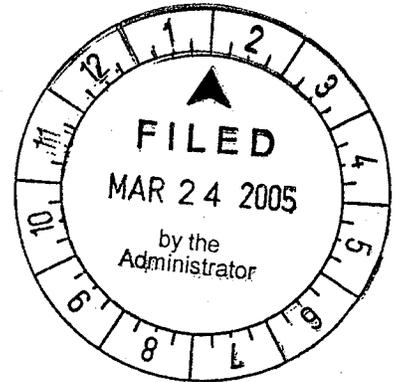


STATE OF OKLAHOMA  
DEPARTMENT OF SECURITIES  
FIRST NATIONAL CENTER, SUITE 860  
120 NORTH ROBINSON  
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Benjamin Wei,

Respondent.

ODS File No. 02-166

**SCHEDULING ORDER**

On November 2, 2004, the Administrator (Administrator) of the Oklahoma Department of Securities (Department) issued a Notice of Opportunity for Hearing in the above styled and numbered cause. After receiving an extension of time to file a response, Respondent filed his Response to the allegations contained in the Enforcement Division Recommendation (Recommendation) on November 30, 2004.

This 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). The parties have jointly waived the ninety (90) day time requirement for the Administrator, or his designee, to hold the hearing, pursuant to 660-2-9-2(b) of the Rules.

Respondent has admitted the findings of fact contained in paragraphs 1, 2 and 3 of the Recommendation. The findings of fact contained in paragraphs 4 through 32 of the Recommendation are at issue. Further, all of the Conclusions of Law and the request for sanctions contained in the Recommendation are at issue.

**IT IS HEREBY ORDERED that:**

1. The original of all pleadings, exhibits and/or other required documents shall be filed with the Administrator. Filings shall be mailed to the offices of the Oklahoma Department of Securities, 120 North Robinson, Suite 860, Oklahoma City, Oklahoma 73102; submitted by facsimile at 405.280.7742; or submitted by any other method that will assure delivery on or before the required date and time. All time deadlines in this order refer to times in the Central Time Zone.

2. Copies of all pleadings, exhibits and/or other documents shall be served to opposing counsel and to the Administrator, or his designee, by mail at the following addresses and/or by facsimile or by personal delivery:

Rebecca Cryer, Enforcement Attorney  
Gerri Stuckey, Enforcement Attorney  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102  
Facsimile 405.280.7742

J. David Ogle, Esq.  
Ogle & Welch, P.C.  
117 Park Avenue, Third Floor  
Oklahoma City, Oklahoma 73102  
Facsimile 405.232.1608

Marc J. Ross, Esq.  
Richard J. Babnick, Jr., Esq.  
Sichenzia Ross Friedman Ference L.L.P.  
1065 Avenue of the Americas, 21<sup>st</sup> Floor  
New York, New York 10018  
Facsimile 212.930.9700

Administrator, or his designee  
120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102  
Facsimile 405.280.7742

3. The parties shall have ten (10) business days to comply with discovery requests from the other party, excluding the date of receipt of the request. In addition, the Department shall comply with Respondent's previously served discovery request within ten (10) business days after entry of this Order or by April 1, 2005, whichever is earlier.

4. The parties shall file a copy of a Preliminary Witness List and a Preliminary Exhibit List, on or before 5:00 p.m. on April 13, 2005.

5. The parties shall file a Final Witness List and a Final Exhibit List, along with copies of all exhibits, on or before 5:00 p.m. on April 20, 2005. **Failure to comply with this paragraph will result in the exclusion of witnesses/exhibits at trial, subject to the provisions of 660:2-9-3(d) of the Rules.**

6. Discovery by all parties shall be completed and answered by the last business day prior to the date of the Pre-Hearing Conference.

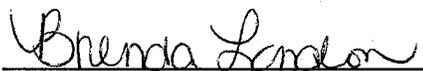
7. The parties are ordered to file and to provide each other and the Administrator, or his designee, a statement of specific factual contentions and legal contentions that are to be presented at hearing on or before 5:00 p.m. on April 26, 2005.

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 24 day of March, 2005, a true and correct copy of the above and foregoing Scheduling Order was mailed with postage prepaid thereon addressed to:

J. David Ogle, Esq.  
Ogle & Welch, P.C.  
117 Park Avenue, Third Floor  
Oklahoma City, OK 73102  
Facsimile 405.232.1608  
Attorney for Respondent, Benjamin Wei

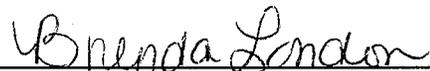
Marc J. Ross, Esq.  
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1065 Avenue of the Americas, 21<sup>st</sup> Floor  
New York, New York 10018  
Facsimile 212.930.9700  
Attorneys for Respondent, Benjamin Wei

  
\_\_\_\_\_  
Brenda London Smith  
Paralegal

CERTIFICATE OF DELIVERY

The undersigned hereby certifies that on the 24 day of March, 2005, a true and correct copy of the above and foregoing Scheduling Order was delivered to:

Rebecca Cryer, Enforcement Attorney  
Gerri Stuckey, Enforcement Attorney  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102

  
\_\_\_\_\_  
Brenda London Smith  
Paralegal

8. All objections to the admission of testimony of any witness or exhibit shall be filed and presented in writing to the Administrator, or his designee, on or before April 27, 2005, at 5:00 p.m.

9. The pre-hearing conference shall be conducted on May 10, 2005, at 1:30 p.m., by telephone, if so ordered by the Administrator, or his designee. *[The parties agree that the pre-hearing conference be conducted by telephone.]*

10. A final hearing in this proceeding shall be conducted in the offices of the Department on consecutive days or as ordered by the Administrator, or his designee. *[The parties request that the hearing begin on May 31, 2005. The hearing will continue as needed through 3 p.m. on June 3, 2005.]*

11. Oral argument shall not be heard on pre-hearing motions. Argument will be submitted to the Administrator, or his designee, in writing and shall be disposed of by written order.

12. The Department's hearing brief shall be filed by May 17, 2005, at 5:00 p.m. Respondents hearing brief shall be filed by May 25, 2005, at 5:00 p.m. The Department's reply brief shall be filed by May 30, 2005, at 5:00 p.m.

13. Failure to comply with the terms of this Order will result in sanctions.

**IT IS FURTHER ORDERED** that no date set by this Order can be changed except for good cause and upon written order of the Administrator, or his designee, prior to such scheduled date.

(SEAL)

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