

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.  
DEC 10 2002  
by PATRICIA PRESLEY, COURT CLERK  
Deputy

Oklahoma Department of  
Securities, ex rel. Irving L.  
Faught, Administrator,  
Plaintiff,

CJ-99-2500-66

vs.

Accelerated Benefits  
Corporation, a Florida  
corporation, et al.,  
Defendants.

APPLICATION TO RESET HEARING ON SALE CONFIRMATION

COME NOW Robert D. Stone and Larry W. Hanks, Sr., purchasers/investors in certain viaticals that are currently under the review of this Court in this action and hereby state as follows:

1. At times past they forwarded funds to the Defendant, Accelerated Benefits Corporation, and were assigned an interest in certain viaticals which are now part of this litigation.

2. At no time prior to this have they been represented by counsel or individually heard by this Court.

3. Currently pending before this Court is an application to sell their property, which is now under the control of a conservatorship, at what seems to be greatly reduced amounts from not only the original investment, but possible value of the assets of this conservatorship.

4. Because they have not been represented in this case and

because of the complexity of this case and the fact that it has been ongoing now for approximately 3 years, counsel cannot properly represent them until such time as they have had the opportunity to "come up to speed" by reviewing not only the Court files, but by interviewing and by the possibility of taking depositions in this case, including the conservator.

5. It is their understanding that an audit of the conservator's books is ongoing and that any possible sale should be based upon actual audited amounts as to values and status and not possible hypotheticals or other statements made by third parties attempting to purchase these assets at a "fire sale".

6. This application is not being put forth to hinder nor unduly delay, but to allow these parties adequate time to defend and protect their investments.

7. The undersigned counsel hereby represents to the Court that he has attempted to contact all counsel of record and that as of the time of finalizing this, the law firm for the conservator objects to a continuance, counsel for the Plaintiff has not returned the inquiry calls, and counsel for the Defendant has no objection to a continuance.

**WHEREFORE**, premises considered, these parties hereby pray to this Court to strike the hearing currently set for Friday, December 13, 2002 at 9:00 a.m. and reset same at a date certain in the future.

Respectfully Submitted,

JAMES A. SLAYTON, P.C.

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Attorney for Robert D. Stone  
and Larry D. Hanks, Sr.

CERTIFICATE OF MAILING AND FACSIMILE

I hereby certify that on this \_\_\_\_\_ day of December, 2002, a true and correct copy of the above and foregoing Application was mailed first class mail with postage pre-paid and faxed to:

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