

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY
STATE OF OKLAHOMA

FILED
IN THE DISTRICT COURT

DEC 08 2005

POTTAWATOMIE COUNTY, OK
RETA HEAD, COURT CLERK
BY _____ DEPUTY

OKLAHOMA DEPARTMENT OF
SECURITIES *ex rel.* Irving L.
FAUGHT, Administrator,

Plaintiff,

vs.

THE HICKMAN AGENCY, INC., an
Oklahoma Corporation; MERL WILLIAM
HICKMAN, SR., an individual; SARAH
L. HICKMAN, an individual; and
MERL WILLIAM HICKMAN, JR., an
individual,

Defendants,

and

STEPHANIE HICKMAN-MATTHEWS, an
individual; ANGELA FRIGULETTO, an
individual; PETER FRIGULETTO, an
individual; SANDRA FRIGULETTO, an
individual; and CHRISTY HICKMAN,
an individual,

Defendants Solely
For Purposes Of
Equitable Relief

Case No. C-03-1239

APPLICATION OF RECEIVER, STEPHEN J. MORIARTY TO ESTABLISH
PROCEDURE TO NOTIFY CLAIMANTS TO MAKE CLAIMS

Comes now the Receiver, Stephen J. Moriarty and requests that the Court enter an order establishing a procedure to notify creditors and requiring that, if necessary, they file a proof of claim setting forth the nature and amount of their claims. In support of this Application Receiver would show unto the Court as follows:

1. Notice will be given by the receiver as required by law.

2. The Receiver requests that the Court establish a bar date for the filing of claims in this matter, if required. Potential creditors will be given notice that, if filing a claim is required, failure to timely file will result in no distribution in this case.

3. On July 7, 2005, Receiver filed his report regarding Investor Claims with the Court. To the extent that an Investor agrees with the amounts set forth in the report, they will not need to file a claim with the Court. To the extent they disagree, they must file a claim with the court detailing the nature and extent of their claim. Receiver proposes to give notice of the foregoing in the form set forth in Exhibit "A" hereto.

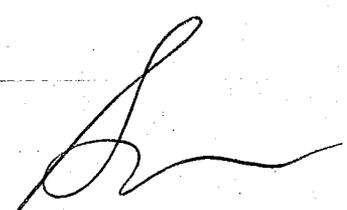
4. Notice to Creditors of The Hickman Agency, Inc., in the form set forth in Exhibit "B" hereto, shall be published at least once a week for two consecutive weeks in a newspaper with general circulation in Pottawatomie County, Oklahoma.

5. Receiver shall mail the Notice to Creditors to all known creditors of The Hickman Agency, Inc., by regular mail.

6. To the extent a creditor must file a claim, it shall be filed with this court and a copy sent to receiver, in the form set forth in Exhibit "C" hereto.

7. At this time, funds will be available for distribution to Investors and creditors of The Hickman Agency, Inc.. It does not appear that there will be funds available to distribute to creditors of the other Defendants ("Non-Agency Defendants"). Therefore, in an effort to limit costs, Receiver asks that notice not be sent to creditors of the Non-Agency Defendants at this time.

WHEREFORE, Receiver respectfully requests that this Court enter an order establishing a procedure, as set forth herein, to notify creditors to make claims and for such other and further relief as this Court deems just and equitable.



STEPHEN J. MORIARTY, OBA #6410
ANDREWS DAVIS
100 North Broadway, Suite 3300
Oklahoma City, Oklahoma 73102
Telephone: (405) 272-9241
Facsimile: (405) 235-8786

CERTIFICATE OF MAILING

This is to certify that on the 3rd day of December, 2005, the foregoing was sent by U.S. Mail, first class, postage prepaid, to:

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

Terry West, Esq.
Brad West Esq.
124 West Highland
Shawnee, OK 74801

Merl William Hickman, Sr.
#15726-064
Oklahoma City Federal Transfer Center
7410 South MacArthur
Oklahoma City, OK 73169

Merl William Hickman, Sr.
Sarah Hickman
Route 3, Box 308A
Meeker, OK 74855

Sarah Hickman
c/o Henry White
Rt. 3 Box 495
Meeker, OK 74855

Merl William Hickman, Jr.
#15657-064
Oklahoma City Federal Transfer Center
7410 South MacArthur
Oklahoma City, OK 73169

Merl William Hickman, Jr.
Christy Hickman
Route 3, Box 490
Meeker, OK 74855

Stephanie Hickman Mathews
Route 3, Box 88
Meeker, OK 74855

Peter Friguletto
Angela Friguletto
618 South LaLonde Avenue
Lombard, IL 60148



Stephen J. Moriarty

EXHIBIT "A"

(LETTERHEAD)

(DATE)

Investor name
Address

Re: The Hickman Agency, Inc.

Dear _____:

I am the Court appointed Receiver for The Hickman Agency, Inc. On July 7, 2005 I filed with the Court my Report of Investor Claims against The Hickman Agency, Inc.. Pursuant to that Report I found the following:

(Investor name) (Date of Deposit(s)) (Payments received from The Hickman Agency)

If you agree with these amounts, you do not need to file anything with the Court.

If you disagree, you must, on or before _____, 2006, file with the Court written proof regarding the nature and extent of your claim. If you do need to file a claim, please contact the Receiver, at the address/phone number listed above, to obtain the Form on which such claims must be submitted.

It is anticipated that, if there are no Court challenges to the proposes distribution scheme, checks will go out to Investors in _____, 2006.

Very truly yours,

Stephen J. Moriarty, Receiver

EXHIBIT B

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF
SECURITIES *ex rel.* Irving L.
FAUGHT, Administrator,

Plaintiff,

vs.

Case No. C-03-1239

THE HICKMAN AGENCY, INC., an
Oklahoma Corporation; MERL WILLIAM
HICKMAN, SR., an individual; SARAH
L. HICKMAN, an individual; and
MERL WILLIAM HICKMAN, JR., an
individual,

Defendants,

and

STEPHANIE HICKMAN-MATTHEWS, an
individual; ANGELA FRIGULETTO, an
individual; PETER FRIGULETTO, an
individual; SANDRA FRIGULETTO, an
individual; and CHRISTY HICKMAN,
an individual,

Defendants Solely
For Purposes Of
Equitable Relief

NOTICE TO CREDITORS AND DEADLINE TO FILE CLAIMS

TO ALL CLAIMANTS AND CREDITORS OF THE HICKMAN AGENCY, INC.. PLEASE
REVIEW THIS NOTICE CAREFULLY AS IT SETS OUT IMPORTANT INFORMATION
CONCERNING YOUR RIGHTS AND RESPONSIBILITIES AS A POTENTIAL CLAIMANT.

Please take note that on _____, the Court herein entered an Order
establishing procedure to notify claimants to make claims. **If you were an Investor in The
Hickman Agency you will receive a separate Notice, by regular mail, notifying you of your
rights and responsibilities.**

If you are a non-Investor creditor of The Hickman Agency, Inc. you must submit to the Court a written Proof of Claim setting forth the nature and extent of your claim. THE DEADLINE FOR SUBMITTING YOUR PROOF OF CLAIM IS , 2006. IF YOU DO NOT TIMELY SUBMIT A CLAIM YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THIS MATTER.

Questions and other requests for information, including the form on which claims must be submitted, should be directed to:

STEPHEN J. MORIARTY, Receiver
100 North Broadway, Suite 3300
Oklahoma City, Oklahoma 73102
Telephone: (405) 272-9241
Facsimile: (405) 235-8786
E-mail: sjmoriarty@andrewsdavis.com

DONE BY ORDER OF THE COURT.

EXHIBIT "C"

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF
SECURITIES *ex rel.* Irving L.
FAUGHT, Administrator,

Plaintiff,

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individual; SANDRA FRIGULETTO, an
individual; and CHRISTY HICKMAN,
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PROOF OF CLAIM FOR CREDITORS OF
THE HICKMAN AGENCY, INC.

1. Name of Creditor: _____
2. Mailing address: _____

3. Account number: _____

4. Basis for Claim: _____ Goods sold
_____ Services performed
_____ Money loaned
_____ Other _____

5. Date debt was incurred: _____

6. If court judgment, date obtained: _____

7. Classification of claim:

a. _____ **Secured Claim** (check if repayment of your claim is secured by collateral)

b. _____ **Unsecured Claim** (check if there is no collateral securing repayment of your claim)

8. Total amount of your claim at the time this case was filed (12/17/2003):

\$ _____

_____ Check if this amount includes interest or other charges

9. **Supporting Documents:** Attach copies of supporting documents, such as contracts, promissory notes, invoices, itemized statements of account, court judgments, mortgages, security agreements and evidence of perfection of claimed liens. **Do not send original documents.**

10. Signature: _____ (Date) _____
(Print Name and Title, if applicable)

11. Filing instructions: Please file the original proof of Claim with the Court Clerk, Pottawatomie County, 325 North Broadway, Suite 305, Shawnee, Oklahoma on or before _____ and mail a copy to:

STEPHEN J. MORIARTY, Receiver
c/o ANDREWS DAVIS
100 North Broadway, Suite 3300
Oklahoma City, Oklahoma 73102