

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

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUN 11 2009

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

OKLAHOMA DEPARTMENT OF)
SECURITIES EX REL. IRVING)
FAUGHT, ADMINISTRATOR,)

Plaintiff,)

v.)

Case No. CJ-2009-2773
Judge: Gurich, Noma D.

GLOBAL WEST FUNDING, LTD.,)
Co., an Oklahoma limited liability)
company; GLOBAL WEST FINANCIAL)
LLC, an Oklahoma limited liability)
Company; SURE LOCK FINANCIAL,)
LLC, an Oklahoma limited liability)
Company; SURE LOCK LOANS LLC,)
Oklahoma limited liability company; THE)
WAVE-GOLDMADE, LTD., an)
unincorporated association; BRIAN)
MCKYE, an individual; JOE DON)
Johnson, an individual; JAMES)
FARNHAM, an individual,)

Defendants.)

and)

HERITAGE ESTATE SERVICE,)
LLC, an Oklahoma limited liability)
company,)

Relief Defendant.)

**SPECIAL MASTER'S RESPONSE TO BRIAN MCKYE'S
MOTION TO RETRIEVE PERSONAL EFFECTS AND REQUEST
COURT TO DIRECT SPECIAL MASTER TO RETURN PERSONAL MAIL**

Stephen J. Moriarty ("Special Master") the Court appointed Special Master for
GLOBAL WEST FUNDING, LTD., Co., an Oklahoma limited liability company; GLOBAL
WEST FINANCIAL LLC, an Oklahoma limited liability company; SURE LOCK FINANCIAL,

LLC, an Oklahoma limited liability company; SURE LOCK LOANS LLC, an Oklahoma limited liability company; THE WAVE-GOLDMADE, LTD., an unincorporated association; and BRIAN MCKYE, an individual (all collectively referred to as “Companies”) hereby files his Response to the Motion to Retrieve Personal Effects and Request Court to Direct Special Master to Return Personal Mail filed by Brian McKye on June 2, 2009 (the “McKye Motion”). Special Master represents as follows:

Factual Background

1. On April 1, 2009, this Court entered its Order Appointing Special Master and Approving Waiver of Special Master's Bond. Pursuant to the Order, the Special Master was given full authority to “operate and manage all assets” of the Companies. Further, Special Master was given the authority to “take immediate custody, possession, and control of any and all assets” of the Companies and to “dismiss any ... employee as may be advisable or necessary.” In addition, Special Master was authorized “to open and inspect any and all mail and/or deliveries to Defendants, Global West Funding, Ltd., Co., Global West Financial LLC, Sure Lock Financial, LLC, Sure Lock Loans, LLC and The Wave-Goldmade, Ltd..”

Response

2. With regard to paragraph 1 of the McKye Motion, Special Master admits that he fired Brian McKye from all positions held with any of the Companies on May 1, 2009. See Exhibit “A” attached hereto. The reason for the termination was the failure of Brian McKye to account for the funds improperly withdrawn from All American Bank. As of this date, despite the request of the Special Master, Brian McKye has failed to return all assets in his possession to Special Master. Though he was removed from all positions with the Companies, McKye has continued to hold himself out as President of Global West and Sure Lock Loans. See Exhibit

“B” attached hereto.

3. With regard to paragraph 2 of the McKye Motion, Special Master has no personal knowledge of the allegations contained therein.

4. With regard to paragraph 3 of the McKye Motion, Special Master denies that he has any obligation to return any property of value to Brian McKye. Special Master was given custody and control of all assets of McKye. Those assets are available to satisfy the unpaid obligations to investors and other creditors. Special Master has no objection to returning personal papers and pictures that are specifically requested as long as they have no monetary value and are not needed by the Special Master in the performance of his duties.

5. With regard to paragraph 4 of the McKye Motion, Special Master admits that he has in his possession a Post Office box key to the P.O. Box maintained by the Companies. Special Master further admits that, from time to time, mail is received in that P.O. Box addressed to Brian McKye. Special Master states that all such mail was forwarded (unopened) to Brian McKye, P.O. Box 957, Jay, OK 74346 on June 11, 2009. Special Master will continue to forward mail to Brian McKye at regular intervals.

6. Special Master is opposed to granting any access to the business premises to Brian McKye or his designee.

Conclusion

WHEREFORE, the Special Master respectfully requests that the Court deny Brian McKye's Motion to retrieve Personal Effects and Request Court to Direct Special Master to Return Personal Mail and for such other and further relief as this court deems just and proper.



STEPHEN J. MORIARTY (OBA #6410)
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SPECIAL MASTER

CERTIFICATE OF MAILING

This is to certify that on the 11th day of June, 2009, the foregoing was sent by U.S. Mail, first class, postage prepaid to:

Patricia A. Labarthe, Esq.
Jennifer Shaw, Esq.
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, OK 73102

Clell I. Cunningham, III
Dunn, Swan & Cunningham, P.C.
2800 Oklahoma Tower
210 Park Avenue
Oklahoma City, OK 73102

Richard L. Rose
Mahaffey & Gore, P.C.
300 N.E. 1st Street
Oklahoma City, OK 73104

R. Scott Adams, Esq.
Adams & Associates, P.C.
204 North Robinson
Twenty-Fifth Floor
Oklahoma City, OK 73102

Robert G. McCampbell, Esq.
Kristin L. Huffaker, Esq.
Crowe & Dunlevy
20 North Broadway
Suite 1800
Oklahoma City, OK 73102

James Farnham
6308 N. Harvard Avenue
Oklahoma City, OK 73122

Brian McKye
P.O. Box 957
Jay, OK 74346



Stephen J. Moriarty

487752.1

EXHIBIT "A"
TERMINATION NOTICE

STEPHEN MORIARTY - Effective immediately, you are terminated from all positions you hold with any of the companies for

From: STEPHEN MORIARTY
To: brianm@gwfax.com
Date: 5/1/2009 1:24 PM
Subject: Effective immediately, you are terminated from all positions you hold with any of the companies for
CC: rose@mahaffeygore.com; skip@dscpc.com

Effective immediately, you are terminated from all positions you hold with any of the companies for which I have been appointed Special Master. You are barred from entering the premises of any and all of the business offices. Please make arrangements for the immediate return of all assets in your possession to me.

Stephen J. Moriarty, Esq.
Fellers, Snider, Blankenship,
Bailey & Tippens, P.C.
100 N. Broadway Ave., Suite 1700
Oklahoma City, OK 73102
Main: 405/232-0621
Direct : 405/239-7251
Fax: 405/232-9659

e-mail: smoriarty@fellerssnider.com

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TAX NOTICE: Any tax advice included in this message or attachments is not intended, and cannot be used, for the purpose of avoiding tax related penalties or promoting, marketing or recommending any tax related matter to another person.

EXHIBIT "B"
BRIAN MCKYE
MAY 8, 2009 CORRESPONDENCE

Global West Financial LLC.

May 8, 2009

Dear Valued Client,

I'm sending you this letter to invite you and/or whomever you want to attend this event on your behalf on the date of MAY 15 2009 at 6:00pm hour; we would greatly appreciate your attendance.

Meeting place:

Home town Buffet
3900 NW 63rd OKC

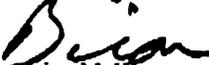
Your funds are at stake and I want you to get fully informed of ALL options available to you and your family. Please do not hesitate to bring others closely related to your familys' concerns to be in attendance with you, if you so desire. We won't ask for "powers of attorney" but we want you to bring whomever you desire, your informed opinion, as one of our Lenders, is our highest concern.

There are 82 of our Lenders such as yourself to whom we are sending out this invitation.

If you are able to attend and plan to please dial the number below to reach one of our reservation specialists to book your attendance either online or by telephone at 405-708-1636. Mon-Fri 9-6.
or online at www.globalwestfunding.com. Then go to CONTACT US. We'll usually respond within 4 to 6 hours.

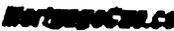
Your attention is greatly appreciated since this is a matter of timely urgency.
We'll see you at the Gathering.

Thanks again



Brian McKye

President Global West / Sure Lock Loans

Member of the National  Network

(866) 308-0090, ext #128, fax (405)524-8087 2200 N. Classen Blvd, Suite 2008 (20th Floor) Oklahoma City, Oklahoma 73108

EXHIBIT