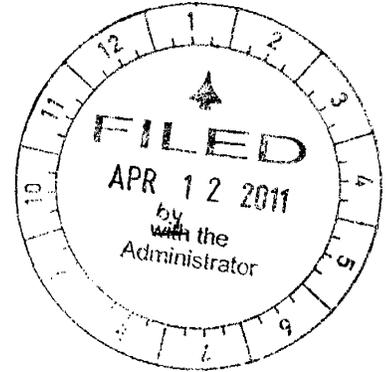


STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 NORTH ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



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 RESPONDENTS' MOTION FOR PRECLUSION ORDER
STRIKING WITNESSES FROM DEPARTMENT'S FINAL WITNESS LIST BASED ON
THE DEPARTMENT'S NON-COMPLIANCE WITH THE AGREED AMENDED
SCHEDULING ORDER

This matter having come before the Hearing Officer upon the Motion for Preclusion Order Striking Witnesses from Department's Final Witness List Based on the Department's Non-Compliance With the Agreed Amended Scheduling Order (the "Motion") filed on March 28, 2011 by the Respondents Geary Securities, Inc., *fka* Capital West Securities, Inc., Keith D. Geary and CEMP, LLC, and joined in by the Respondent Norman Frager, and a hearing on the Motion having been conducted on April 6, 2011, the Hearing Officer having considered the Motion and the argument of counsel, hereby makes the following findings and conclusions:

1. Pursuant to Paragraph 2 of the Agreed Amended Scheduling Order entered on February 11, 2011 (the "Scheduling Order"), the Department of Securities ("Department") was to have submitted its Final Witness List on or before March 25, 2011, identifying the Department's prospective witnesses by name, address and telephone number, along with a short description of the expected testimony from each.

2. The Department's Final List of Witnesses was filed on March 25, 2011, and included the address and telephone number for counsel for certain non-party witnesses rather than direct personal contact information for such witnesses.

3. On March 28, 2011 Respondents filed the Motion objecting to the Department's Final List of Witnesses on the grounds that it failed to comply with Paragraph 2 of the Scheduling Order in that it did not include the personal addresses and telephone numbers for

certain non-party witnesses, and requesting a preclusion order striking certain witnesses for the Department.

4. On March 28, 2011 the Department filed an Amended Final List of Witnesses which included direct contact information for certain non-party witnesses, as such was available to the Department.

5. The Hearing Officer finds that the Department's actions in filing the Final Witness List and the Amended Final Witness List as set forth above, was in substantial compliance with Paragraph 2 of the Scheduling Order, and that Respondents have not been prejudiced by the filing of the Department's Final Witness List and the Amended Final Witness List, and accordingly that there are no grounds for the Hearing Officer to enter an order of preclusion striking certain Department witnesses as prayed for by the Respondents.

Therefore, it is ORDERED that Respondents' Motion for Preclusion Order Striking Witnesses from Department's Final Witness List Based on the Department's Non-Compliance with the Agreed Amended Scheduling Order is DENIED.

Dated this 6th day of April, 2011.

A handwritten signature in black ink, appearing to read "Bruce R. Kohl", written over a horizontal line.

Bruce R. Kohl
Hearing Officer