

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

NOV 14 2023

RICK WARREN  
COURT CLERK  
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Oklahoma Department of Securities )  
*ex rel.* Melanie Hall, Administrator, )  
 )  
Plaintiff, )  
v. )  
Premier Global Corporation, et al. )  
 )  
Defendants. )

Case No. CJ-2022-5066  
Judge Don Andrews

**RESPONSE OF DEFENDANT RICHARD DALE DEAN  
IN OBJECTION TO RECEIVER’S THIRD INTERIM APPLICATION FOR  
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND  
REIMBURSEMENT OF ACTUAL AND NECESSARY EXPENSES FOR THE PERIOD  
OF MAY 1, 2023, THROUGH SEPTEMBER 30, 2023**

Defendant Richard Dale Dean (“Mr. Dean”) files this response to the Receiver’s Third Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Actual and Necessary Expenses for the Period of May 1, 2023, through September 30, 2023 (the “Application”). In support of his response, Mr. Dean shows the Court as follows:

**BACKGROUND**

1. On October 31, 2022, the Court entered the Receivership Order appointing Eric L. Johnson as Receiver over the Receivership Entities.
2. The Receivership Order governs the compensation of the Receiver and his approved professionals upon application to the Court “in a reasonable sum to be determined by the Court and from such sources as approved by the Court and for reimbursement of reasonable expenses incurred in connection with his duties as Receiver.” Receivership Order at 11.
3. The Receiver has issued four Monthly Statements covering the Third Interim Period.

4. Mr. Dean objected to the May Monthly Statement on July 31, 2023, and requested the Receiver reduce the requested fees by \$4,277.50 for fees and expenses that did not benefit the Receivership Estate as they were administrative, duplicative, or non-working travel. Mr. Dean also requested the Receiver provide clarification on certain entries that appeared duplicative, excessive, or had inadequate descriptions which covered \$5,250.00 in fees and expenses.

5. Mr. Dean never received a response with clarifications, but the Receiver has provided some clarifications and responses in the Application. Additionally, the Receiver has agreed in his Application to reduce the May Monthly Statement fees by \$2,477.50 but not the full amount requested.

6. Mr. Dean accepts the Receiver's agreed reductions and clarifications and focuses his remaining dispute on the \$2,500.00 from the May Monthly Statement related to "non-working travel." See Receiver's Ex. A, at 4 and 17.

7. On August 25, 2023, Mr. Dean also objected to the June Monthly Statement and requested a reduction of \$1,235.00 from the fees and expenses sought. The Receiver agreed to that reduction. Mr. Dean has no remaining dispute with the June Monthly Statement.

8. On September 27, 2023, Mr. Dean objected to the July Monthly Statement and requested a reduction of \$2,545.00 from the fees and expenses sought. The Receiver agreed to that reduction. Mr. Dean has no remaining dispute with the July Monthly Statement.

9. On November 1, 2023, Mr. Dean objected to the August and September Monthly Fee Statements. Ex. 1, Objection Email 11.01.2023. Mr. Dean requested a \$6,014.00 reduction from the August Monthly Statement and a \$5,066.00 reduction from the September Monthly Statement. Mr. Dean has not yet received a response to that request, but it appears by the Application that the Receiver is seeking the full amount of fees without recognizing any reduction.

10. The basis for Mr. Dean's objections to the August and September Monthly Statements are included in **Exhibit 1** which include, without limitation, the following:

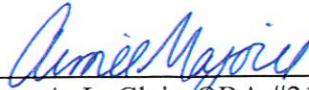
- a. The tasks done were administrative in nature.
- b. The tasks done were duplicative among more than one biller for the Receiver.
- c. The tasks done did not advance the Receivership Estate.
- d. The tasks done unnecessarily expensed the Receivership Estate.

11. Therefore, Mr. Dean's objections regard the May, August, and September Monthly Statements as discussed above and demonstrated in the exhibits attached hereto and to the Receiver's Application.

WHEREFORE, Mr. Dean respectfully requests that the Court deny the fees being requested in the Application in the amount of \$13,580.00 as detailed in Mr. Dean's objections and reduce the fees approved from \$567,100.03 to \$553,520.03 in the interests of advancing and preserving the Receivership Estate.

Dated this 14th day of November, 2023.

Respectfully submitted,



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Tara A. LaClair, OBA #21903

Bruce W. Day, OBA #2238

Mary H. Tolbert, OBA #17353

Aimee Majoue, OBA #33563

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**ATTORNEYS FOR DEFENDANTS RICHARD  
DALE DEAN AND DDI ADVISORY GROUP,  
LLC**

**CERTIFICATE OF SERVICE**

This certifies that on this 14th day of November, 2023, a true and correct copy of the above and foregoing was delivered to:

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Shaun Mullins  
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*(via E-Mail and First Class Mail)*

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*(via E-Mail and First Class Mail)*

  
Aimee Majoue

## Aimee Majoue

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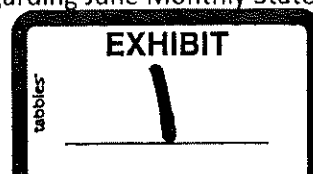
**From:** Aimee Majoue  
**Sent:** Wednesday, November 1, 2023 4:19 PM  
**To:** Johnson, Eric; Patty Labarthe; Shaun Mullins; Brad Davenport; Tom Knutzen [KSC];  
Kathlyn Daniels [KSC]; Tara LaClair; Molly Tolbert; Clay Johnson [KSC]; Christensen, J.  
Clay; Miles, Jonathan M.; Pittman, Brock; bdixon@nashfirm.com; jtimmons@cwlaw.com;  
Bretton Kreifel [KSC]  
**Cc:** Lodoen, Jim; Allen, Hilary; Lally, Elizabeth; Riggs, Peter  
**Subject:** RE: Premier Global Corporation - August/September Monthly Fee Statement

Eric,

After reviewing your August and September 2023 Monthly Statement of Professional Fees and Expenses, we object to some of the entries and expenditures as follows:

### **August 2023 Objections:**

1. We object to any entries that are administrative in nature and/or duplicative:
  1. P. 3, 8/24/23, ELJ, 1.7 hours for reviewing Mr. Dean's billing statements and fees and objecting to same (this line of work was objected to by Plaintiff and your office as not being for the benefit of the Receivership Estate at the last hearing, so that objection should be equitably applied), reduce by 1.7 hours, reduce by \$850.00;
  2. P. 3, 8/30/23, ELJ, 0.3 hours for reviewing and commenting on the proposed Interim Order on Dean Fee Application, reduce by 0.3 hours, reduce by \$150.00;
  3. P. 3, 8/31/23, ELJ, 0.9 hours for reviewing and commenting on proposed Interim Order on Dean Fee App and confer with counsel related to hearing on First Interim App, reduce by 0.9 hours, reduce by \$450.00;
  4. P. 8, 8/21/23, AMC, 0.7 hours for reviewing July fee statements and drafting fee procedures, reduce by 0.7 hours, reduce by \$350.00;
  5. P. 8, 8/24/23, HSA, 0.1 hours for corresponding regarding Receiver's objection to Dean's monthly statement of fees, reduce by 0.1 hours, reduce by \$50.00;
  6. P. 8, 8/24/23, HSA, 0.1 hours for reviewing and emailing receivership recommendation on Dean's defense costs, reduce by 0.1 hours, reduce by \$50.00;
  7. P. 8, 8/24/23, HSA, 0.1 hours for reviewing reply in support of interim application for allowance of compensation for Dean fees, reduce by 0.1 hours, reduce by \$50.00;
  8. P. 8, 8/25/23, HSA, 0.1 hours for reviewing K&L Gates Fees to approve same, reduce by 0.1 hours, reduce by \$50.00;
  9. P. 8, 8/28/23, EML, 0.1 hours for reviewing reply in support of interim application for allowance of compensation for Dean fees, reduce by 0.1 hours, reduce by \$44.00;
  10. P. 8, 8/28/23, EML, 0.2 hours for reviewing fee statement for K&L Gates and following up with Receiver regarding same, reduce by 0.2 hours, reduce by \$88.00;
  11. P. 8, 8/29/23, EML, 0.3 hours for correspondence regarding objection to Dean Second Interim Application for fees, reduce by 0.3 hours, reduce by \$132.00;
  12. P. 8, 8/29/23, HSA, 0.1 hours for reviewing Plaintiff's objection to Dean fees, reduce by 0.1 hours, reduce by \$50.00;
  13. P. 8, 8/30/23, HSA, 0.1 hours for correspondence regarding fee issues with Dean, reduce by 0.1 hours, reduce by \$50.00;
  14. P. 8, 8/30/23, HSA, 0.1 hours for reviewing Plaintiff's objection to Dean fees, reduce by 0.1 hours, reduce by \$50.00;
  15. P. 8, 8/30/23, HSA, 0.1 hours for corresponding regarding June Monthly Statement for Dean Fees, reduce by 0.2 hours, reduce by \$50.00;



16. P. 8, 8/31/23, HSA, 0.7 hours for preparation on the hearing on the Dean fees, reduce by 0.7 hours, reduce by \$350.00;
  17. P. 8, 8/31/23, HSA, 0.2 hours for correspondence regarding Dean fees, reduce by 0.2 hours, reduce by \$100.00;
  18. P. 9, 8/29/23, HSA, 0.5 hours for obtaining order from the court on Dean's sixth monthly fee statement, reduce by 0.5 hours, reduce by \$250.00;
  19. P. 9, 8/30/23, HSA, 0.1 hours for reviewing order on Dean's interim application for fees from January through April, reduce by 0.1 hours, reduce by \$50.00;
  20. P. 9, 8/31/23, HSA, 0.4 hours for conference with Receiver regarding Segregated Legal Fund, reduce by 0.4 hours, reduce by \$200.00;
  21. P. 9, 8/31/23, HSA, 0.2 hours for corresponding regarding Segregated Legal Fund, reduce by 0.2 hours, reduce by \$100.00;
  22. **ADMINISTRATIVE TOTAL REDUCTION: \$3,514.00**
2. We object to any entries involving non-working travel and related expenses (although you stated in response to this similar prior objection that you reserve the ability to claim non-work travel costs and expenses in the future, we maintain on ongoing objection to such costs and expenses):
    1. P. 3, 8/3/23, ELJ, "non-working travel," reduce by 5 hours, reduce by \$1,250.00
    2. P. 3, 8/4/23, ELJ, "non-working travel," reduce by 5 hours, reduce by \$1,250.00
    3. **TRAVEL THAT DOES NOT ADVANCE THE RECEIVER'S ESTATE TOTAL REDUCTION: \$2,500.00**

**September 2023 Objections:**

1. We object to any entries that are administrative in nature and/or duplicative:
  1. P. 3, 9/1/23, ELJ, 3.1 hours for preparing objection to Dean's second interim application for fees, reduce by 3.1 hours, reduce by \$1550.00;
  2. P. 4, 9/26/23, ELJ, 1.0 hours for reviewing and preparing objections to Dean fee statements, reduce by 1.0 hours, reduce by \$500.00;
  3. P. 5, 9/26/23, HSA, 0.2 hours for reviewing Dean monthly statements, reduce by 0.2 hours, reduce by \$100.00;
  4. P. 11, 9/1/23, HSA, 0.3 hours for finalizing Receiver's objection to Dean's second interim application for fees, reduce by 0.3 hours, reduce by \$150.00;
  5. P. 11, 9/1/23, HSA, 0.1 hours for corresponding regarding the depleted Segregated Legal Fund, reduce by 0.1 hours, reduce by \$50.00;
  6. P. 11, 9/12/23, HSA, 0.1 hours for reviewing notice of submission of receivership monthly statements by Dean, reduce by 0.1 hours, reduce by \$50.00;
  7. P. 11, 9/14/23, EML, 0.7 hours for reviewing Dean August monthly statements and comments to Receiver regarding same, reduce by 0.7 hours, reduce by \$308.00;
  8. P. 11, 9/26/23, EML, 0.7 hours for reviewing, revising, and communicating about Dean August monthly fee statement, reduce by 0.7 hours, reduce by \$308.00;
  9. P. 11, 9/26/23, HSA, 0.2 hours for reviewing Dean's August statement of fees, reduce by 0.2 hours, reduce by \$100.00;
  10. P. 11, 9/26/23, HSA, 0.1 hours for finalizing objection to Dean's August fees, reduce by 0.1 hours, reduce by \$50.00;
  11. P. 11, 9/26/23, HSA, 0.2 hours for finalizing objection to Dean's August fees, reduce by 0.2 hours, reduce by \$100.00;
  12. **ADMINISTRATIVE TOTAL REDUCTION: \$3,266.00**
2. We object to any entries involving non-working travel and related expenses:
  1. P. 12, 9/28/23, ELJ, "non-working travel," reduce by 7.2 hours, reduce by \$1,800.00
  2. **TRAVEL THAT DOES NOT ADVANCE THE RECEIVER'S ESTATE TOTAL REDUCTION: \$1,800.00**



You submitted a total billing summary of \$69,122.09 for legal fees and disbursements for August and \$80,318.20 for September for a total of \$149,440.29. Based on the above objections, we propose you reduce your August billing summary by \$6,014.00 and your September billing summary by \$5,066.00 and agree to submit a revised statement of \$63,108.09 for August and \$75,252.20 for September for a new total of \$138,360.29 for legal fees and disbursements.

Respectfully,

**Aimee Majoue**

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**From:** Johnson, Eric <ejohnson@spencerfane.com>

**Sent:** Friday, October 20, 2023 6:59 PM

**To:** Patty Labarthe <PLabarthe@securities.ok.gov>; Shaun Mullins <SMullins@securities.ok.gov>; Brad Davenport <BDavenport@securities.ok.gov>; Tom Knutzen [KSC] <tom.knutzen@ks.gov>; Kathlyn Daniels [KSC] <kathlyn.daniels@ks.gov>; Tara LaClair <tara.laclair@step-toe-johnson.com>; Molly Tolbert <Molly.Tolbert@step-toe-johnson.com>; Clay Johnson [KSC] <clay.johnson@ks.gov>; Christensen, J. Clay <clay@christensenlawgroup.com>; Miles, Jonathan M. <jon@christensenlawgroup.com>; Pittman, Brock <brock@christensenlawgroup.com>; bdixon@nashfirm.com; jtimmons@cwlaw.com; Bretton Kreifel [KSC] <Bretton.Kreifel@ks.gov>; Aimee Majoue <Aimee.Majoue@Step-toe-Johnson.com>

**Cc:** Lodoen, Jim <jlodoen@spencerfane.com>; Allen, Hilary <hallen@spencerfane.com>; Lally, Elizabeth <elally@spencerfane.com>; Riggs, Peter <priggs@spencerfane.com>

**Subject:** Premier Global Corporation - August/September Monthly Fee Statement

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[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless the sender is safe.

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Counsel –

Pursuant to the procedures set forth in the Receivership Order, please find attached my Monthly Statement of Fees. If you have any questions about the fees and expenses, please do not hesitate to reach out.

Thank you.

Eric

Eric L. Johnson  
Receiver

1000 Walnut, Suite 1400 | Kansas City, MO 64106  
O 816.292.8267  
[ejohnson@spencerfane.com](mailto:ejohnson@spencerfane.com)



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OKLAHOMA DEPT.  
OF SECURITIES

NOV 20 AM 8:07



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Shaun Mullins  
Brad Davenport  
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