

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA
MAY 11 2009

OKLAHOMA DEPARTMENT OF)
SECURITIES, *ex. rel.* Irving L. Faught,)
Administrator,)
)
Plaintiff,)
)
vs.)
)
GLOBAL WEST FUNDING, LTD., CO.,)
an Oklahoma limited liability company, et al.,)
)
Defendants.)

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Case No. CJ-2009-2773

Set for Hearing MAY 28 2009
at 11:00.m. before Judge GURICH

**MOTION OF CLELL I. CUNNINGHAM III TO WITHDRAW AS COUNSEL OF RECORD
FOR GLOBAL WEST DEFENDANTS**

COMES NOW Clell I. Cunningham III, of the law firm of Dunn, Swan & Cunningham, P.C., counsel of record for Defendants, Global West Funding, Ltd, Global West Financial LLC, Sure Lock Financial, LLC, Sure Lock Loans, LLC, The Wave-Goldmade, Ltd., and Brian McKye, and moves the Court for an order withdrawing his appearance as counsel for said defendants in this action, and shows the court:

1. Mr. Cunningham previously entered his appearance for the above named defendants in this action;
2. Circumstances have subsequently arisen which make it extremely difficult for Mr. Cunningham to represent said defendants, to-wit, defendants are unable to pay the reasonable and necessary attorney fees and expenses incurred by Mr. Cunningham and his law firm;
3. Irreconcilable differences have arisen between Mr. Cunningham and Brian McKye as to the handling of the defense of this action;
4. The case has not yet been set for trial or for pretrial conference, no motions are set for motion docket, and only minimal discovery has been conducted to date;
5. The undersigned counsel hereby certifies that he has apprised his client, Brian McKye, of his intention to withdraw. Mr McKye is the president of the corporate and company defendants above identified;

6. No successor counsel has been retained by the clients.
7. This motion and a written notice have been delivered via electronic transmission, as defendant Brian McKye has no permanent address and no access to the offices of the above named defendants, and to Steve Moriarity, the Special Master, and the attorneys of record for all other parties.

WHEREFORE, Clell I. Cunningham III, of the firm of Dunn, Swan & Cunningham, P.C., prays the court to grant his motion to withdraw as counsel for Defendants, Global West Funding, Ltd, Global West Financial LLC, Sure Lock Financial, LLC, Sure Lock Loans, LLC, The Wave-Goldmade, Ltd., and Brian McKye, to allow said defendants a reasonable period of time in which to find substitute counsel, and to stay all further proceedings in this case during that period of time or until new counsel has entered an appearance.

DUNN SWAN & CUNNINGHAM, P.C.

By:



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Attorney for Defendants,
Global West Funding, Ltd, Global West
Financial LLC, Sure Lock Financial, LLC,
Sure Lock Loans, LLC, The Wave-
Goldmade, Ltd., and Brian McKye

CERTIFICATE OF SERVICE

The undersigned certifies that on the 9 day of May, 2009, a true and correct copy of the above and foregoing Motion for Attorney Fees was mailed, postage prepaid, to:

Patricia Labarth, Esq.
Oklahoma Department of Securities
120 North Robinson, Suite 860
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Rick Rose, Esq.
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