

IN THE DISTRICT COURT OF OKLAHOMA
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

APR - 1 2011

PATRICIA PREGLEY, COURT CLERK
by _____
DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
Plaintiff,)
)
v.)
)
The Estate of Bryan David Roark,)
Defendant.)

Case No. CJ 2009-10905

HEARING SET FOR
APRIL 29, 2011 @ 10:00 A.M.

MOTION TO DISMISS AND TO DISSOLVE RECEIVERSHIP

Plaintiff, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, moves this Court to dismiss this case and to dissolve the receivership for the following reasons:

1. On November 4, 2009, Plaintiff filed a *Petition for Permanent Injunction and other Equitable Relief* ("Petition") against the Estate of Bryan David Roark (Defendant), pursuant to Section 1-603 of the Oklahoma Uniform Securities Act of 2004 (Act), Okla. Stat. tit. 71, §§1-101 through 1-701 (Supp. 2003), and an application for order freezing assets and appointment of a receiver. This Court appointed Douglas L. Jackson as receiver (Receiver).

2. On February 25, 2010, the *Order Establishing Procedure to Notify Claimants and Creditors to Make Claims and Setting Bar Date for Submitting Proofs of Claim* was entered by this Court.

3. On June 21, 2010, the *Order Approving Settlement Agreement with Roark Family* was entered by this Court.

4. On July 28, 2010, the *Order Granting Application of Receiver for Approval of Process for Allowance and Rejection of Claims* was entered by this Court.

5. On October 13, 2010, the *Order Granting Receiver's Application for Order Approving His Recommendations for Allowance/Rejection of Proofs of Claim* was entered by this Court.

6. On February 4, 2011, the *Receiver's Final Report and Account* was filed with the Court by the Receiver.

7. On March 30, 2011, the *Order Approving Receiver's Final Report and Account and Authorizing Distribution to Creditors* was entered by this Court. Pursuant to the Court's Order, the Receiver made distributions to the creditors.

7. The actions taken by the Receiver in this matter were taken for the benefit of investors and other persons likely to have been injured by the activities of Bryan David Roark and are in accordance with the purposes for which the Receiver was appointed.

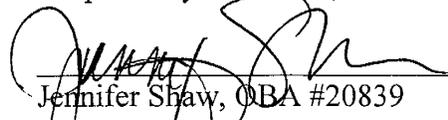
8. The Receiver has liquidated assets of the Defendant and accounted to this Court for all payments made from the liquidation of such assets.

9. The Receiver has taken reasonable actions necessary to settle all outstanding claims against the Defendant.

10. The need for continued oversight by the Receiver is now at an end.

WHEREFORE, Plaintiff requests that this Court enter an order dismissing the case; dissolving the receivership; and discharging Douglas L. Jackson, as receiver, and releasing him from any further duties.

Respectfully submitted,



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CERTIFICATE OF MAILING

The undersigned certifies that on the 1st day of April, 2011, a true and correct copy of the foregoing was mailed via First Class Mail, postage prepaid, to the following:

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