

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

NOV - 9 2023

RICK WARREN  
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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

**RECEIVER’S OBJECTION TO DEAN DEFENDANTS’  
SEPTEMBER MONTHLY STATEMENT (RECEIVERSHIP FEES)**

Eric L. Johnson (the “Receiver”) in his capacity as Receiver for Premier Global Corporation f/k/a Premier Construction Services, Inc., Premier Factoring, LLC, PF-2, LLC, PF-3, LLC, PF-4, LLC, PF-5, LLC, PF-6, LLC, PF-7, LLC, Premier Factoring Group, LLC, KCI Business Services, LLC, DDI Advisory Group, LLC, Steven J. Parish, and Richard Dale Dean, (collectively, the “Receivership Defendants”) submits this objection related to the Dean Defendants’ Monthly Statement related to Receivership Fees for the month of September (the “Objection”). In support of this Objection, the Receiver states as follows:

1. On October 31, 2022, this Court entered an order appointing the Receiver in the present case (the “Preliminary Order”). Pursuant to the Preliminary Order, among other things, the real and personal property interests of certain of the Receivership Defendants were vested in the within receivership estate (the “Estate”). A final order (the “Final Order”) appointing receiver was entered on November 21, 2021.

2. On March 14, 2023, the Court entered its Order on Defendant Richard Dale Dean and DDI Advisory Group LLC’s Emergency Motions for Partial Lifting of Asset Freeze to Permit

Payment of Living Expenses and for Partial Lifting of Asset Free to Permit Payment of Legal Fees (the “Unfreeze Order”).<sup>1</sup>

3. The Unfreeze Order established certain procedures as they related to the payment of certain legal defenses fees with respect to DDI Advisory Group, LLC, and Richard Dale Dean (the “Dean Defendants”). The Unfreeze Order contains two categories of fees: (1) Dean’s personal fees rendered in defense of the litigation against him (“Personal Fees”); and (2) Fees incurred in assistance to the Receiver and the Receivership Estates (“Receivership Fees”).

4. The Unfreeze Order provides that all Parties shall submit objections within ten (10) business days of receipt of billing statements by the Dean Defendants’ counsel, Steptoe and Johnson LLP (the “Law Firm”). The Law Firm sent its billing statements to the Receiver and other parties at the designated email address on October 20, 2023, so the deadline to submit objections is November 3, 2023 (the “Deadline”). The Law Firm seeks \$8,556.50.

5. The Receiver has reviewed the billing statements as they relate to the Receivership Fees.<sup>2</sup> The Receiver objects to the following time entries:

09/01/23	AM	Review Plaintiffs objections to receivership monthly statements filed to date to confirm they acknowledge the Receivership Monthly Statements are to be paid out of the Receivership Estate	0.40	114.00
09/15/23	AM	Communicate with M. MacMillan about her office handling getting the order on the first interim application for fees signed by Judge Andrews but all parties still honoring the order	0.10	28.50
09/18/23	AM	Update outline of all filings and upcoming deadlines	0.20	57.00
09/21/23	AM	Draft supplemental fee application to clarify from which account the attorneys' fees incurred as a result of work done for the benefit of the Receivership and/or at the request of the Receiver are paid	1.70	484.50
09/22/23	AM	Review and revise draft motion to clarify that the receivership	1.90	541.50

<sup>1</sup> The Unfreeze Order initially expired on May 11, 2023, at 11:59 p.m., but has been extended to January 11, 2024, at 11:59 p.m.

<sup>2</sup> A different procedure applies to the Personal Fees.

fees are paid by the receivership estate and not R. Dean's defense fund

9/25/23	AM	Communicate with Kansas local counsel regarding scheduling a status conference pursuant to the receiver's request to have one set	0.20	57.00
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**TOTAL 4.5 1,282.50**

6. The basis of the Receiver's objections to the above entries is as follows:
- a. These tasks were not done upon the request of the Receiver or implicit in requests made by the Receiver. As stated below, several of the fees were incurred in furtherance of the Law Firm's or Mr. Dean's own benefit.
  - b. Such fees were not beneficial to the Receivership Estates. Certain of the entries are for activities where the Law Firm was actively working against the Receiver and the Receivership Estates' interests. Further, such activities actually caused the Receiver to incur additional fees. Finally, such activities appear to be for either the Law Firm's or Mr. Dean's personal benefit.

7. The Segregated Legal Fund has largely been depleted with the exception of approximately \$32,000 held back as it relates to monies originally earmarked for Mr. Dean's accountant. The Receiver objects to the payment of any fees to the extent there are not sufficient funds in the Segregated Legal Fund.

WHEREFORE, the Receiver requests the Court deny fees in at least \$1,282.50 and grant such other and further relief as the Court deems just and proper.

Dated: November 3, 2023

Respectfully submitted,

SPENCER FANE LLP

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of November 2023, a true and correct copy of the above and foregoing was sent electronically to all parties requesting electronic notice and mailed to the parties who have mailing addresses and have entered an appearance.

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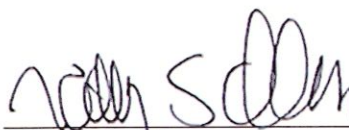
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