

IN THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

In re:	)	
	)	
Robert William Mathews,	)	
Debtor,	)	
	)	
Oklahoma Department of Securities	)	Case No. 10-6057
ex rel. Irving L. Faight, Administrator,	)	
Plaintiff/Appellee,	)	
	)	
v.	)	
	)	
Robert William Mathews,	)	
Defendant/Appellant.	)	

**Recently-Decided Appellate Decisions Relating To Cases Cited in Briefs**

*Oklahoma Dept. of Securities v. Wilcox*, 2011 WL 4790654, (Oct. 11, 2011)

On December 6, 2011, the Oklahoma Supreme Court denied petition for rehearing filed by Marvin and Pamela Wilcox. The judgment of the District Court of Oklahoma County is final. The Wilcoxes' conduct (specifically, their participation in the Schubert Ponzi and check kiting schemes and their partnership with Schubert) was such as to deny them the protections afforded to innocent investors that the Oklahoma Supreme Court articulated in *Oklahoma Dept. of Securities v. Blair*, 2010 OK 16, 231 P.3d 645, as corrected (Apr. 6, 2010), reh'g denied (Apr. 12, 2010).

Although Mathews was not a party to the *Blair* or *Wilcox* appeals, his conduct, upon which the Oklahoma County judgment against him was based, was substantially similar to that of the Wilcoxes. Further, the Department presented the material facts of Mathews' wrongful conduct in the adversary proceeding and Mathews failed to dispute those facts.

s/ Gerri Kavanaugh  
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CERTIFICATE OF SERVICE

I hereby certify that on the 15<sup>th</sup> of December, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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