

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

Oklahoma Department of Securities )  
ex rel. Irving L. Faught, )  
Administrator, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
The Hickman Agency, Inc., et. al. )  
 )  
Defendants. )

Case No C-03-1239

ANSWER

Peter Friguletto, ("Peter") for his answer to the First Amendment to the Petition for Permanent Injunction and Other Equitable Relief states:

**INCOMPLETE PLEADINGS**

1. Peter has been served with a summons in this case and a copy of a document entitled First Amendment to the Petition for Permanent Injunction and Other Equitable Relief (the "Complaint"). Said complaint makes reference in its initial, unnumbered paragraph that it incorporates by reference Paragraphs 1 through 29 of the Petition for Permanent Injunction and Other Equitable Relief originally filed in this case (the "Original Complaint"). No copy of the Original Complaint has ever been served upon Peter and to the best of Peter's information and belief he is not named as a defendant in the Original Complaint. Accordingly, Peter is incapable of answering the allegations contained in Paragraphs 1 through 29 of the Original Complaint.

## OVERVIEW

2. Peter is without sufficient information to admit or deny the allegations of Paragraph 1, of the Complaint, regarding the application of the Oklahoma Securities Act to the facts set forth in the Complaint for the reasons set forth in Paragraph 1, hereof, however, pleading further, Peter denies any knowledge of, or participation in, any conduct or transaction of any kind which would or could be construed as a violation of the Oklahoma Securities Act or any other securities act of any other jurisdiction.

3. Peter denies any knowledge of or participation in any conduct or transaction of any kind which could be construed as a "ponzi scheme" as alleged in paragraph 2, of the Complaint.

## JURISDICTION

4. Peter denies any knowledge of the receipt of any cash or property of any kind that could be construed as proceeds of the unlawful activities of the defendants in the Original Complaint (the "Investor Assets") as alleged in paragraph 3, of the Complaint. Peter further affirmatively states that any funds received from any of the Original Complaint Defendant was solely from Merl William Hickman, Sr., ("Hickman") personally, for the purpose of engaging in a day-trading brokerage account partnership with Peter. All capital contributed to the partnership account, including \$21,140.00 of Peter's personal funds were lost as the consequence of adverse market conditions. The partnership possessed two accounts. The first was closed on March 3, 2003, with no cash or other distribution of property being made

to any partner. The second was closed on October 3, 2003, with the remaining funds in said account in the amount of \$1,900.00 being distributed to Peter.

#### **RELIEF DEFENDANTS**

5. The allegations of Paragraph 4, of the Complaint are not directed at Peter and thus no answer to said allegations are required of Peter.

6. The allegations of Paragraph 5, of the Complaint are not directed at Peter and thus no answer to said allegations are required of Peter.

7. Peter denies the allegations of Paragraph 6, of the Complaint.

8. The allegations of Paragraph 7, of the Complaint are not directed at Peter and thus no answer to said allegations are required of Peter.

9. The allegations of Paragraph 8, of the Complaint are not directed at Peter and thus no answer to said allegations are required of Peter.

#### **NATURE OF THE CASE**

10. Peter denies the allegations of Paragraph 9, of the Complaint, insofar as said allegations are directed at Peter.

#### **FIRST CAUSE OF ACTION AGAINST RELIEF DEFENDANTS**

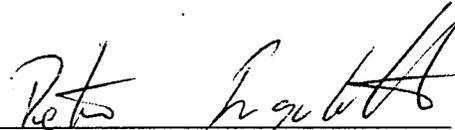
11. Peter, for his answer to Paragraph 10 of the Complaint realleges and incorporates by reference his answers to Paragraphs 1 through 9 of the Complaint, which are set forth as Paragraphs 2 through 10 of this Answer. For his answer to Paragraphs 1 through 29 of the Original Complaint, which are real-

leged and incorporated into Paragraph 10, of the Complaint, Peter realleges and incorporates the facts set forth at Paragraph 1, of this Answer.

12. Peter denies the allegations of Paragraph 11, of the Complaint.

13. Peter denies the allegations of Paragraph 12, of the Complaint.

WHEREFORE, Defendant Peter Friguletto, prays this court for entry of its order granting judgment in favor of defendant and against plaintiff; granting judgment in favor of defendant and against plaintiff for defendant's costs of suit; and, granting such other and further relief as this court may deem proper and just

A handwritten signature in cursive script, appearing to read "Peter Friguletto", written over a horizontal line.

Peter Friguletto

Peter Friguletto  
Pro Se  
550 S. Addison Avenue  
Lombard, IL 60148  
(630) 495-5672

STATE OF ILLINOIS    )  
                                  ) SS  
DU PAGE COUNTY        )

The undersigned, of lawful age, being first duly sworn deposes and says: that he is a named defendant in the foregoing pleading, that he has read the foregoing First Amendment to Petition for Permanent Injunction and Other Equitable Relief and knows the contents thereof, and that the matters and thing stated therein are true and correct to the best of her knowledge, information and belief.

  
\_\_\_\_\_  
Peter Friguletto

Subscribed and sworn to  
Before me this 17<sup>th</sup> day  
of February, 2004.

  
\_\_\_\_\_  
Notary Public

