privilege or for any other reason, submit a list stating: (a) the nature of the documents, communications, or information not being produced; (b) the creator(s) and date(s) of creation of the documents, communications, or information; (c) their present, or last known custodian; and (d) the reason(s) the documents are not produced.

14. Should any document(s) required to be produced by the subpoena have been destroyed for any reason, provide a detailed statement describing such document(s) and setting forth when, how, and why the document(s) were destroyed. If the destruction occurred as a result of a document retention policy, provide a copy of that document retention policy with the detailed explanation.

15. Place a mark on all media, including, but not limited, to optical disks, flash drives and/or hard drives, containing files submitted by you identifying the media/files as having been provided by you.

16. Place a mark on all hardcopy documents submitted by you identifying them as having been provided by you.

17. Indicate by separate affidavit whether a diligent search has been made for the subpoenaed documents and whether you have produced all of the documents required by the subpoena.

Appendix "A"

You are commanded to produce the following items within your possession, custody or control:

1. All promotional materials or literature, advertisements, newsletters, reports, solicitation letters, prospectuses, private placement memorandums, subscription agreements, and any other document used in connection with the offer or sale of any interest by you, including, but not limited to, interests in Nick's O&G and/or NUCO Energy, LLC ("NUCO"), or any of such entities' programs or projects.
2. Documents identifying the name, current address, telephone number, and email address of each Oklahoma purchaser or offeree of any interest identified in Item Number 1, as well as the date of each purchase or offer and the amount of each purchase.
3. Documents identifying the name, current address, telephone number, and email address of each person involved in the offer or sale of any interest identified in Item Number 1, as well as documents identifying all commissions or other remuneration paid to such persons.
4. All documents utilized by any person identified in Item Number 3 in the offer or sale of any interest identified in Item Number 1 including, but not limited to, personal notes or memoranda, sales scripts, sales literature, newsletters, correspondence, advertisements, sales training materials, or sales manuals.
5. All documents evidencing the source of information utilized to contact potential purchasers including, but not limited to, lead cards, lead sheets, profiles, and similar informational reports.
6. All documents utilized to determine whether an actual or potential offeree or purchaser is "accredited" as that term is defined in Rule 501 of Regulation D (17 C.F.R. § 230.501), promulgated by the United States Securities and Exchange Commission.
7. Documentation identifying all open and closed accounts into which funds received from persons identified in Item Number 2 were deposited or transferred including, but not limited to, checking, savings, credit card, certificate of deposit, loan, safe deposit box, trust, and escrow, by the name the account is carried in, the name and mailing address of the financial institution, the account number, the type of account, and the name(s) of person(s) authorized to sign on the account.
8. All organizational documents of Nick's O&G and NUCO including, but not limited to, articles of organization, certificates of incorporation, operating agreements, bylaws, minutes, resolutions, business plans, and other similar documents.

9. Documentation identifying all contractors, vendors, members, officers, directors, and employees of Nick's O&G and/or NUCO, as well as the title, job responsibilities, and time period of employment or service of each such contractor, vendor, member, officer, director, or employee.

10. All documents relating to any contract or agreement for work or services provided by any contractor, vendor, member, officer, director, or employee identified in Item Number 9.

CERTIFICATE OF SERVICE

I certify that on March 5th, 2014, I mailed the above and foregoing *Subpoena Duces Tecum* via certified mail, return receipt requested, delivery restricted, to the following:

Nicholas P. Yukich, III 410 Leameadow Dr. Allen, TX 75002	Nick's Oil & Gas Corp. 410 Leameadow Dr. Allen, TX 75002
Nick's Oil & Gas Corp. 13881 Debbie Lane Quinlan, TX 75474	Nick's Oil & Gas Corp. 701 E. Hwy 16 Beggs, OK 74421

Brenda London
Brenda London, Paralegal

IRVING L. FAUGHT
ADMINISTRATOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES

March 5, 2014

VIA CERTIFIED MAIL

Nicholas P. Yukich, III
410 Leameadow Dr.
Allen, TX 75002

Nick's Oil & Gas Corp.
13881 Debbie Lane
Quinlan, TX 75474

Nick's Oil & Gas Corp.
410 Leameadow Dr.
Allen, TX 75002

Nick's Oil & Gas Corp.
701 E. Hwy 16
Beggs, OK 74421

Re: ODS File No. 14-036

Mr. Yukich:

Pursuant to an investigation being conducted by the Oklahoma Department of Securities ("Department"), the Deputy Administrator of the Department has issued the attached Subpoena Duces Tecum ("Subpoena").

The Subpoena requires the production of certain documents on or before the date specified in the Subpoena. ***Documents required by this Subpoena must be produced in an electronic and native format in accordance with the Definitions and Instructions sections of the Subpoena.***

Please be advised that you have the right to consult with and be represented by counsel in connection with this matter. If you have any questions about the attached Subpoena, please contact the undersigned at (405) 280-7718.

Respectfully,

A handwritten signature in black ink, appearing to read "Rob Fagnant".

Rob Fagnant
Enforcement Attorney

Attachment

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Nick's Oil & Gas Corp.
701 E. Hwy 16
Beggs, OK 74421

Subd. 14-036 DF

2. Article Number (Copy from service label)

7000 0520 0022 7150 3509

PS Form 3811, July 1999

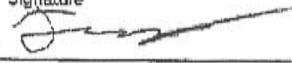
Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Serry Craigie 3-7-14

C. Signature

X  Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

102595-00-M-0952

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Nick's Oil & Gas Corp.
410 Leameadow Dr.
Allen, TX 75002

Subp 14-0316 RF

2. Article Number (Copy from service label)

7000 0520 0022 7150 3493

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0962

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Rachy Quent 3/10/99

C. Signature Agent

Rachy Quent Addressee

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Nicholas P. Yukich, III
410 Leameadow Dr.
Allen, TX 75002

Subp 14-036 RF

2. Article Number (Copy from service label)

70000520002271503479

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Nicholas P. Yukich III

5/10

C. Signature

Nicholas P. Yukich III

Agent

Addressee

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:

No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

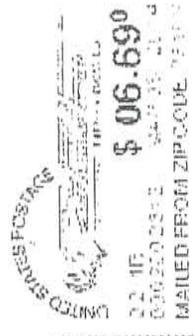
Yes

CERTIFIED MAIL



7000 0520 0022 7150 3486

OKLAHOMA DEPARTMENT OF SECURITIES
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102



\$ 06.690
00022000322
MAILED FROM ZIP CODE 73102

RECEIVED
MAR 31 11 46 AM '14

3/7

Nick's Oil & Gas Corp.
13881 De
Quinlan,

750 SE 1309 0003/25/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

EC: 73102749499 #6937-21181-65-35

7310207494
75474651481

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102



SUBPOENA DUCES TECUM
ODS File No. 14-036

To: NUCO Energy, LLC

IN THE NAME OF THE STATE OF OKLAHOMA, and pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011), **YOU ARE COMMANDED TO PRODUCE**, in compliance with the Definitions and Instructions sections included herein, all documents, records, and materials described in Appendix "A", attached hereto and incorporated herein by reference, before the Administrator of the Oklahoma Department of Securities, or his designated representative, at 120 North Robinson, First National Center, Suite 860, Oklahoma City, County of Oklahoma, State of Oklahoma, or via electronic upload at <http://www.securities.ok.gov/DocumentDelivery>, on or before **March 27, 2014, at 5:00 p.m.**

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 5th day of March, 2014.

(SEAL)

Melanie Hall, Deputy Administrator
Oklahoma Department of Securities
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102
(405) 280-7700

EXHIBIT

D

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102

Definitions

1. As used herein, the terms "you" or "your" refers to **NUCO Energy, LLC ("NUCO")**, and all entities in which such person has or has had a controlling interest; all affiliates thereof; all principals and employees thereof; and all agents, representatives, attorneys or other persons acting or purporting to act on his behalf.
2. As used herein, the term "Department" shall refer to the Oklahoma Department of Securities.
3. As used herein, the term "person" shall refer to any natural person, association, partnership, limited liability company, corporation, business trust, estate, trust, joint venture, or other form of business entity, or any government or any agency, subdivision or instrumentality thereof.
4. As used herein, the term "affiliates" when used to indicate a relationship with any person, shall mean (a) a corporation or organization of which such person is an officer or partner or is, directly or indirectly, the beneficial owner of 10 percent or more of any class of equity securities; (b) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar capacity; and, (c) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person or who is a director or officer of the entity or any of its parents or subsidiaries.
5. As used herein, the terms "identification," "identify," or "identity," when used in reference to (a) a natural individual, require you to state his or her full name and residential, business and electronic mail addresses, and telephone numbers; (b) a firm, association, partnership, limited liability company, corporation or other form of business entity, require you to state its full name and any names under which it does business, its state of organization, the address of its principal place of business, and the addresses of all of its offices; (c) a business, require you to state the full name or style under which the business is conducted, its business address or addresses, the types of businesses in which it is engaged, the geographic areas in which it conducts those businesses, and the identity of the person or persons who own, operate, and/or control the business; (d) a communication, requires you, if any part of the communication was written, to identify the document(s) which refer to or evidence the communication, and, to the extent that the communication was non-written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

6. As used herein, "Electronically Stored Information" ("ESI") shall mean all stored computer generated data, and associated metadata, including, but not limited to, word processing, spreadsheet, database, instant message, graphic, chart and presentation, electronic mail message, electronic facsimile, any digital form for representing an electronic document (such as the ISO 32000 format) and scanned material files regardless of its storage method including, but not limited to, removable hard drives, removable storage media, optical disks, flash memory, personal digital assistants, smart phones, online and/or "cloud" storage, backup and archive tape cartridges, reels and cassettes, or fixed storage media, including, but not limited to, internal hard drives, external hard drives, and Local Area Network drives.

7. As used herein, the term "document" or "writing" means, any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation; any ESI item, invoice, bill, order form, receipt, financial statement, account statement, accounting entry, diary, written material, book, file, note, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting), calendar, telex, telegram, cable, report, record, contract, agreement, study, handwritten note, working paper, chart, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced.

8. As used herein, the terms "relation," "pertaining to," "relating to," "related to," or "related" mean pertaining in any way to, referring to, reflecting, recording, memorializing, mentioning, constituting, describing, or concerning, directly or indirectly.

9. The following rules of construction apply to this subpoena:

(a) the connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the attachment all responses that might otherwise be construed to be outside of its scope; and

(b) the use of the singular form of any word includes the plural and vice versa.

Instructions

1. Documents required by the subpoena shall be accompanied by a list briefly identifying each document or other material, its custodian, and the item or items of the subpoena to which it relates.
2. Documents required by the subpoena must be produced in an electronic format. The documents shall be in their native format with all associated metadata.¹
3. Files shall be given a meaningful name in relation to their content (e.g. Smith_ChkBnk_Stmnt_1-1-12.xlsx, SmithContract_1-1-12.tiff) and NOT a generic file name (e.g. Bnk_0001.xlsx).
4. File names shall be unique and non-duplicative.
5. Electronic mail messages shall be produced to the Department in their native format (e.g. as a .pst, .msg, etc. file).
6. Imaged productions in the TIFF format will be accepted, when the documents requested are ordinarily used and maintained as such, if:
 - a. Images are at least 300 Dots Per Inch in resolution; and
 - b. The file type lends itself to imaging. If it does not, the production must include copies of the original file in its native format (for example, spreadsheets shall be produced as .xls or .xlsx files).
7. Adobe PDF files are acceptable as native file productions *only* when they have been used and maintained as PDF files in the normal course of business.
8. Instant Message production should be in the Yahoo!™ Messenger version 6.x to 8 format or must:
 - a. Be in a tab delimited, quotation mark (") text qualified, text file;
 - b. Include, at a minimum, the following fields: DATE, TIME, FROM, TO, CONVERSATION TEXT, CONVERSATION INDEX; and
 - c. Include field names in the first row of the text file.
9. Audio and video file production must:
 - a. Be produced in a format that is playable using Microsoft Windows Media Player™; and

¹ Assistance complying with subpoenaal technical requirements may be attained by calling the Department's IT office at (405) 280-7710. The subpoenaed person shall, at all times, retain the legal obligation and responsibility of complying with the *Subpoena Duces Tecum*.

- b. For telephonic recordings, include a tab delimited, quotation mark (") text qualified, text file with the following metadata fields, at a minimum: CALLER_NAME, CALLING_NUMBER, DATE, TIME, CALLED_PARTY, CALLED_NUMBER and FILENAME. The filename must match exactly the name used to name the corresponding audio file. The field names must be included in the first row of the text file.
10. Files shall NOT be individually password protected. Password protection shall be applied only to the media the file(s) is stored upon when produced to the Department. Provide passwords to the Department via a separate, mailed or hand-delivered response.
11. Exception files shall be provided to the Department. The Exception file shall list, at a minimum: (a) the error(s) preventing the production of the file(s); (b) the file(s) name(s) and extension(s); (c) the file(s) creator(s), custodian(s) and date(s) of creation; and (d) a brief summary of the file(s) content.
12. Files that are listed in the Exception file shall temporarily satisfy the Subpoena, until such time as the file can be produced electronically, by producing the file in a hardcopy format to the Department.
13. Should any document(s), required to be produced by the subpoena, be withheld pursuant to a claim of privilege or for any other reason, submit a list stating: (a) the nature of the documents, communications, or information not being produced; (b) the creator(s) and date(s) of creation of the documents, communications, or information; (c) their present, or last known custodian; and (d) the reason(s) the documents are not produced.
14. Should any document(s) required to be produced by the subpoena have been destroyed for any reason, provide a detailed statement describing such document(s) and setting forth when, how, and why the document(s) were destroyed. If the destruction occurred as a result of a document retention policy, provide a copy of that document retention policy with the detailed explanation.
15. Place a mark on all media, including, but not limited, to optical disks, flash drives and/or hard drives, containing files submitted by you identifying the media/files as having been provided by you.
16. Place a mark on all hardcopy documents submitted by you identifying them as having been provided by you.
17. Indicate by separate affidavit whether a diligent search has been made for the subpoenaed documents and whether you have produced all of the documents required by the subpoena.

Appendix "A"

You are commanded to produce the following items within your possession, custody or control:

1. All promotional materials or literature, advertisements, newsletters, reports, solicitation letters, prospectuses, private placement memorandums, subscription agreements, and any other document used in connection with the offer or sale of any interest in NUCO or any of such entities' programs or projects.
2. Documents identifying the name, current address, telephone number, and email address of each purchaser or offeree of any interest identified in Item Number 1, as well as the date of each purchase or offer and the amount of each purchase.
3. Documents identifying the name, current address, telephone number, and email address of each person involved in the offer or sale of any interest identified in Item Number 1, as well as documents identifying all commissions or other remuneration paid to such persons.
4. All documents utilized by any person identified in Item Number 3 in the offer or sale of any interest identified in Item Number 1 including, but not limited to, personal notes or memoranda, sales scripts, sales literature, newsletters, correspondence, advertisements, sales training materials, or sales manuals.
5. All documents evidencing the source of information utilized to contact potential purchasers including, but not limited to, lead cards, lead sheets, profiles, and similar informational reports.
6. All documents utilized to determine whether an actual or potential offeree or purchaser is "accredited" as that term is defined in Rule 501 of Regulation D (17 C.F.R. § 230.501), promulgated by the United States Securities and Exchange Commission.
7. Documentation identifying all open and closed accounts into which funds received from persons identified in Item Number 2 were deposited or transferred including, but not limited to, checking, savings, credit card, certificate of deposit, loan, safe deposit box, trust, and escrow, by the name the account is carried in, the name and mailing address of the financial institution, the account number, the type of account, and the name(s) of person(s) authorized to sign on the account.
8. All organizational documents of NUCO including, but not limited to, articles of organization, annual certificates, operating agreements, minutes, resolutions, business plans, and other similar documents.
9. Documentation identifying all contractors, vendors, members, officers, directors, and employees of NUCO, as well as the title, job responsibilities, and time period of

employment or service of each such contractor, vendor, member, officer, director, or employee.

10. All documents relating to any contract or agreement for work or services provided by any contractor, vendor, member, officer, director, or employee identified in Item Number 9.

CERTIFICATE OF SERVICE

I certify that on March 5th, 2014, I mailed the above and foregoing *Subpoena Duces Tecum* via certified mail, return receipt requested, delivery restricted, to the following:

NUCO Energy, LLC
c/o Jerry Griggs, Registered Agent
4655 Beelino Road
Beggs, OK 74421

NUCO Energy, LLC
701 E. Hwy 16
Beggs, OK 74421

Brenda London
Brenda London, Paralegal

IRVING L. FAUGHT
ADMINISTRATOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES

March 5, 2014

VIA CERTIFIED MAIL

NUCO Energy, LLC
c/o Jerry Griggs, Registered Agent
4655 Beelino Road
Beggs, OK 74421

NUCO Energy, LLC
701 E. Hwy 16
Beggs, OK 74421

Re: ODS File No. 14-036

To: NUCO Energy, LLC

Pursuant to an investigation being conducted by the Oklahoma Department of Securities ("Department"), the Deputy Administrator of the Department has issued the attached Subpoena Duces Tecum ("Subpoena").

The Subpoena requires the production of certain documents on or before the date specified in the Subpoena. ***Documents required by this Subpoena must be produced in an electronic and native format in accordance with the Definitions and Instructions sections of the Subpoena.***

Please be advised that you have the right to consult with and be represented by counsel in connection with this matter. If you have any questions about the attached Subpoena, please contact the undersigned at (405) 280-7718.

Respectfully,

A handwritten signature in black ink, appearing to read "Rob Fagnant".

Rob Fagnant
Enforcement Attorney

Attachment

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

NUCO Energy, LLC
701 E. Hwy 16
Beggs, OK 74421

Sub 14-036 RF

2. Article Number (Copy from service label)

70000520 00227150 3523

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Terry G. G... 3-7-74

C. Signature

X  Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

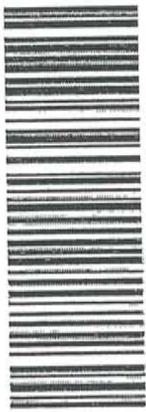
4. Restricted Delivery? (Extra Fee) Yes

Domestic Return Receipt

102595-00-M-0952

OKLAHOMA DEPARTMENT OF SECURITIES
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102

CERTIFIED MAIL



7000 0520 0022 7150 3516



WTF
W/rel

NUCO Energy, LLC
c/o Jerry Griggs

Registe
4655 Bt
Beggs,

NIXIE

731 FE 1009

0003/13/14

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

RC: 73102749499 *0457-00116-06-41

73102749499

2014 MAR 14 10:10

IRVING L. FAUGHT
ADMINISTRATOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES

April 7, 2014

VIA CERTIFIED AND ELECTRONIC MAIL

Nicholas P. Yukich, III
410 Leameadow Dr.
Allen, TX 75002

Nick's Oil & Gas Corp.
701 E. Hwy 16
Beggs, OK 74421

Nick's Oil & Gas Corp.
13881 Debbie Lane
Quinlan, TX 75474

nicksoilandgas@gmail.com

Re: ODS 14-036 - Subpoena Duces Tecum

Mr. Yukich:

On March 5, 2014, the Oklahoma Department of Securities ("Department") issued a subpoena duces tecum to you, Nicholas P. Yukich, and to Nick's Oil & Gas Corp. (collectively, "you" and/or "your") pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011) with a production date of March 27, 2014 ("Subpoena").

On March 28, 2014, the Department received a response to the Subpoena (the "Response") in the form of several documents including a signed cover letter ("Letter").

Upon review of the documents you provided, the Department considers the Response incomplete and non-responsive for the following items of Appendix "A" of the Subpoena:

Item No. 2: Non-responsive. Although the Department appreciates your position in the Letter that "confidentiality is always a priority" and is "a standard industry practice and company policy" to safeguard such information, you must still comply with subpoenaal requirements.

E

Item No. 3: Non-responsive. In the Letter, you reference at least two "full time employees" who assisted in the "procurement of development capital"; however, you have not provided the information required by this item (i.e. name, current address, telephone number, and email address along with documents identifying all commissions or other remuneration paid to each such person).

Item No. 4: Non-responsive. You must produce the information required in this item including your "perpetual company log of all offerings being made to potential investors" referenced in the Letter.

Item No. 5: Non-responsive.

Item No. 6: Non-responsive. Please include in your production the "Suitability Prospect Form[s]" referenced in the Letter.

Item No. 7: Non-responsive.

Item No. 8: Non-responsive.

Item No. 9: Non-responsive. In addition to the "two (2) salaried individuals who were full time employees" referenced in the Letter, documents provided in the Response include at least four other individuals who appear to be, or have been, either your contractors, vendors, members, officers, directors and/or employees (i.e. Walter B. Crabb, Robert Rohlfing, A.D. Whitten and Jerry Griggs). You have not produced the information required by this item (i.e. title and job responsibilities, for at least the "two (2) salaried individuals", and time period of employment or service) or by Definition No. 5 (e.g. name, for at least the "two (2) salaried individuals", and residential, business and electronic mail addresses, telephone numbers, etc.).

Item No. 10: Non-responsive.

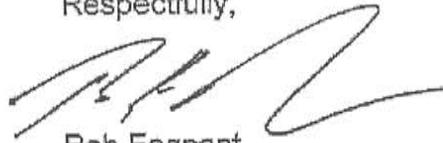
Please produce documents responsive to the above items and an affidavit, in accordance with Instruction No. 17 of the Subpoena, to the Department no later than April 21, 2014.

Under Section 1-602(C) of the Act, failure to comply with the Subpoena may result in a court order finding you in contempt, ordering injunctive relief, including restricting or prohibiting the offer or sale of securities, and/or a civil penalty.

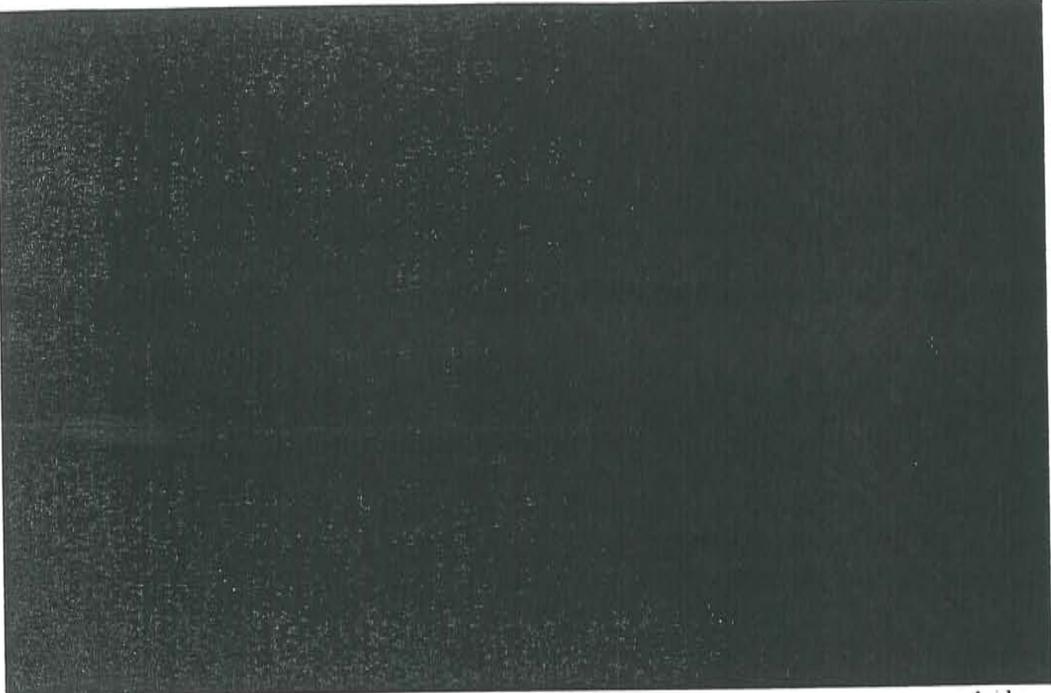
Subpoena Follow Up
April 7, 2014
Page 3 of 3

If you have any questions, please contact the undersigned at (405) 280-7718 or by email at rfagnant@securities.ok.gov.

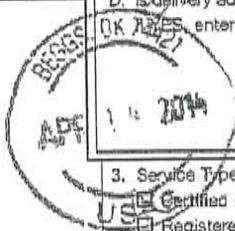
Respectfully,

A handwritten signature in black ink, appearing to read 'RF', with a long horizontal flourish extending to the right.

Rob Fagnant
Enforcement Attorney



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) <u>Janet Yukich</u>	B. Date of Delivery <u>4-14-14</u>
1. Article Addressed to:	C. Signature <u>X Janet Yukich</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
Nick's Oil & Gas Corp. 701 E. Hwy 16 Beggs, OK 74421	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
<u>Ltr 14-036 RF</u>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Copy from service label) <u>70000520002271503943</u>	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 1999	Domestic Return Receipt	102595-00-X-0952

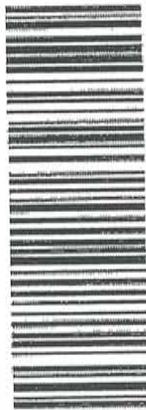


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) <u>Denise Pecora</u>	B. Date of Delivery
1. Article Addressed to:	C. Signature <u>X Denise Pecora</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
Nick's Oil & Gas Corp. 13881 Debbie Lane Quinlan, TX 75474	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
<u>Ltr 14-036 RF</u>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Copy from service label) <u>70000520002271503950</u>	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 1999	Domestic Return Receipt	102595-00-X-0952

Denise

OKLAHOMA DEPARTMENT OF SECURITIES
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102

CERTIFIED MAIL



7000 0520 0022 7150 3936



Handwritten: C-6
4-11-14

Nicholas P. Yukich, III
410 Leameadow Dr.
Allen, TX 75002

NIXIE 750 SE 1089 0003/05/14
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

9C: 73102749499 *1057-00251-08-40

73102749499

2014 MAY - 1 11:22

IRVING L. FAUGHT
ADMINISTRATOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES

April 7, 2014

VIA CERTIFIED AND ELECTRONIC MAIL

NUCO Energy, LLC
701 E. Hwy 16
Beggs, OK 74421

nicksoilandgas@gmail.com

Re: ODS 14-036 - Subpoena Duces Tecum

Sir or Ma'am:

On March 5, 2014, the Oklahoma Department of Securities ("Department") issued a subpoena duces tecum to NUCO Energy, LLC, pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011) with a production date of March 27, 2014 ("Subpoena").

As of today, the Department has not received a response to the Subpoena. **Please produce documents responsive to the Subpoena, including an affidavit in accordance with Instruction No. 17 of the Subpoena, to the Department no later than April 21, 2014.**

Under Section 1-602(C) of the Act, failure to comply with the Subpoena may result in a court order finding you in contempt, ordering injunctive relief, including restricting or prohibiting the offer or sale of securities, and/or a civil penalty.

If you have any questions, please contact the undersigned at (405) 280-7718 or by email at rfagnant@securities.ok.gov.

Respectfully,

A handwritten signature in black ink, appearing to read "Rob Fagnant".

Rob Fagnant
Enforcement Attorney

EXHIBIT

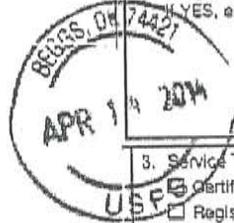
F

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

NUCO Energy, LLC
701 E. Hwy 16
Beggs, OK 74421



COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) | B. Date of Delivery
Janet Yukich | 4-14-14

C. Signature | Agent
X Janet Yukich | Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail | Express Mail
 Registered | Return Receipt for Merchandise
 Insured Mail | C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Wtr 14-036 RF

2. Article Number (Copy from service label)

70000520002271503929

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

Rob Fagnant

From: Rob Fagnant
Sent: Monday, May 12, 2014 8:43 AM
To: 'Nicholas Yukich'
Subject: RE: Nick's Oil & Gas Corp. et al. ODS 14-036

Mr. Yukich,

There are a couple of items I'd like to inquire about:

1. Have your responses to date regarding the Department's subpoenas been on behalf of NUCO Energy, LLC, as well as Nick's Oil & Gas Corp. and yourself? As far as I can tell, we have had no response whatsoever from NUCO.
2. Is it your position that you will not disclose the relevant bank account information required in item number 7 of the subpoena?

Thank you,

Rob Fagnant
Attorney
Assistant Dir. of Enforcement for Investigations
Oklahoma Department of Securities
Phone: 405.280.7718
Fax: 405.280.7742
www.securities.ok.gov

From: Nicholas Yukich [mailto:nicksoilandgas@gmail.com]
Sent: Thursday, April 24, 2014 4:34 PM
To: Rob Fagnant
Subject: Re: Nick's Oil & Gas Corp. et al. ODS 14-036

Rob,

I have a request into the Beggs, Oklahoma city police department for a copy of the police report. The incident had taken place during the relief of the then police chief Wes Fish, and a lot of turnover has taken place there since. I was apprised Tuesday this week that the report would be ready today and is still not. The officer in regards to the case was assistant chief at the time Officer Luvins, who is also no longer with the department.

The two employees were William Jackson and Steven Diamond. I do not have contact information in regards to these individuals, as it was amongst the items taken. They resided in Okmulgee, Oklahoma the last we had contact. Mr. Diamond provided plumbing and maintenance to the disposal systems. Mr. Jackson was the facility manager, communicating with customers of the facility, providing billing and other grounds services. Both individuals also made telephone calls to potential qualified investors when all other work was complete. The primary source of capitalization of drilling ventures are industry partners and institutional sources.

My bank account information does not elude me, my accounts are active, open and several.

This is an ongoing bona-fide project.

At this point I've cooperated to the best of my ability, as we've experienced set backs. I believe your department already knows, our sole participant in this venture from Oklahoma is Mr. Ron Cooper of Oklahoma City. We've had difficulty reaching out to him do to the removal of items from the companies secured area. We in fact have not heard from him. My intentions are to reach out to him through the information listed on his check once we have a final drilling schedule in hand. To the best of my knowledge, Mr. Cooper is the only investor or potential investor my company has worked with.

Once I have the police report in hand, I will forward it immediately. If there is anything else you feel I can provide, please let me know. If I can I will.

Respectfully,

Nicholas P. Yukich III
Semper FI!

On Mon, Apr 21, 2014 at 10:28 AM, Rob Fagnant <rfagnant@securities.ok.gov> wrote:



Mr. Yukich, please see below email. I originally sent it to the wrong email address ("nickoilandgas@gmail.com", not "nicksoilandgas@gmail.com").

Rob Fagnant

Attorney

Assistant Dir. of Enforcement for Investigations

Oklahoma Department of Securities

Phone: [405.280.7718](tel:405.280.7718)

Fax: [405.280.7742](tel:405.280.7742)

www.securities.ok.gov

From: Rob Fagnant
Sent: Monday, April 21, 2014 10:20 AM
To: 'nickoilandgas@gmail.com'
Cc: John Ulrey; Brenda London
Subject: RE: Nick's Oil & Gas Corp. et al. ODS 14-036
Importance: High

Mr. Yukich,

It appears we are having a hard time coinciding on the telephone to talk about the letters sent to you, Nick's Oil & Gas Corp. and NUCO Energy, LLC (collectively, "you" or "your"), regarding your incomplete and non-responsive response to the subpoenas issued to the same.

I understand from your voice mail and your response letter to the subpoenas ("Letter") that your position is you have no further documents to provide beyond your March 28th response to the Department. You stated documents were stolen and that you reported this to the police. If this is your stance on why there are no further responsive documents, **please provide a copy of the police report or the contact information of the assigned officer.**

Regardless of any document loss, you still have not provided, among others:

1. the names and contact information of "two (2) salaried individuals who were full time employees" referenced in the Letter ;
2. names and contact information of those who assisted in the "procurement of development capital" referenced in the Letter; and
3. identification of all open and closed accounts into which funds were deposited or transferred. If the account number(s) elude you, the institution's name(s) where these accounts are/were held is sufficient for the moment.

Please respond with subpoena requirements and the police report or contact information of the assigned officer, no later than April 23rd.

Rob Fagnant

Attorney

Assistant Dir. of Enforcement for Investigations

Oklahoma Department of Securities

Phone: 405.280.7718

Fax: 405.280.7742

www.securities.ok.gov

From: Brenda London
Sent: Tuesday, April 08, 2014 9:58 AM
To: nickoilandgas@gmail.com
Cc: Rob Fagnant; John Ulrey
Subject: Nick's Oil & Gas Corp. et al. ODS 14-036

Attached are letters regarding the non-compliance with subpoenas to NUCO Energy and Nick's Oil & Gas.

Brenda London

Paralegal

OK Department of Securities

First National Center Ste 860

120 N Robinson

Oklahoma City OK 73102

blondon@securities.ok.gov

(405) 280-7700

(405) 280-7742 Fax

NOTICE: This e-mail message may contain confidential and privileged information and/or litigation work product. This message is intended for the sole use of the addressed recipient(s). Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender

immediately and destroy all copies of the original message.

Visit InvestEdOK.org for unbiased investor education resources. InvestEdOK.org is a collaboration between the Oklahoma Securities Commission and the University of Oklahoma OUTREACH.

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102



SUBPOENA DUCES TECUM
ODS File No. 14-036

To: Nicholas P. Yukich, III; and
Nick's Oil & Gas Corp.

IN THE NAME OF THE STATE OF OKLAHOMA, and pursuant to Section 1-602 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011), **YOU ARE COMMANDED TO PRODUCE**, in compliance with the Definitions and Instructions sections included herein, all documents, records, and materials described in Appendix "A", attached hereto and incorporated herein by reference, before the Administrator of the Oklahoma Department of Securities, or his designated representative, at 120 North Robinson, First National Center, Suite 860, Oklahoma City, County of Oklahoma, State of Oklahoma, or via electronic upload at <http://www.securities.ok.gov/DocumentDelivery>, on or before **July 21, 2014, at 5:00 p.m.**

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 1st day of July, 2014.

(SEAL)

Melanie Hall, Deputy Administrator
Oklahoma Department of Securities
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102
(405) 280-7700

EXHIBIT

H

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
FIRST NATIONAL CENTER, SUITE 860
120 NORTH ROBINSON
OKLAHOMA CITY, OKLAHOMA 73102

Definitions

1. As used herein, the terms "you" or "your" refers to **Nicholas P. Yukich, III; Nick's Oil & Gas Corp. ("Nick's O&G"); and all entities** in which each such person has or has had a controlling interest; all affiliates thereof; all principals and employees thereof; and all agents, representatives, attorneys or other persons acting or purporting to act on their behalf.
2. As used herein, the term "Department" shall refer to the Oklahoma Department of Securities.
3. As used herein, the term "person" shall refer to any natural person, association, partnership, limited liability company, corporation, business trust, estate, trust, joint venture, or other form of business entity, or any government or any agency, subdivision or instrumentality thereof.
4. As used herein, the term "affiliates" when used to indicate a relationship with any person, shall mean (a) a corporation or organization of which such person is an officer or partner or is, directly or indirectly, the beneficial owner of 10 percent or more of any class of equity securities; (b) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar capacity; and, (c) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person or who is a director or officer of the entity or any of its parents or subsidiaries.
5. As used herein, the terms "identification," "identify," or "identity," when used in reference to (a) a natural individual, require you to state his or her full name and residential, business and electronic mail addresses and telephone numbers; (b) a firm, association, partnership, limited liability company, corporation or other form of business entity, require you to state its full name and any names under which it does business, its state of organization, the address of its principal place of business, and the addresses of all of its offices; (c) a business, require you to state the full name or style under which the business is conducted, its business address or addresses, the types of businesses in which it is engaged, the geographic areas in which it conducts those businesses, and the identity of the person or persons who own, operate, and/or control the business; (d) a communication, requires you, if any part of the communication was written, to identify the document(s) which refer to or evidence the communication, and, to the extent that the communication was non-written, to identify the persons participating in the

communication and to state the date, manner, place, and substance of the communication.

6. As used herein, "Electronically Stored Information" ("ESI") shall mean all stored computer generated data, and associated metadata, including, but not limited to, word processing, spreadsheet, database, instant message, graphic, chart and presentation, electronic mail message, electronic facsimile, any digital form for representing an electronic document (such as the ISO 32000 format) and scanned material files regardless of its storage method including, but not limited to, removable hard drives, removable storage media, optical disks, flash memory, personal digital assistants, smart phones, online and/or "cloud" storage, backup and archive tape cartridges, reels and cassettes, or fixed storage media, including, but not limited to, internal hard drives, external hard drives, and Local Area Network drives.

7. As used herein, the term "document" or "writing" means, any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation; any ESI item, invoice, bill, order form, receipt, financial statement, account statement, accounting entry, diary, written material, book, file, note, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting), calendar, telex, telegram, cable, report, record, contract, agreement, study, handwritten note, working paper, chart, print, laboratory record, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed, or graphic matter, however produced or reproduced.

8. As used herein, the terms "relation," "pertaining to," "relating to," "related to," or "related" mean pertaining in any way to, referring to, reflecting, recording, memorializing, mentioning, constituting, describing, or concerning, directly or indirectly.

9. The following rules of construction apply to this subpoena:

(a) the connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the attachment all responses that might otherwise be construed to be outside of its scope; and

(b) the use of the singular form of any word includes the plural and vice versa.

Instructions

1. Documents required by the subpoena shall be accompanied by a list briefly identifying each document or other material, its custodian, and the item or items of the subpoena to which it relates.
2. Documents required by the subpoena must be produced in an electronic format. The documents shall be in their native format with all associated metadata.¹
3. Files shall be given a meaningful name in relation to their content (e.g. Smith_ChkBnk_Stmnt_1-1-12.xlsx, SmithContract_1-1-12.tiff) and NOT a generic file name (e.g. Bnk_0001.xlsx).
4. File names shall be unique and non-duplicative.
5. Electronic mail messages shall be produced to the Department in their native format (e.g. as a .pst, .msg, etc. file).
6. Imaged productions in the TIFF format will be accepted, when the documents requested are ordinarily used and maintained as such, if:
 - a. Images are at least 300 Dots Per Inch in resolution; and
 - b. The file type lends itself to imaging. If it does not, the production must include copies of the original file in its native format (for example, spreadsheets shall be produced as .xls or .xlsx files).
7. Adobe PDF files are acceptable as native file productions *only* when they have been used and maintained as PDF files in the normal course of business.
8. Instant Message production should be in the Yahoo!™ Messenger version 6.x to 8 format or must:
 - a. Be in a tab delimited, quotation mark (") text qualified, text file;
 - b. Include, at a minimum, the following fields: DATE, TIME, FROM, TO, CONVERSATION TEXT, CONVERSATION INDEX; and
 - c. Include field names in the first row of the text file.
9. Audio and video file production must:
 - a. Be produced in a format that is playable using Microsoft Windows Media Player™; and

¹ Assistance complying with subpoenaal technical requirements may be attained by calling the Department's IT office at (405) 280-7710. The subpoenaed person shall, at all times, retain the legal obligation and responsibility of complying with the *Subpoena Duces Tecum*.

b. For telephonic recordings, include a tab delimited, quotation mark ("") text qualified, text file with the following metadata fields, at a minimum: CALLER_NAME, CALLING_NUMBER, DATE, TIME, CALLED_PARTY, CALLED_NUMBER and FILENAME. The filename must match exactly the name used to name the corresponding audio file. The field names must be included in the first row of the text file.

10. Files shall NOT be individually password protected. Password protection shall be applied only to the media the file(s) is stored upon when produced to the Department. Provide passwords to the Department via a separate, mailed or hand-delivered response.

11. Exception files shall be provided to the Department. The Exception file shall list, at a minimum: (a) the error(s) preventing the production of the file(s); (b) the file(s) name(s) and extension(s); (c) the file(s) creator(s), custodian(s) and date(s) of creation; and (d) a brief summary of the file(s) content.

12. Files that are listed in the Exception file shall temporarily satisfy the Subpoena, until such time as the file can be produced electronically, by producing the file in a hardcopy format to the Department.

13. Should any document(s), required to be produced by the subpoena, be withheld pursuant to a claim of privilege or for any other reason, submit a list stating: (a) the nature of the documents, communications, or information not being produced; (b) the creator(s) and date(s) of creation of the documents, communications, or information; (c) their present, or last known custodian; and (d) the reason(s) the documents are not produced.

14. Should any document(s) required to be produced by the subpoena have been destroyed for any reason, provide a detailed statement describing such document(s) and setting forth when, how, and why the document(s) were destroyed. If the destruction occurred as a result of a document retention policy, provide a copy of that document retention policy with the detailed explanation.

15. Place a mark on all media, including, but not limited to, optical disks, flash drives and/or hard drives, containing files submitted by you identifying the media/files as having been provided by you.

16. Place a mark on all hardcopy documents submitted by you identifying them as having been provided by you.

17. Indicate by separate affidavit whether a diligent search has been made for the subpoenaed documents and whether you have produced all of the documents required by the subpoena.

Appendix "A"

You are commanded to produce the following items within your possession, custody or control:

1. All promotional materials or literature, advertisements, newsletters, reports, solicitation letters, prospectuses, private placement memorandums, subscription agreements, and any other document used in connection with the offer or sale of any interest by you, including, but not limited to, interests in Nick's O&G and/or NUCO Energy, LLC ("NUCO"), or any of such entities' programs or projects.
2. Documents identifying the name, current address, telephone number, and email address of each purchaser or offeree of any interest identified in Item Number 1, as well as the date of each purchase or offer and the amount of each purchase.
3. Documents identifying the name, current address, telephone number, and email address of each person involved in the offer or sale of any interest identified in Item Number 1, as well as documents identifying all commissions or other remuneration paid to such persons.
4. All documents utilized by any person identified in Item Number 3 in the offer or sale of any interest identified in Item Number 1 including, but not limited to, personal notes or memoranda, sales scripts, sales literature, newsletters, correspondence, advertisements, sales training materials, or sales manuals.
5. All documents evidencing the source of information utilized to contact potential purchasers including, but not limited to, lead cards, lead sheets, profiles, and similar informational reports.
6. All documents utilized to determine whether an actual or potential offeree or purchaser is "accredited" as that term is defined in Rule 501 of Regulation D (17 C.F.R. § 230.501), promulgated by the United States Securities and Exchange Commission.
7. Documentation identifying all open and "closed accounts into which funds received from persons identified in Item Number 2 were deposited or transferred including, but not limited to, checking, savings, credit card, certificate of deposit, loan, safe deposit box, trust, and escrow, by the name the account is carried in, the name and mailing address of the financial institution, the account number, the type of account, and the name(s) of person(s) authorized to sign on the account.
8. All organizational documents of Nick's O&G and NUCO including, but not limited to, articles of organization, certificates of incorporation, operating agreements, bylaws, minutes, resolutions, business plans, and other similar documents.
9. Documentation identifying all contractors, vendors, members, officers, directors, and employees of Nick's O&G and/or NUCO, as well as the title, job responsibilities,

and time period of employment or service of each such contractor, vendor, member, officer, director, or employee.

10. All documents relating to any contract or agreement for work or services provided by any contractor, vendor, member, officer, director, or employee identified in Item Number 9.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 1st day of July, 2014, a true and correct copy of the above and foregoing *Subpoena Duces Tecum* was sent via electronic mail to nicksoilandgas@gmail.com and mailed by certified mail, return receipt requested, delivery restricted, to the following:

Nicholas P. Yukich, III
Nick's Oil & Gas Corp.
410 Leameadow Dr,
Allen, TX 75002

Nick's Oil & Gas Corp.
701 E. Hwy 16
Beggs, OK 74421

Brenda London
Brenda London, Paralegal

Brenda London

From: Brenda London
Sent: Tuesday, July 01, 2014 1:31 PM
To: nicksoilandgas@gmail.com
Cc: Rob Fagnant; John Ulrey
Subject: Nick's Oil & Gas Corp.
Attachments: Subpoena-2_NicholasYukich_14-036.pdf

Attached is a Subpoena Duces Tecum, issued by the Deputy Administrator of the Oklahoma Department of Securities, requiring the production of certain documents on or before July 21, 2014. If you have any questions or concerns, please contact Rob Fagnant at (405) 280-7718 or by e-mail rfagnant@securities.ok.gov.

Thank you,

Brenda London, Paralegal
Oklahoma Department of Securities
First National Building Suite 860
120 North Robinson
Oklahoma City OK 73102
(405) 280-7700
(405) 280-7742 Facsimile
blondon@securities.ok.gov

IRVING L. FAUGHT
ADMINISTRATOR



MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES

July 1, 2014

VIA CERTIFIED AND ELECTRONIC MAIL

Nicholas P. Yukich, III
Nick's Oil & Gas Corp.
410 Leameadow Dr.
Allen, TX 75002

Nick's Oil & Gas Corp.
701 E. Hwy 16
Beggs, OK 74421

nicksoilandgas@gmail.com

Re: ODS File No. 14-036

Mr. Yukich:

Pursuant to an investigation being conducted by the Oklahoma Department of Securities ("Department"), the Deputy Administrator of the Department has issued the attached Subpoena Duces Tecum ("Subpoena").

The Subpoena requires the production of certain documents on or before the date specified in the Subpoena. ***Documents required by this Subpoena must be produced in an electronic and native format in accordance with the Definitions and Instructions sections of the Subpoena.***

Please be advised that you have the right to consult with and be represented by counsel in connection with this matter. If you have any questions about the attached Subpoena, please contact the undersigned at (405) 280-7718.

Respectfully,

A handwritten signature in black ink, appearing to read "Rob Fagnant".

Rob Fagnant
Enforcement Attorney

Attachment

OKLAHOMA DEPARTMENT OF SECURITIES
First National Center, Suite 860
120 North Robinson
Oklahoma City, Oklahoma 73102

RECEIVED
OKLAHOMA DEPT.
OF SECURITIES
2019 AUG 1 PM 4

CERTIFIED MAIL



7000 0520 0022 7150 4469

Nick's Oil & Gas Co.
701 E. H
Beggs, O

731 5E 1009 0007/29/14
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

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Oklahoma City, Oklahoma 73102

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Nicholas P. Yukich, III
Nick's Oil & Gas Corp.
410 Leamea NIXIE
Allen, TX 75

750 50 1009

RETURN TO SENDER
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SC: 73102749499 *0957-10471-01-30

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Rob Fagnant

From: Nicholas Yukich <nicksoilandgas@gmail.com>
Sent: Wednesday, July 02, 2014 7:33 PM
To: Rob Fagnant
Subject: Re: Nick's Oil & Gas Corp.

You have NO jurisdiction outside of the state of Oklahoma. My counsel will be your next communication from this end. Thank you.

Respectfully!

On Wednesday, July 2, 2014, Rob Fagnant <rfagnant@securities.ok.gov> wrote:

Mr. Yukich,

The subpoena requires information on all of your and/or Nick's Oil & Gas Corp.'s purchasers and offerees as indicated in Appendix A, Item No. 2.

As stated in the subpoenas, the Department issued the subpoenas pursuant to the Oklahoma Uniform Securities Act of 2004, Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2011).

Regards,

Rob Fagnant

Attorney

Assistant Dir. of Enforcement for Investigations

Oklahoma Department of Securities

Phone: 405.280.7718

Fax: 405.280.7742

www.securities.ok.gov

From: Nicholas Yukich [mailto:nicksoilandgas@gmail.com]
Sent: Wednesday, July 02, 2014 1:11 PM
To: Rob Fagnant
Subject: Re: Nick's Oil & Gas Corp.

Am I to understand that you are requiring information on participants who are not Oklahoma residence and if so under what authority gives the state of Oklahoma to govern a resident of another state?

On Wednesday, July 2, 2014, Rob Fagnant <rfagnant@securities.ok.gov> wrote:

Mr. Yukich,

If you retain counsel on this matter, please have him/her contact the Department. At that point, any communication will have to be through your attorney.

Please refer to the March 5, 2014, and the July 1, 2014, subpoenas issued to you and Nick's Oil & Gas Corp., specifically Appendix A, Item No. 2. As you can see, the first subpoena limited its scope to Oklahoma purchasers and offerees; the second subpoena does not.

As the July 1, 2014, subpoena states, the production deadline is July 21, 2014.

If you have any further questions or concerns, please don't hesitate to contact the undersigned.

Regards,

Rob Fagnant

Attorney

Assistant Dir. of Enforcement for Investigations

Oklahoma Department of Securities

Phone: 405.280.7718

Fax: 405.280.7742

www.securities.ok.gov

From: Brenda London
Sent: Wednesday, July 02, 2014 8:06 AM
To: Rob Fagnant
Cc: John Ulrey
Subject: FW: Nick's Oil & Gas Corp.

From: Nicholas Yukich [<mailto:nicksoilandgas@gmail.com>]
Sent: Tuesday, July 01, 2014 9:00 PM
To: Brenda London
Subject: Re: Nick's Oil & Gas Corp.

To whom it may concern,

I've provided your office with all that I have in regards to this matter. This is the exact letter that I received a few months past, and physically delivered to your office a large package of oil prospect data in regards to the NUCO drilling plan, to include but not only, geology, lease agreement, as well as names with duty responsibilities, and any available contact information. As I stated then and will state now, that the program had encountered delays due to uncontrollable and unforeseen matters. We are working diligently on bringing the program to completion and making progress. "This appears to be a witch hunt" and at this point I will refer this matter to my counsel forward who will contact the ODS in the near future.

Respectfully,

Nicholas Yukich

On Tuesday, July 1, 2014, Brenda London <blondon@securities.ok.gov> wrote:

Attached is a Subpoena Duces Tecum, issued by the Deputy Administrator of the Oklahoma Department of Securities, requiring the production of certain documents on or before July 21, 2014. If you have any questions or concerns, please contact Rob Fagnant at (405) 280-7718 or by e-mail rfagnant@securities.ok.gov.

Thank you,

Brenda London, Paralegal

Oklahoma Department of Securities

First National Building Suite 860

120 North Robinson

Oklahoma City OK 73102

(405) 280-7700

(405) 280-7742 Facsimile

blondon@securities.ok.gov

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Visit InvestEdOK.org for unbiased investor education resources. InvestEdOK.org is a collaboration between the Oklahoma Securities Commission and the University of Oklahoma  
OUTREACH  
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AFFIDAVIT OF BRENDA LONDON

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA) ss:

Brenda London, of lawful age, being first duly sworn, upon oath states as follows:

1. I am a Paralegal for the Oklahoma Department of Securities ("Department") and the custodian of records for the Enforcement Division of the Department.

2. In the course of its regularly conducted business activity, it is the regular practice of the Enforcement Division to make a record of all incoming mail and hand-delivered items relating to an investigation or proceeding. These records are made at or near the time the Department receives the mail or hand-delivered items, by an employee of the Department with knowledge of the Department's receipt of the mail or items. The Enforcement Division preserves these records for an indefinite period of time.

3. The Enforcement Division also preserves, in an electronic file, all documents, relating to an investigation or proceeding, submitted by electronic upload through the Department's website.

4. After a diligent search of the Enforcement Division's records and electronic files relating to Nicholas P. Yukich, III ("Yukich"), Nick's Oil & Gas Corp. ("NOG") and NUCO Energy, LLC ("NUCO"), I have determined that the Department has not received any of the documents listed on Appendix "A" of the subpoenas duces tecum issued by the Administrator of the Department to NUCO on March 5, 2014, and to Yukich and NOG on July 1, 2014.

FURTHER AFFIANT SAITH NOT.

Brenda London
Brenda London

Subscribed and sworn to before me this 5th day of November, 2014, by Brenda London.

Lisa D. Halstied
Notary Public

My Commission No.: 03-01-18
My Commission Expires: 06002294
(SEAL)



EXHIBIT
J