

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 NORTH ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Geary Securities, Inc. *fka* Capital West Securities, Inc.;
Keith D. Geary; Norman Frager; and CEMP, LLC,

Respondents.

File No. 09-141

ORDER DENYING APPLICATION
FOR JUDICIAL ENFORCEMENT

On April 2, 2012, Respondents Geary Securities, Inc. *fka* Capital West Securities, Inc., Keith D. Geary and CEMP, LLC (the "Geary Respondents") filed a *Notice of Application for Judicial Enforcement of Subpoenas Pursuant to Order Dated March 16, 2012* (the "*Application*"). Pursuant to 660:2-9-4 of the Rules of the Oklahoma Securities Commission and the Administrator of the Oklahoma Department of Securities ("Rules"), the *Application* requests that the Administrator apply to the district court to seek enforcement of certain subpoenas.

At the request of the Geary Respondents, on February 21, 2012 the designated hearing officer in this matter (the "Hearing Officer") issued subpoenas (the "Subpoenas") to six individuals. On March 15, 2012 the Hearing Officer conducted a hearing and subsequently issued an order, filed on March 16, 2012, (the "March 16, 2012 Order") addressing, in part, the Subpoenas. The March 16, 2012 Order directs that the depositions of all individuals named in the Subpoenas be conducted within 45 days. The Order therefore requires that the depositions be concluded by April 29, 2012.

66:2-9-4 of the Rules provides in relevant part:

(e) Enforcement of subpoenas.

(1) If a person under subpoena fails to appear as required, or fails to produce the documents or tangible items set forth in the subpoena, a party may apply to the Administrator for enforcement of the subpoena.

(2) An application to the Administrator for enforcement of a subpoena shall be made immediately upon the failure to comply with the subpoena or within such other time period as the Administrator may establish.

(3) Upon a timely request by a party for enforcement of a subpoena, the Administrator may apply to the district court of Oklahoma County or the district court in any other county where service can be obtained to enforce the subpoena as authorized by the Securities Act.

As of the date the *Application* was filed and the date of this order the individuals subject to the Subpoenas, as modified by the March 16, 2012 Order, have not yet failed to appear. Therefore, the *Application* is premature.

IT IS THEREFORE ORDERED THAT the *Application* is hereby DENIED.

Witness my Hand and the Official Seal of the Oklahoma Department of Securities this 5th day of April, 2012.

(SEAL)



IRVING L. FAUGHT, ADMINISTRATOR OF
THE OKLAHOMA DEPARTMENT OF
SECURITIES

CERTIFICATE OF SERVICE

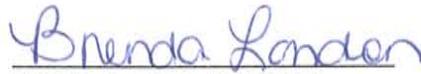
The undersigned hereby certifies that on this 5th day of April, 2012, a true and correct copy of the above and foregoing *Order Denying Application for Judicial Enforcement* was emailed and mailed, with postage prepaid, to:

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