

IN THE DISTRICT COURT OF OKLAHOMA COUNTY FEB 20 2026
STATE OF OKLAHOMA

RICK WARREN
COURT CLERK
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Oklahoma Department of Securities)
ex rel. Melanie Hall, Administrator,)
)
Plaintiff,)
)
v.)
)
Rabih Kalidy, individually,)
)
Defendant.)

Case No. CJ-2024-3782

PLAINTIFF'S APPLICATION TO RESET EVIDENTIARY HEARING

Plaintiff, Oklahoma Department of Securities, *ex rel.* Melanie Hall, Administrator, respectfully applies to reset the evidentiary hearing on damages and states the following:

On December 2, 2025, Rabih Kalidy (Defendant) filed a voluntary bankruptcy petition. On December 3, 2025, the Court convened the evidentiary hearing on damages following an entry of judgment on liability in favor of Plaintiff, pursuant to the Court's ruling on Plaintiff's Amended Motion for Summary Judgment and the Journal Entry of Judgment filed on October 24, 2025.

The Court stayed the evidentiary hearing so that Plaintiff could present its claim that the governmental police and regulatory power exemption to the automatic stay under 11 U.S.C. § 362(b)(4) applied. The Court ordered that, upon issuance of an order from the United States Bankruptcy Court for the Western District of Oklahoma ruling on Plaintiff's claimed exemption, Plaintiff would notify this Court and, if the exemption applied, the stay could be lifted and the evidentiary hearing rescheduled. *See Journal Entry of Judgment, filed on January 12, 2026, Ex. 1.*

On January 29, 2026, the United States Bankruptcy Court for the Western District of Oklahoma entered an order confirming that the Oklahoma Department of Securities' state regulatory action against Defendant is exempted from the automatic stay under 11 U.S.C. § 362(b)(4) and may proceed in state district court through entry of final judgment, subject to no enforcement of any monetary judgment. *Order Granting Motion of Party-In-Interest, Oklahoma Department of Securities, Confirming No Stay, Ex. 2.*

WHEREFORE, consistent with this Court's prior directive and the United States Bankruptcy Court for the Western District of Oklahoma's order, Plaintiff respectfully requests that the Court reset the evidentiary hearing on damages.

Respectfully submitted,

OKLAHOMA DEPARTMENT OF SECURITIES
Melanie Hall, Administrator

By: 
Amanda M. Cornmesser, OBA No. 20044
Bradley E. Davenport, OBA No. 18687
Oklahoma Department of Securities
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bdavenport@securities.ok.gov
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of February 2026, a true and correct copy of the above and foregoing instrument was delivered via email and First-Class U.S. mail, with postage fully prepaid thereon, to:

Rabih Kalidy
140 Park Ave., Apt 2004
Oklahoma City, OK 73102
Pro Se Defendant


Michelle Statham

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

JAN 12 2026

RICK WARREN
COURT CLERK

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Oklahoma Department of Securities)
ex rel. Melanie Hall, Administrator,)
)
Plaintiff,)
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v.)
)
Rabih Kalidy, individually,)
)
Defendant.)

Case No. CJ-2024-3782

JOURNAL ENTRY OF JUDGMENT

NOW on the 3rd day of December, 2025, the evidentiary hearing on damages or remedies came on for hearing before the Court following the Court having previously adjudged Defendant, Rabih Kalidy, liable violations of the Oklahoma Uniform Securities Act, Okla. Stat. tit. 71, §§ 1-101 through 1-701 (2024) (the "Act") pursuant to a hearing on Plaintiff's Amended Motion for Summary Judgment held on September 29, 2025, and memorialized by a Journal Entry of Judgment filed on October 24, 2025. Plaintiff, Oklahoma Department of Securities, appeared by and through its counsel of record, Bradley E. Davenport and Amanda M. Cornmesser. Defendant, Rabih Kalidy ("Defendant"), appeared by and through his counsel of record, Socorro Adams Dooley, of Perri Dunn, PLLC.

Based on the briefs and legal arguments of counsel, the Court finds as follows:

1. That Defendant filed a voluntary petition for bankruptcy on December 2, 2025, as reflected in the *Suggestion of Bankruptcy* filed on behalf of Defendant in the instant case on December 2, 2025.
2. That Plaintiff filed *Plaintiff's Response to Bankruptcy Filing of Defendant, Rabih Kalidy, And Exception to Automatic Stay* on December 2, 2025.



3. That the Court found it would be appropriate for Plaintiff to present its claim of an exemption from the automatic stay pursuant to 11 U.S.C. § 362(b)(4) to the United States Bankruptcy Court for the Western District of Oklahoma for determination before proceeding with the evidentiary hearing on damages or remedies.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the evidentiary hearing on damages or remedies for Defendant's previously determined violations of the Act is stayed so that Plaintiff may present its claim of an exemption from the automatic stay pursuant to 11 U.S.C. § 362(b)(4) to the United States Bankruptcy Court for the Western District of Oklahoma for determination.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if and when the United States Bankruptcy Court for the Western District of Oklahoma issues an order ruling on Plaintiff's claimed exemption from the automatic stay, the Plaintiff shall notify this Court of such order and, if the claimed exemption to the automatic stay is determined to apply to Plaintiff's action herein, the stay may be lifted and the evidentiary hearing rescheduled at that time.

Dated: January 7th, 2026

RICHARD C. OGDEN

Honorable Richard Ogden
District Judge

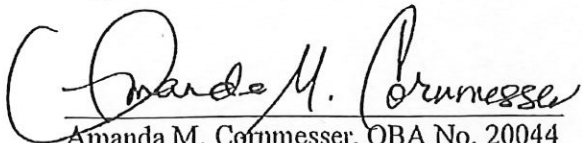
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IN DISTRICT COURT

JAN 12 2026

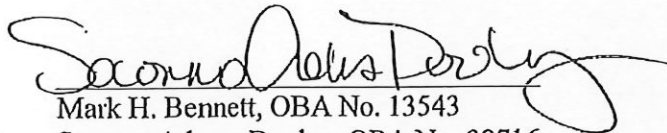
RICK WARREN COURT CLERK
Oklahoma County

Rick Warren

Approved for Entry:



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Attorneys for Defendant



Dated: January 29, 2026

The following is ORDERED:

Sarah A Hall
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA**

IN RE:)	
)	
Rabih Kalidy,)	Case No. 25-13741-SAH
)	Chapter <u>7</u>
)	
Debtor.)	

**ORDER GRANTING MOTION OF PARTY-IN-INTEREST, OKLAHOMA
DEPARTMENT OF SECURITIES, CONFIRMING NO STAY**

On January 21, 2026, at 9:30 a.m., the Oklahoma Department of Securities' Motion for Order Confirming No Stay (Doc 13) and Limited Objection and Response (Doc 14) filed by Gary L. Morrissey, Attorney for Debtor, came on for telephonic hearing pursuant to the Notice of Telephonic Hearing (Doc 15). Bradley E. Davenport and Amanda M. Cornmesser appeared as counsel on behalf of the Oklahoma Department of Securities ("Department"). Gary L. Morrissey appeared as counsel for Debtor.

Based on review of the briefs filed and presentation of counsel, the Court finds that:

- (1) the Department is a "governmental unit" as defined in 11 U.S.C.A § 101(27);
- (2) the Department is seeking to enforce its regulatory powers in the case filed against Debtor

styled as *Oklahoma Department of Securities, ex rel. Melanie Hall, Administrator v. Rabih Kalidy,*



District Court of Oklahoma County, State of Oklahoma, Case No. CJ-2024-3782 (“State Regulatory Action”);

(3) the State Regulatory Action primarily relates to effectuating public policy by enforcing the registration and anti-fraud provisions of the Oklahoma Uniform Securities Act to protect members of the investing public, rather than protecting any pecuniary interest of the Department;

(4) as a result, the exception to the automatic stay provision of the United States Bankruptcy Code found in 11 U.S.C.A. § 362(b)(4) and addressed in the numerous cited case opinions applying that exception, including several case opinions from courts within the Tenth Circuit, applies to the Department’s State Regulatory Action against Debtor; and

(5) the Department’s Motion for Order Confirming No Stay should be granted and its State Regulatory Action allowed to proceed in state district court through and including entry of a final judgment addressing the requested remedies of restitution and a civil penalty subject to there being no enforcement, by or in the state court, of any monetary judgment that may be granted.

IT IS THEREFORE ORDERED that the Oklahoma Department of Securities’ Motion for Order Confirming No Stay (Doc 13) is granted; that the exception to the automatic stay provision of the United States Bankruptcy Code found in 11 U.S.C.A. § 362(b)(4) applies to the Department’s State Regulatory Action against Debtor; and, that the State Regulatory Action may proceed to final judgment in state district court subject to there being no enforcement of any monetary judgment that may be granted.

All findings of fact are based upon representation of counsel.

The prevailing party will effectuate service of the order on all interested parties.

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Approved for Entry:

s/Bradley E. Davenport

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