

IN THE DISTRICT COURT OF LOGAN COUNTY,
STATE OF OKLAHOMA

STATE OF OKLAHOMA
LOGAN COUNTY SS:
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REJEANIA ZMEK
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OKLAHOMA DEPARTMENT OF SECURITIES,)
ex rel., IRVIN 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.)

BY _____ DEPUTY
Case No. CJ-2004-256

ORDER GRANTING RECEIVER'S APPLICATION FOR AUTHORITY TO MAKE SECOND DISTRIBUTION TO CLAIMANTS/CREDITORS

NOW on the 8th day of August 2008 the Receiver's Application for Authority to Make Second Distribution to Claimants/Creditors comes before the Court for consideration.

Based upon the Receiver's Application and the Court having reviewed all pleadings and submissions of the parties, the Court finds as follows:

1. That the deadline for Claimants and Creditors to have submitted a Proof of Claim to the Schubert Receivership Estate has long since expired;

2. That this Court previously entered an order on September 14, 2007 approving Receiver's recommendations for allowance/rejection of claims and authorizing an initial distribution;

3. That the Court's September 14, 2007 Order fixed the claim amounts of the Claimants and Creditors of the Schubert Receivership Estate for all distributions by the Receiver in this case;

4. That no objections have been filed with the Court in response to the Receiver's Application for Authority to Make Second Distribution to Claimants/Creditors filed on July 21, 2008.

5. That the Oklahoma Department of Securities has provided evidence in the form of an affidavit and spreadsheet to the Receiver demonstrating that certain of the Claimants/Creditors whose claims this Court approved either in whole or part, have received sums from third-party arbitration awards and/or settlements sufficient to zero out their claims, and this Court finds that those parties should not receive additional funds from the Receivership Estate given that they have already been made whole and Oklahoma law prevents any party from obtaining a double recovery; and,

6. That Receiver's Application for Authorization to Make Second Distribution to Claimants and/or Creditors as specified on Exhibit C attached to his Application filed herein on July 21, 2008 should be and is hereby granted.

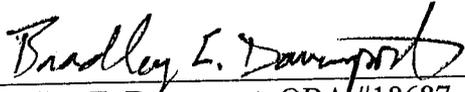
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Application for Authority to Make Second Distribution to Claimants/Creditors filed on July 21, 2008 is **GRANTED**, and the Receiver is hereby authorized to make a second distribution of 16% to those Claimants whose claims have been allowed in full or in part and who have not already been made whole pursuant to the Receiver's initial distribution and third-party recoveries as more particularly described in Exhibit C attached to the Receiver's Application filed herein on July 21, 2008.

Dated: _____

DONALD L. WORTHINGTON

Donald L. Worthington
Judge of the District Court

APPROVED AS TO FORM:



Bradley E. Davenport, OBA #18687
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Enid, OK 73701-1549
Attorney for Receiver, Douglas L. Jackson

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