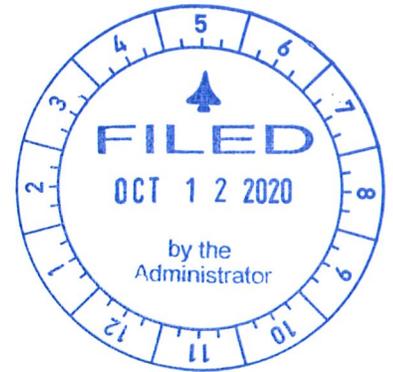


STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
204 NORTH ROBINSON, SUITE 400
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Pentecost Capital Management, Inc. (CRD #106078) and
C. Daniel Pentecost (CRD #1066678),

Respondents.

ODS File 20-019

SCHEDULING ORDER

This *Scheduling Order* is issued pursuant to 660:2-9-3 of the Rules of the Oklahoma Securities Commission and the Administrator of the Oklahoma Department of Securities (Rules). All parties have agreed to this Order. All times herein refer to Central Time.

IT IS HEREBY ORDERED that:

1. **Preliminary Lists of Witnesses, Documents and Exhibits.** The parties shall file preliminary lists identifying all witnesses, documents and exhibits intended to be utilized at the hearing, on or before **October 19, 2020, at 5:00 p.m.** The parties shall identify expert witnesses intended to be called at hearing on their preliminary witnesses lists. The preliminary witness lists shall identify the witnesses by name, residential and/or business address, and telephone number and provide a short description of the witnesses' expected testimony. If the witness is known to be represented by counsel, contact information for the witness' counsel should be included.

2. **Motions.** Any motions that are filed shall comply with 660:2-9-3(c) of the Rules unless otherwise agreed to by the parties or ordered by the designated hearing officer. A response to a written motion shall be filed within fifteen (15) days after service of the motion but no later than the date and time of the hearing. A reply to a response may be filed within five (5) days after service of the response but not later than the date and time of the hearing.

3. **Dispositive Motions.** Dispositive motions will not be considered if filed after **October 20, 2020, at 5:00 p.m.**

4. **Final Witness Lists.** On or before **October 30, 2020, at 5:00 p.m.**, the parties shall file their final witness lists. The final witness lists shall identify, by name, residential and/or business address, and telephone number, all witnesses including, but not limited to, expert witnesses, intended to be called at hearing and contain a short description of the expected testimony of each witness. Failure to comply with this paragraph will result in the exclusion of witnesses at hearing. If the witness is known to be represented by counsel, contact information for the witness' counsel should be included.

5. **Document and Exhibit Exchange.** On or before **October 30, 2020, at 5:00 p.m.**, each party shall provide all other parties with a copy of all documents and exhibits intended to be utilized by the party at hearing. Failure to comply with this paragraph will result in the exclusion of documents and exhibits at hearing.

6. **Discovery.** Any discovery that is conducted shall comply with 660:2-9-3(b) of the Rules unless otherwise agreed to by the parties or ordered by the designated hearing officer. Discovery, including depositions, must be completed/answered on or before **November 10, 2020, at 5:00 p.m.**

7. **Prehearing Briefs and Proposed Findings of Fact and Conclusions of Law.** Prehearing briefs and/or proposed findings of fact or conclusions of law, if any, shall be filed on or before **November 10, 2020, at 5:00 p.m.**

8. **Prehearing Conference.** A prehearing conference shall be held by telephone or Zoom videoconferencing on **November 13, 2020, at 10:00 a.m.**, to address the following matters:

- (A) simplification of issues;
- (B) the final list of witnesses and exhibits to be utilized at the hearing;
- (C) admissions and stipulations of fact;
- (D) stipulations regarding admission and authenticity of documents;
- (E) requests for official notice;
- (F) discovery disputes;
- (G) pending motions; and
- (H) other matters that will promote the orderly and prompt conduct of the hearing.

9. **Hearing Date.** The hearing is set to commence on **November 18, 2020, at 10:00 a.m.**, at the offices of the Oklahoma Department of Securities, 204 North Robinson Avenue, Suite 400, Oklahoma City, Oklahoma. The parties estimate that the hearing will take one (1) day.

10. **Filings and Service.** All documents required to be filed in connection with this matter shall be filed via email to blondon@securities.ok.gov or U.S. Mail, third-party carrier, or personal delivery to the Department to the attention of Brenda London. All filings made after 5:00 p.m. shall be treated as filed on the next business day. All filings shall be served, by the party making the filing, upon the designated hearing officer and counsel for all other parties via email before 5:00 p.m. on the date of the filing. Any other document served on an opposing party shall also be served via email. The effective date of service for filings and other documents is the date on which the serving party sends the filing or document via email to counsel for such other party.

11. **Failure to Comply.** Failure to comply with the terms of this Order may result in sanctions as set forth in 660:2-9-3(f) of the Rules.

IT IS FURTHER ORDERED that no date set by the Order can be changed except by agreement of all parties or for good cause and upon written order of the designated hearing officer.

WITNESS MY HAND and the Official Seal of the Oklahoma Department of Securities this 12 day of October, 2020.

(SEAL)


DANNÉ JOHNSON, HEARING OFFICER

Approved by:


Gerald J. Lovoi
Attorney at Law
616 South Boston #403
Tulsa, OK 74119
Email: glovoi@aol.com

Attorney for Respondents

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 13th day of October, 2020, a true and correct copy of the above and foregoing *Scheduling Order* was sent by email to:

Gerald J. Lovoi
Glovoi@aol.com

Terra Bonnell
tbonnell@securities.ok.gov

Amanda Cornmesser
acornmesser@securities.ok.gov

Danné Johnson
danneljohnsonjd@gmail.com



Brenda London, Paralegal