

IN THE DISTRICT COURT OF LOGAN COUNTY,
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF SECURITIES,
ex rel., IRVIN L. FAUGHT, Administrator,

Plaintiff,

vs.

Case No. CJ-2004-256

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.

APPLICATION BY RECEIVER FOR APPROVAL OF
EMPLOYMENT OF LEGAL COUNSEL

COMES NOW the Receiver, Douglas L. Jackson, for Defendants Marsha Schubert, Richard Schubert and Schubert and Associates, and would show the Court the following:

1. Mr. Jackson was appointed Receiver by Order of this Court entered in the above-entitled case on October 14, 2004. Mr. Jackson has qualified to act as Receiver and filed his Oath of Receiver on October 18, 2004.
2. The Order appointing Mr. Jackson as Receiver contained a provision authorizing him to retain and employ attorneys, accountants, computer consultants, and other persons as he deems advisable and necessary in the management, conduct, control or custody of the affairs of Defendants, and of the assets thereof and otherwise generally to assist in the affairs of Defendants. See October 14, 2004 Order at pg. 4, ¶5.
3. The Order appointing Mr. Jackson as Receiver authorized him to immediately retain or employ attorneys, accountants and other persons, all subject to filing as soon as practical with this Court an Application seeking approval of the employment.

4. The Receiver has employed the law firm of Gungoll, Jackson, Collins, Box & Devoll, PC ("Counsel") and believes it is necessary to continue to have such counsel employed to assist in the location, control and management of Defendants' affairs and assets. In addition, upon review of the Defendants' investor records and bank records, the Receiver may pursue legal actions against third parties that will require additional assistance of counsel.

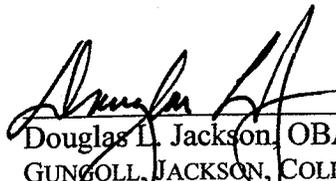
5. The Receiver seeks the Court's authorization to employ the law firm of Gungoll, Jackson, Collins, Box & Devoll, PC of Enid, Oklahoma as its legal counsel. Counsel is an AV rated law firm with significant experience in debtor and creditor legal work, including collection matters, and is well qualified to represent the Receiver. Counsel understands and agrees to accept such amount on account of its fees as may be awarded therefor by this Court. The billing rate of the proposed Counsel is \$200 per hour.

6. To the best of the knowledge, information, and belief of the Receiver, Counsel does not represent any of the parties to this action or the known investor clients of the Defendants.

7. Because of the concern of Defendants liquidating and/or hiding assets, Receiver requests that the Court dispense with the necessity of giving notice of this Application.

WHEREFORE, Receiver requests the Court approve his employment of the law firm of Gungoll, Jackson, Collins, Box & Devoll, PC of Enid, Oklahoma as Counsel to represent Receiver in all matters requiring legal services presently pending or arising hereafter in the course of the Receivership.

Respectfully submitted,



Douglas L. Jackson, OBA #4583
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
Court-Appointed Receiver for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of October 2004, I mailed a true and correct copy of the above and foregoing instrument, postage pre-paid to:

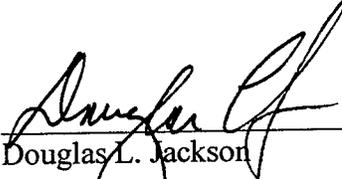
Oklahoma Department of Securities
Attn: Irvin L. Faught
First National Center, Suite 860
120 N. Robinson
Oklahoma City, OK 73102

Mack K. Martin
Martin Law Office
119 N. Robinson - Suite 360
Oklahoma City, OK 73102
Attorney for Marsha & Richard
Schubert

Marsha Schubert
P O Box 314
Crescent, OK 73028-0314

Richard Schubert
P O Box 314
Crescent, OK 73028-0314

Schubert and Associates
P O Box 314
Crescent, OK 73028-0314



Douglas L. Jackson

T:\Clients\Schubert, Marsha & Richard\Receivership\00 - Pleadings\Pleadings Typed\Application for Approval of Employment of Attorney.doc