

THIS MOTION IS SET FOR HEARING

ON July 7, 2005

AT 9:00 A.M. BEFORE JUDGE COMBS

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

**FILED**  
IN THE DISTRICT COURT

JUN 03 2005

POTTAWATOMIE COUNTY, OK  
RETA HEAD, COURT CLERK  
BY \_\_\_\_\_ DEPUTY

OKLAHOMA DEPARTMENT OF  
SECURITIES *ex rel.* Irving L.  
FAUGHT, Administrator,

Plaintiff,

vs.

Case No. C-03-1239

THE HICKMAN AGENCY, INC., an  
Oklahoma Corporation; MERL WILLIAM  
HICKMAN, SR., an individual; SARAH  
L. HICKMAN, an individual; and  
MERL WILLIAM HICKMAN, JR., an  
individual,

Defendants,

and

STEPHANIE HICKMAN-MATTHEWS, an  
individual; ANGELA FRIGULETTO, an  
individual; PETER FRIGULETTO, an  
individual; SANDRA FRIGULETTO, an  
individual; and CHRISTY HICKMAN,  
an individual,

Defendants Solely  
For Purposes Of  
Equitable Relief

MOTION OF RECEIVER, STEPHEN J. MORIARTY FOR  
AUTHORITY TO SELL REAL PROPERTY

Comes now the Receiver, Stephen J. Moriarty and requests that this Court grant Receiver the authority to sell certain real property located in Lincoln County as proposed herein. In support of his Motion, Receiver would show unto the Court as follows:

1. On December 17, 2003, this Court entered its order appointing the Receiver; the appointment continued pursuant to the Temporary Injunction entered herein on December 22, 2003 (collectively referred to as the "Order"). Pursuant to the Order, Receiver was given immediate and exclusive custody, control and possession of all assets ... of Defendants, of

whatever kind and description and wherever situated." Further, Receiver was given the authority to take the steps necessary to protect the interests of Investors, including the liquidation or sale of assets of the Defendants ..."

2. Merl William Hickman, Sr., Sarah Hickman, and Merl William Hickman, Jr. (collectively referred to as "Hickman") are the record owners of approximately 42 acres of real property located in Meeker, Lincoln County, Oklahoma (the "Real Property").

3. On information and belief, the Real Property was purchased with Investor funds and considerable repairs and improvements were made to the Real Property during the time The Hickman Agency was operated as a pyramid scheme. Furthermore, taxes, insurance and other expenses related to the Real Property were paid with Investor funds.

4. Receiver desires to sell the Real Property at public auction on such terms and conditions that he deems appropriate, after consultation with real estate professionals. In that regard, Receiver proposes to employ Vernon Markwell and Markwell Real Estate (collectively referred to as "Markwell") to assist him in the sale of the Real Property.

WHEREFORE, Receiver respectfully requests that this Court enter an Order authorizing the Receiver to sell the Real Property, at public auction, to employ Markwell to conduct such auction, that the proceeds from such sale be held in a segregated account pending further Order of the Court, and for such other and further relief as this Court deems just and equitable.

Merl William Hickman, Sr.  
#15726-064  
Oklahoma City Federal Transfer Center  
7410 South MacArthur  
Oklahoma City, OK 73169

Merl William Hickman, Sr.  
Sarah Hickman  
Route 3, Box 308A  
Meeker, OK 74855

Sarah Hickman  
c/o Henry White  
Rt. 3 Box 495  
Meeker, OK 74855

Merl William Hickman, Jr.  
#15657-064  
Oklahoma City Federal Transfer Center  
7410 South MacArthur  
Oklahoma City, OK 73169

Merl William Hickman, Jr.  
Christy Hickman  
Route 3, Box 490  
Meeker, OK 74855

Stephanie Hickman Mathews  
Route 3, Box 88  
Meeker, OK 74855

Peter Friguletto  
Angela Friguletto  
618 South LaLonde Avenue  
Lombard, IL 60148



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Stephen J. Moriarty



STEPHEN J. MORIARTY, OBA #6410  
ANDREWS DAVIS  
100 North Broadway, Suite 3300  
Oklahoma City, Oklahoma 73102  
Telephone: (405) 272-9241  
Facsimile: (405) 235-8786

RECEIVER FOR THE HICKMAN  
AGENCY, INC., MERL WILLIAM  
HICKMAN, SR., SARAH HICKMAN,  
MERL WILLIAM HICKMAN, JR.,  
CHRISTY HICKMAN, STEPHANIE  
HICKMAN MATTHEWS, ANGELA  
AND PETER FRIGULETTO

NOTICE OF HEARING

Please be advised that a hearing on this Motion has been set for 9:00 .M. on  
the 7<sup>th</sup> day of July, 2005 before the Honorable Douglas L. Combs.

CERTIFICATE OF MAILING

This is to certify that on the 3<sup>rd</sup> day of June, 2005, the foregoing was sent by U.S.  
Mail, first class, postage prepaid, to:

Patricia A. Labarthe, Esq.  
Oklahoma Department of Securities  
First National Center, Suite 860  
120 North Robinson  
Oklahoma City, OK 73102

Terry West, Esq.  
Brad West Esq.  
124 West Highland  
Shawnee, OK 74801

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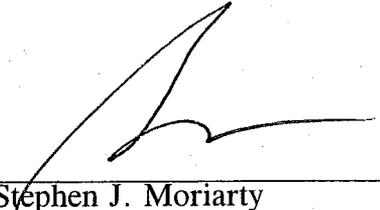
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Stephen J. Moriarty