

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

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

Plaintiff, )

vs. )

BARRY POLLARD AND )  
ROXANNE POLLARD, )

Defendants and )  
Third Party Plaintiffs )

vs. )

AXA ADVISORS LLC, a Delaware )  
Limited Liability Company; and AXA )  
EQUITABLE LIFE INSURANCE )  
COMPANY, f/k/a EQUITABLE LIFE )  
ASSURANCE SOCIETY OF THE )  
UNITED STATE, )

Third Party Defendants. )

Case No.: CJ-2005-3799  
Judge Vicki Robertson

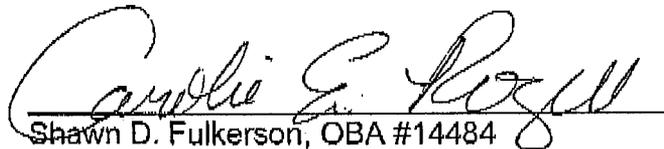
OFFER OF JUDGMENT

TO: Oklahoma Department of Securities  
C/O Amanda Cornmesser  
First National Center, Ste. 860  
120 North Robinson  
Oklahoma City, OK 73102

Pursuant to 12 O.S. §1101.1(B), Defendants, **BARRY POLLARD AND ROXANNE POLLARD**, without admitting any liability or wrong doing to resolve a doubtful disputed claim and to avoid continuing costs and expenses of protracted litigation and the

associated business and personal interruptions, hereby offer to allow judgment to be entered in favor of Plaintiff, Oklahoma Department of Securities ex rel. Irving L. Faught, Administrator, against the said Defendants in this action for the amount of Twenty-Two Thousand, Five Hundred and no/100ths (\$22,500.00) which said Defendants will satisfy immediately upon acceptance of this offer. Defendants, Barry Pollard and Roxanne Pollard, hereby specifically reserve all claims against Third Party Defendants, Axa Advisers LLC, a Delaware Limited Liability Company; and AXA Equitable Life Insurance, f/k/a Equitable Life Assurance Society of the United States. This offer shall expire by the terms of 12 O.S. § 1101.1(B) if not accepted within ten (10) days from the date of its filing.

Dated: August 17, 2007



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Barry and Roxanne Pollard

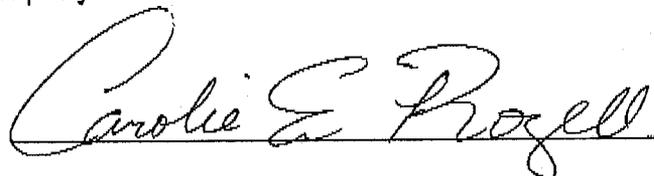
**CERTIFICATE OF DELIVERY**

This is to certify that a true and correct copy of the above and foregoing *Offer of Judgment* was hand delivered on the 17<sup>th</sup> day of August, 2007, to:

Amanda Cornmesser  
Gerri Stuckey  
Melanie Hall  
First National Center, Suite 860  
120 North Robinson  
Oklahoma City, OK 73102  
Attorneys for Plaintiff

This is to certify that a true and correct copy of the above and foregoing *Offer of Judgment* was hand deposited in the United States Mail, postage fully prepaid, on the 17<sup>th</sup> day of August, 2007, to:

Judy Hamilton Morse  
Regan Strickland Beatty  
Crowe & Dunlevy P.C.  
20 North Broadway  
Suite 1800  
Oklahoma City, Oklahoma 73102  
Attorneys for AXA Advisors, LLC and  
AXA Equitable Life Insurance Company

A handwritten signature in cursive script, reading "Carol E. Royell". The signature is written in black ink and is positioned below the second block of recipient information.