

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUL 13 2006

PATRICIA PRESLEY, COURT CLERK
by _____
Deputy

OKLAHOMA DEPARTMENT OF)
SECURITIES ex. rel. IRVING L.)
FAUGHT, ADMINISTRATOR,)
)
Plaintiffs,)

vs.)

BARRY POLLARD and)
ROXANNE POLLARD)
)
Defendants and)
Third Party Plaintiffs)

vs.)

AXA ADVISORS, LLC, a Delaware)
Limited Liability Coompany; and AXA)
EQUITABLE LIFE INSURANCE)
COMPANY, f/k/a EQUITABLE LIFE)
ASSURANCE SOCITY OF THE)
UNITED STATES,)
)
Third Party Defendants.)

Case No. CJ-2005-3799
Judge Vicki Robertson

**UNOPPOSED MOTION TO EXTEND TIME
TO ANSWER OR OTHERWISE RESPOND TO THIRD PARTY PETITION**

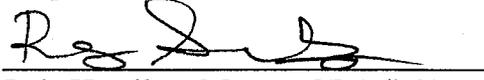
Pursuant to District Court Rule 4(c)(1), third party defendants, AXA Advisors, LLC (“AXA Advisors”), and AXA Equitable Life Insurance Company (“AXA Equitable”) (collectively “Defendants”), file this unopposed motion to extend Defendants’ time to answer or otherwise respond to the Third Party Petition by twenty (20) days, until August 7, 2006. Counsel for Defendants has consulted with counsel for Third Party Plaintiffs, Barry Pollard and Roxanne Pollard (“Third Party Plaintiffs”), and

is authorized to state that Third Party Plaintiffs do not object to the relief requested. In support, Defendants state as follows:

1. On May 11, 2005, the initial Petition was filed the above-captioned action.
2. On January 25, 2006, Third Party Plaintiffs filed their answer to the Petition and their Third Party Petition against Defendants.
3. On June 26, 2006, Third Party Plaintiffs served the Third Party Petition on Defendant AXA Equitable, and on June 27, 2006, Third Party Plaintiffs served the Third Party Petition on Defendant AXA Advisors.
4. Due to a weekend deadline, both Defendants' answer to the Third Party Petition is due July 17, 2006.
5. Defendants needs an additional twenty (20) days, until August 7, 2006, to fully investigate the claims against it in order to answer or otherwise respond to the Third Party Petition.
6. Counsel for Defendants has consulted with counsel for Third Party Plaintiffs and is authorized to state that Third Party Plaintiffs consent to the requested relief.
7. Defendants have requested no previous extensions of time in this action.
8. Defendants reserve all defenses under 12 O.S. §2012.
9. A proposed order is submitted herewith.

WHEREFORE third party defendants, AXA Advisors, LLC and AXA Equitable Life Insurance Company respectfully request entry of an order extending the time for Defendants to answer or otherwise respond to the Third Party Petition by twenty (20) days, until August 7, 2006.

Respectfully Submitted,



Judy Hamilton Morse, OBA # 6450

Regan Strickland Beatty, OBA # 20349

- Of the Firm -

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ATTORNEYS FOR AXA ADVISORS, LLC and
AXA EQUITABLE LIFE INSURANCE
COMPANY

CERTIFICATE OF SERVICE

This is to certify that on the 13th day of July, 2006, a true and correct copy of the foregoing Unopposed Motion to Extend Time to Answer or Otherwise Respond to Third Party Petition was sent via U.S. mail, postage pre-paid to the following

Richard Parrish
Shawn Fulkerson
Carlolie Rozell
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