

IN THE DISTRICT COURT OF LOGAN COUNTY,  
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF SECURITIES, )  
*ex rel.*, IRVING L. FAUGHT, Administrator, )  
Plaintiff, )

vs. )

Case No. CJ-2004-256

MARSHA SCHUBERT, an individual, and d/b/a )  
SCHUBERT AND ASSOCIATES; et al. )  
Defendants. )

**AFFIDAVIT OF SERVICE**

STATE OF OKLAHOMA )  
 ) SS:  
COUNTY OF GARFIELD )

Bradley E. Davenport, of lawful age, being first duly sworn upon his oath, states as follows:

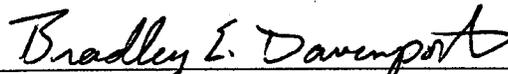
1. That on the 22nd day of December, 2004, I mailed by Certified Mail, Return Receipt Requested, postage prepaid, a true and correct file-stamped copy of *Contempt Citation and Order to Appear* in reference to the above cause of action, to:

Farmers & Merchants Bank  
116 S. Grand  
Crescent, OK 73028

Return Receipt dated 12-23-04

**FURTHER, AFFIANT SAYETH NOT.**

Respectfully submitted,



Bradley E. Davenport, OBA #18687  
GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.  
Post Office Box 1549  
Enid, Oklahoma 73702-1549  
(580) 234-0436 phone/(580) 233-1284 fax  
Attorney for Receiver, Douglas L. Jackson

Subscribed and sworn to before me this 28<sup>th</sup> day of December 2004.

My Commission Expires:

3/31/08

SEAL

Sarah Ann Stuckey  
Notary Public

No. 00003966

CERTIFICATE OF SERVICE

I hereby certify that on the 28<sup>th</sup> day of December 2004, I mailed a true and correct copy of the above and foregoing instrument, postage pre-paid to:

Oklahoma Department of Securities  
Attn: Gerri Stuckey  
Amanda Cornmesser  
First National Center, Suite 860  
120 N. Robinson  
Oklahoma City, OK 73102

Mack Martin  
Martin Law Office  
119 N. Robinson, Suite 360  
Oklahoma City, OK 73102  
Attorneys for Defendant Marsha Schubert,  
individually, and d/b/a Schubert and Associates

William J. Baker  
Hert, Baker & Koemel, PC  
P. O. Box 668  
Stillwater, OK 74076  
Attorney for Defendant Richard Schubert, individually  
and d/b/a Schubert and Associates

Bradley E. Davenport  
Bradley E. Davenport

Back to  
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for  
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STATE OF OKLAHOMA  
LOGAN COUNTY SS  
FILED FOR RECORD

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REJEANIA ZNEK  
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Case No. CJ-2004-256

IN THE DISTRICT COURT OF LOGAN COUNTY,  
STATE OF OKLAHOMA

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

Plaintiff, )

vs. )

MARSHA SCHUBERT, an individual, and d/b/a )  
SCHUBERT AND ASSOCIATES; )

RICHARD L. SCHUBERT, an individual and d/b/a )  
SCHUBERT AND ASSOCIATES; )

and SCHUBERT AND ASSOCIATES, an unincorporated )  
association, )

Defendants. )

CONTEMPT CITATION AND ORDER TO APPEAR

This matter is before the Court on the Motion of Receiver, Douglas Jackson, for contempt as a result of the refusal of Farmers & Merchants Bank, Crescent, Oklahoma to obey this Court's Orders of October 14, 2004 and November 15, 2004, which required all persons and entities, including banks, to promptly deliver and surrender to the Receiver all assets of the Defendants and all assets belonging to members of the public now held by Defendants.

Based on the Motion and supporting authority of the Receiver, the Court finds that Farmers & Merchants Bank, Crescent, Oklahoma should be cited for contempt and should be required to appear before the Court and show cause why Farmers & Merchants Bank should not be punished for contempt of court.

IT IS THEREFORE ORDERED that Farmers & Merchants Bank, Crescent, Oklahoma is cited for contempt of this Court and ordered to appear in this Court at 1:30 p.m. on January 14, 2005, to show cause why Farmers & Merchants Bank should not be punished for contempt of court.

Dated: 12/17/04

Donald L. Worthington  
Honorable Donald L. Worthington  
Judge of the District Court

Approved as to Form:

Bradley E. Davenport

Bradley E. Davenport, OBA #13687  
GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.  
Post Office Box 1549  
Enid, Oklahoma 73702-1549  
(580) 234-0436 phone number  
(580) 233-1284 facsimile number  
Attorney for Receiver, Douglas Jackson

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <u>[Signature]</u></p>	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
<p>Farmers &amp; Merchants Bank 116 S. Grand Crescent, OK 73028</p>	D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below. <input type="checkbox"/> No	
	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 (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
	7004 1350 0000 0215 9991	