

- c. information or analyses showing future premium obligations concerning the Hinkle policies, to the extent such is known to or reasonably ascertainable by the Conservator;
- d. the character of the Hinkle policies (e.g. "term life", "whole life", etc.); and
- e. the most recent information known to the Conservator concerning the health "condition" of the viators on the Hinkle policies (e.g. "good", "fair", "poor", etc.).

4. On December 20, 2002, prior to the evidentiary hearing held by the Court concerning the Conservator's Motion for Order Approving Sale of Conservatorship Assets, all information to be produced under the Agreed Order was transmitted to counsel for the Hinkles.

5. Conservator's counsel disputes the allegation that "counsel for the Hinkles conferred in good faith with counsel for the Conservator several times on December 20, 2002, both in person and by telephone, in an effort to secure the information without Court action." As stated in No. 4 above, all information included in the Agreed Order has been produced to counsel for the Hinkles.

6. The information provided to counsel for the Hinkles under the Agreed Order is essentially the same as that provided to the bidders on the portfolio, with the exception that the Hinkles were provided with the information relating only to the policies to which their investment had been matched by Accelerated Benefits Corporation.

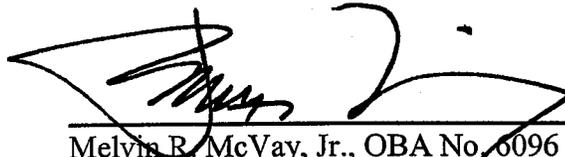
7. The Hinkles' Motion is not based upon any failure by the Conservator to produce any information required under the Agreed Order, or other discovery request. Instead, the Hinkle's motion seems to seek discovery of additional information that has not been previously requested or ordered produced by the Court. Therefore, the Hinkles' Motion is not proper and has no merit.

8. Further, the Conservator has made the Hinkle's counsel aware of the Conservator's belief that any additional viator information is protected by the Graham-Leach-Bliley Act, 15,

U.S.C.A. §6701 *et seq*, 15 U.S.C.A. §6701 *et seq*, and 12 U.S.C.A. §1811 *et seq* (the "Act"): The Hinkles have not demonstrated that the Act does not prohibit the release of any further information and therefore should be denied.

WHEREFORE, premises considered, Conservator, Tom Moran, respectfully requests this Court overrule the Motion to Compel.

Respectfully submitted,



Melvin R. McVay, Jr., OBA No. 6096
Thomas P. Manning, OBA No. 16117
PHILLIPS McFALL McCAFFREY
McVAY & MURRAH, P.C.
Twelfth Floor, One Leadership Square
211 North Robinson
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-4100
Facsimile: (405) 235-4133

ATTORNEYS FOR CONSERVATOR,
TOM MORAN

CERTIFICATE OF MAILING

The undersigned certifies that on the 6th day of January, 2003, a true and correct copy of the foregoing document was mailed, postage prepaid, to the following:

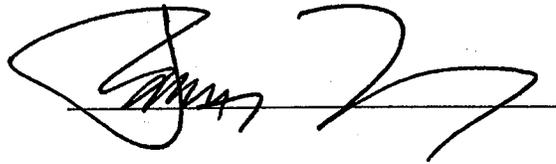
Patricia A. Labarthe
Oklahoma Department of Securities
First National Center, Suite 860
120 North Robinson
Oklahoma City, OK 73102
Attorney for Plaintiff

James Slayton
4808 Classen Blvd
Oklahoma City, OK 73118
Attorney for Robert D. Stone and
Larry W. Hanks

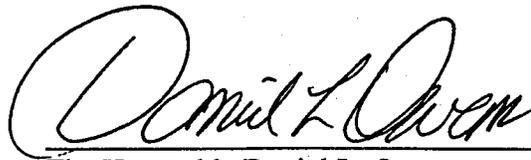
Dino E. Viera, Esq.
Fellers, Snider, Blankenship,
Bailey & Tippens, P.C.
100 North Broadway Avenue, Suite 1700
Oklahoma City, Oklahoma 73102
Attorney for Defendants,
Accelerated Benefits Corporation,
American Title Company of Orlando,
C. Keith LaMonda and
David S. Piercefield

Robert A. Nance
Riggs, Abney, Neal, Turpen,
Orbison and Lewis
5801 Broadway Extension, Suite 101
Oklahoma City, OK 73118
Attorney for Lawrence Deziel

Rebecca A. Farris
Helms & Underwood
2500 First National Center
120 North Robinson
Oklahoma City, OK 73102
Attorney for John C. Hinkle and
Wanda B. Hinkle



SO ORDERED this 18th day of December, 2002.



The Honorable Daniel L. Owens,
Judge of the District Court

APPROVED:



Conner L. Helms, OBA #12115
Gary R. Underwood, OBA #9154
Rebecca A. Farris, OBA #17944
HELMS & UNDERWOOD
2500 First National Center
120 North Robinson Avenue
Oklahoma City, Oklahoma 73102
Telephone (405) 319-0700
Facsimile (405) 319-9292

ATTORNEYS FOR ABC INVESTORS,
JOHN C. HINKLE AND WANDA B. HINKLE

I, PATRICIA PRESLEY, Court Clerk for Oklahoma
County, Okla., hereby certify that the foregoing is a
true, correct and complete copy of the instrument
herewith set out as appears on record in the District
Court Clerk's Office of Oklahoma County, Okla.,
this _____ day of _____, 20__.

By _____

Melvin R. McVay, Jr., OBA #6096
Thomas P. Manning, OBA #16117
Kay Smith, OBA #13252
Phillips McFall McCaffrey McVay & Murrah, P.C.
Twelfth Floor, One Leadership Square
211 North Robinson
Oklahoma City, Oklahoma 73102
Telephone (405) 235-4100
Facsimile (405) 235-4562

ATTORNEYS FOR CONSERVATOR

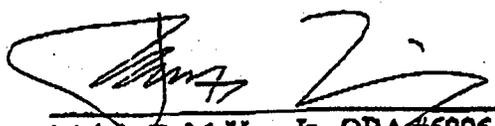
SO ORDERED this _____ day of December, 2002.

The Honorable Daniel L. Owens,
Judge of the District Court

APPROVED:

Conner L. Helms, OBA #12115
Gary R. Underwood, OBA #9154
Rebecca A. Farris, OBA #17944
HELMS & UNDERWOOD
2500 First National Center
120 North Robinson Avenue
Oklahoma City, Oklahoma 73102
Telephone (405) 319-0700
Facsimile (405) 319-9292

ATTORNEYS FOR ABC INVESTORS,
JOHN C. HINKLE AND WANDA B. HINKLE



Melvin R. McVay, Jr., OBA #6096
Thomas P. Manning, OBA #16117
Kay Smith, OBA #13252
Phillips McFall McCaffrey McVay & Murrah, P.C.
Twelfth Floor, One Leadership Square
211 North Robinson
Oklahoma City, Oklahoma 73102
Telephone (405) 235-4100
Facsimile (405) 235-4562

ATTORNEYS FOR CONSERVATOR