

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

MAY 16 2007

PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
DEPUTY

Oklahoma Department of Securities )  
*ex rel.* Irving L. Faught, )  
Administrator, )  
 )  
Plaintiff, )

v. )  
Raglin Industries, LLC, an Oklahoma )  
limited liability company; Phillip Levaughn )  
Raglin, an individual; and Joseph Daniel )  
Layne, an individual, )  
 )  
Defendants. )

Case No. CJ-2006-10111

**NOTICE OF HEARING**

Please be advised that a hearing on the Motion for Return of Funds has been set  
for the 8th day of June, 2007, at 9<sup>30</sup> o'clock a.m., before District  
Judge Carolyn R. Ricks.

Respectfully submitted,



Patricia A. Labarthe OBA #10391  
Oklahoma Department of Securities  
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Oklahoma City, Oklahoma 73102  
Telephone (405) 280-7700  
Facsimile (405) 280-7742  
Attorney for the Oklahoma Department  
Of Securities

## CERTIFICATE OF MAILING

The undersigned certifies that on the 16<sup>th</sup> day of May, 2007, a true and correct copy of the foregoing was mailed by first class mail, with postage prepaid thereon, to the following:

Jerry A. Richardson  
Rosenstein, Fist & Ringold  
Park Centre  
525 South Main, Suite 700  
Tulsa, OK 74103

Raglin Industries, LLC  
c/o National Registered Agents, Inc. of OK  
115 SW 89<sup>th</sup> Street  
Oklahoma City, OK 73139

and

33261 East 701 Drive  
Wagoner, OK 74467-8653

Phillip Raglin  
33261 East 701 Drive  
Wagoner, OK 74467-8653

Joseph Daniel Layne  
305 NE Second St  
Wagoner, OK 74467-4411

Patricia A. Talbot

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Case No. CJ-2006-10111

**MOTION FOR RETURN OF FUNDS**

The Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator (“Plaintiff”), respectfully moves for an order for the return of certain funds from the Wagoner Public Schools, for the following reasons:

1. On December 12, 2006, Plaintiff filed a Petition for Permanent Injunction and Other Equitable Relief (Petition) against Raglin Industries, LLC, Phillip Levaughn Raglin and Joseph Daniel Layne (collectively “Defendants”), alleging violations of the Oklahoma Securities Act, including fraud. Plaintiff’s Petition includes a prayer that the Court order Defendants to pay restitution to the investors.

2. On December 12, 2006, this Court issued a Temporary Restraining Order, Order Freezing Assets and Order for Accounting against the Defendants. On January 3, 2007, this Court issued a Temporary Injunction against Defendants. The Temporary Restraining Order and Temporary Injunction included a freeze of the assets of Defendants.

3. In this case, Plaintiff has alleged that Defendants received a substantial amount of money from investors that was obtained illegally. An analysis of the bank accounts of

Defendants revealed that the funds in the accounts were derived primarily from investors. *See Affidavit of Glen Grossman attached hereto as Exhibit A.*

4. The Department has identified a payment out of the Defendants' account at Bank of America dated December 5, 2006, payable to "Wagoner Public School" in the sum of Thirty-Two Thousand Dollars (\$32,000). *See Exhibit A.* The source of funds for the payment to the Wagoner Public Schools is investor monies. *See Exhibit A.*

5. The Wagoner Public Schools Board of Education does not oppose this Motion for the return of the Thirty-Two Thousand Dollars (\$32,000) to be used for investor restitution.

In light of the facts presented, Plaintiff requests that this Court order the Wagoner Public Schools to promptly return the Thirty-Two Thousand Dollars (\$32,000), directly to Bank of America, payable to and for deposit to the Raglin Industries LLC Account Number 3040170230, for the payment of restitution to investors.

Respectfully submitted,

  
Patricia A. Labarthe OBA #10391  
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120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102  
Telephone (405) 280-7700  
Fax (405) 280-7742  
Attorney for Plaintiff

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