

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



In the Matter of:

Richard W. Possett, Sr., d/b/a/ The Navigator Group,

Respondent.

ODS File No. 11-076

**AGREED SCHEDULING ORDER**

This *Agreed Scheduling Order* is issued pursuant to 660:2-9-3 of the Rules of the Oklahoma Securities Commission and the Administrator of the Oklahoma Department of Securities ("Rules"). All parties have agreed to this scheduling order. All times herein refer to Central Time.

**IT IS HEREBY ORDERED** that:

1. **Preliminary Lists of Witnesses, Documents and Exhibits.** The parties shall file preliminary lists identifying all witnesses, documents and exhibits intended to be utilized at the hearing, on or before **August 24, 2012, at 5:00 p.m.** The parties shall identify expert witnesses intended to be called at hearing on their preliminary witness lists. The preliminary witness lists shall identify the witnesses by name, residential and/or business address, and telephone number and provide a short description of the witnesses' expected testimony. If the witness is known to be represented by counsel, contact information for the witness' counsel should also be included.

2. **Final Witness Lists.** On or before **October 5, 2012, at 5:00 p.m.**, the parties shall file final witness lists. The final witness lists shall identify, by name, residential and/or business address, and telephone number, all witnesses, including but not limited to expert witnesses, intended to be called at hearing and contain a short description of the expected testimony of each witness. Failure to comply with this paragraph will result in the exclusion of witnesses at hearing. If the witness is known to be represented by counsel, contact information for the witness' counsel should also be included.

3. **Discovery.** Any discovery that is conducted shall comply with 660:2-9-3(b) of the Rules unless otherwise agreed to by the parties or ordered by the Administrator or a designated hearing officer. Discovery, including depositions, must be completed/answered on or before **October 5, 2012, at 5:00 p.m.**

4. **Motions.** Any motions that are filed shall comply with 660:2-9-3(c) of the Rules unless otherwise agreed to by the parties or ordered by the Administrator or a designated hearing officer. A response to a written motion shall be filed within ten (10) business days after service of the motion but no later than the date and time of the hearing. A reply to a response may be filed within five (5) business days after service of the response but no later than the date and time of the hearing.

(A) Dispositive motions will not be considered if filed after **October 1, 2012, at 5:00 p.m.**

(B) Motions in limine will not be considered if filed after **October 23, 2012, at 5:00 p.m.**

5. **Document and Exhibit Exchange.** On or before **October 12, 2012, at 5:00 p.m.**, each party shall provide all other parties with a copy of all documents and exhibits intended to be utilized by the party at hearing. Failure to comply with this paragraph will result in the exclusion of documents and exhibits at hearing.

6. **Prehearing Briefs and Proposed Findings of Fact and Conclusions of Law.** If prehearing briefs and/or proposed findings of fact and conclusions of law are filed, they shall be filed on or before **October 26, 2012, at 5:00 p.m.**

7. **Prehearing Conference.** Unless waived by agreement of all parties or by order of the Administrator or a designated hearing officer, a prehearing conference shall be held in person or by telephone on **October 30, 2012, at 10:00 a.m.**, at the offices of the Oklahoma Department of Securities, 120 North Robinson Avenue, Suite 860, Oklahoma City, Oklahoma, to address the following matters:

- (A) simplification of issues;
- (B) the final list of witnesses and exhibits to be utilized at the hearing;
- (C) admissions and stipulations of fact;
- (D) stipulations regarding admission and authenticity of documents;
- (E) requests for official notice;
- (F) discovery disputes;
- (G) pending motions; and
- (H) other matters that will promote the orderly and prompt conduct of the hearing.

8. **Hearing Date.** The hearing has been set to commence on **November 6, 2012, at 9:00 a.m.**, at the offices of the Oklahoma Department of Securities, 120 North Robinson Avenue, Suite 860, Oklahoma City, Oklahoma. The parties estimate that the hearing will take one (1) day.

9. **Filings and Service.** All documents required to be filed in connection with this matter shall be filed by email to [blondon@securities.ok.gov](mailto:blondon@securities.ok.gov) or by U.S. Mail, third-party carrier, or personal delivery to the Department to the attention of Brenda

London, before 5:00 p.m. on the date such filing is due, if any. All filings made after 5:00 p.m. shall be treated as filed on the next business day. All filings shall be served, by the party making the filing, upon the Administrator or a designated hearing officer and counsel for all other parties via email before 5:00 p.m. on the date of the filing, and by U.S. Mail, third-party carrier, or personal delivery. Any other document served on an opposing party shall be served via email and U.S. Mail, third-party carrier, or personal delivery. The effective date of service for filings and other documents is the date on which the serving party sends the filing or document via email to counsel for such other party if sent before 5:00 p.m. and the next business day if sent after 5:00 p.m.

10. **Failure to Comply.** Failure to comply with the terms of this Order may result in sanctions as set forth in 660:2-9-3(f) of the Rules.

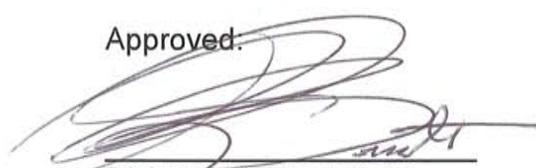
**IT IS FURTHER ORDERED** that no date set by this Order can be changed except by agreement of all parties or for good cause and upon written order of the Administrator or a designated hearing officer.

**WITNESS MY HAND** and the Official Seal of the Oklahoma Department of Securities this 20<sup>th</sup> day of August, 2012.

(SEAL)

  
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IRVING L. FAUGHT, ADMINISTRATOR OF THE  
OKLAHOMA DEPARTMENT OF SECURITIES

Approved:

  
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