

FILED IN THE DISTRICT COURT
IN THE DISTRICT COURT OF OKLAHOMA COUNTY OKLAHOMA COUNTY, OKLA.
STATE OF OKLAHOMA

JUL 13 2007

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

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

Plaintiffs,)

vs.)

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

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 STATES,)

Third Party Defendants.)

ORDER

Now on this ~~2nd~~ 3rd day of July 2007 the cause comes before this Court on Third Party Defendant's Motion to Dismiss Breach of Contract Claim and Request for Reconsideration of Re-newed Motion to Compel Arbitration of Claims Against AXA Equitable.

Plaintiffs Department of Securities, Defendants and Third Party Plaintiffs Pollards, and Third Party Defendant AXA Equitable Life Insurance Company appear by counsel. The Court, having heard and considered the arguments of counsel and being

fully advised finds that the Third Party Defendant's Motion to Dismiss Breach of Contract Claim and Request for Reconsideration of Re-newed Motion to Compel Arbitration of Claims Against AXA Equitable should be denied.

IT IS SO ORDERED

DATED this 13th day of July, 2007.

VICKI ROBERTSON

JUDGE OF THE DISTRICT COURT

APPROVED:

Carolie E. Rozell

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RICHARD E. PARRISH, OBA # 6915
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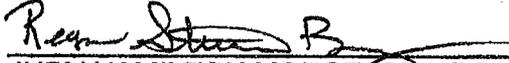
I, PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the District Court Clerk's Office of Oklahoma County, Okla., this 13 day of July, 2007.

By Patricia Presley
PATRICIA PRESLEY, Court Clerk
County

Amanda Cornmesser

AMANDA CORNMESSER, OBA # 200044
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