

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

Oklahoma Department of Securities )  
ex rel. Irving L. Faught, )  
Administrator, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
Larry E. Mack, an individual, and )  
Larry E. Mack *dba* Southwest Income )  
Management, )  
 )  
Defendants. )  
 )

NOV 22 2004  
PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
Deputy

Case No. *CJ-2004-8887*

**ENTRY OF APPEARANCE, WAIVER OF SERVICE**  
**AND**  
**STIPULATION AND CONSENT**

Defendants, Larry E. Mack, individually, and Larry E. Mack *dba* Southwest Income Management, hereby stipulate, consent and agree to the following:

1. The Oklahoma Department of Securities (Department), pursuant to Section 1-603 of the Oklahoma Uniform Securities Act of 2004 (Successor Act), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2003), and Section 406.1 of the Oklahoma Securities Act (Act), Okla. Stat. tit. 71, §§ 1-413, 501, 701-703 (2001 and Supp. 2003), is the proper party to bring this action seeking the relief requested in the Department's Petition for Permanent Injunction and Other Equitable Relief (Petition);
2. Defendants are subject to the jurisdiction of this Court;
3. Defendants acknowledge receipt of a copy of the Petition filed in the above styled and numbered cause and voluntarily and specifically waive issuance and

service upon them of summons and voluntarily enter their general appearance without reservation of time in which to further plead or answer, and consent that this cause may be tried at any time;

4. Defendants acknowledge they have read the Petition and understand the allegations made therein;

5. Defendants consent to the entry of the order in the form attached hereto as Exhibit "A" and incorporated herein by reference (Order);

6. Defendants waive any right they may have to appeal from the entry of the Order;

7. Defendants agree that this Entry of Appearance, Waiver of Service and Stipulation and Consent (Waiver and Consent) is entered into voluntarily and that no threat or promise of immunity of any kind has been made by the Administrator or staff of the Department or the Oklahoma Securities Commission to coerce agreement with this Waiver and Consent;

8. Defendants consent to the presentation to the Court of this Waiver and Consent and to the entry of the Order without further notice;

9. Defendants consent to the retention by the Court of jurisdiction over them and over the subject matter of this action to carry out the terms of all orders and decrees that may be entered, including enforcement of the Order and this Waiver and Consent;

10. Defendants agree that this Waiver and Consent shall be incorporated into the Order with the same force and effect as if fully set forth therein; and

11. Defendants agree to waive service upon them of the Order and agree that the entry of the Order by the Court will constitute notice to them of the terms and conditions of the Order.

IN WITNESS WHEREOF, Defendants have executed this Waiver and Consent as of the date and year set forth below.

*Larry E. Mack*  
LARRY E. MACK  
Date: 11-10-04

*Larry E. Mack*  
LARRY E. MACK DBA SOUTHWEST INCOME MANAGEMENT  
Date: 11-10-04

SUBSCRIBED AND SWORN TO BEFORE ME on this 10<sup>th</sup> day of November, 2004.

(Seal)



*Barbara L. Wheeler*  
Notary Public  
My commission expires: 01-31-2006  
My commission number: 12408267-9

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 of record in the District Court Clerk's Office of Oklahoma County, Okla., this 22 day of Nov, 2004.  
By *CSpono* PATRICIA PRESLEY, Court Clerk Deputy

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 )  
Defendants. )  
 )

Case No. *CJ-2004-8887*

**FINAL JUDGMENT OF PERMANENT INJUNCTION  
AND OTHER EQUITABLE RELIEF**

On the \_\_\_\_ day of \_\_\_\_\_, 2004, Plaintiff, Oklahoma Department of Securities (Department), filed its Petition for Permanent Injunction and Other Equitable Relief (Petition) pursuant to the Oklahoma Uniform Securities Act of 2004, (Successor Act) Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2003) and the Oklahoma Securities Act (Act), Okla. Stat. tit. 71, §§ 1-413, 501, 701-703 (2001 and Supp. 2003). Defendants, Larry E. Mack, individually, and Larry E. Mack *dba* Southwest Income Management, through their Entry of Appearance, Waiver of Service and Stipulation and Consent (Waiver and Consent), have admitted the jurisdiction of this Court over them; waived service of summons and the Petition; and consented to the entry of this Final Judgment of Permanent Injunction and Other Equitable Relief.

Based on the Defendants' execution of the Waiver and Consent and being fully advised in the premises, the Court finds that the following order should be entered.

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**EXHIBIT *A***

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that judgment be, and hereby is, entered against Defendants.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Court that Defendants be, and hereby are, permanently enjoined and restrained from, directly or indirectly, offering and/or selling securities in and/or from the state of Oklahoma.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Court that Defendants be, and hereby are, permanently enjoined and restrained from, directly or indirectly, acting as broker-dealers or agents, or from employing broker-dealers or agents, in connection with the offer and/or sale of securities in and/or from the state of Oklahoma.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Court that the Waiver and Consent filed herewith be, and hereby is, incorporated in this Final Judgment of Permanent Injunction and Other Equitable Relief with the same force and effect as if set forth herein.

**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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JUDGE OF THE DISTRICT COURT

Approved as to form:

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Rebecca A. Cryer OBA #2065  
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Oklahoma Department of Securities  
First National Center, Suite 860  
120 N. Robinson  
Oklahoma City, OK 73102  
(405) 280-7700  
Attorney for Plaintiff