

FILED IN THE DISTRICT COURT  
 IN THE DISTRICT COURT OF OKLAHOMA COUNTY OKLAHOMA COUNTY, OKLA.  
 STATE OF OKLAHOMA

SEP 24 2008

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

PATRICIA PRESLEY, COURT CLERK  
 by \_\_\_\_\_  
 DEPUTY

v. )

CJ-2003-7899

Sunset Financial Group, Inc., an Oklahoma )  
 corporation; Vision Services, Inc., and Oklahoma )  
 corporation; Amsterdam Fidelity Business Trust, )  
 a Nevada Limited liability partnership; EASE )  
 Corporation, an Oklahoma corporation; Gold Star )  
 Properties, Inc., an unincorporated association; )  
 Rebates International, Inc., a Nevada corporation; )  
 Betty Solomon Brokerage, Inc., an Oklahoma )  
 corporation; Emzie Huletty, an individual; )  
 Grover H. Phillips, an individual; Nicholas Krug, )  
 an individual; Charles E. Elliott, an individual; )  
 Terry Mahon, an individual; Denver Large, an )  
 Individual; Betty G. Solomon, an individual; and )  
 Donald J. Wood, an individual, )  
 )  
 Defendants. )

**JOINT MOTION FOR APPROVAL OF INVESTOR CLAIM DESIGNATIONS  
AND DISTRIBUTION TO INVESTORS**

L. Win Holbrook, the duly appointed receiver in the above styled and numbered proceeding (the "Receiver"), by and through his undersigned counsel, and the Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator (the "Department" or "Plaintiff"), by and through its undersigned counsel, hereby jointly move the Court for an order approving the designation of claims and authorizing a distribution to claimants who have substantiated a claim for such distribution, and in support of which, state as follows:

1. On September 19, 2003, the Department filed a Petition for Permanent Injunction and other Equitable Relief (the "Petition") against Sunset Financial Group, Inc., Visions Services, Inc., Amsterdam Fidelity Business Trust, EASE Corporation, Gold Star Properties, Inc., Rebates International, Inc., Betty Solomon Brokerage, Inc., Emzie Huletty, Grover H. Phillips, Nicholas Krug, Charles E. Elliott, Terry Mahon, Denver Large, Betty G. Solomon and Donald J. Wood (collectively, "Defendants"). The Department alleged that the Defendants violated the Oklahoma Securities Act by engaging in a prime bank scheme involving the sale of interests in high-yield investment programs and a rebate coupon which guaranteed full repayment of a commercial or residential loan. An order was issued against the Defendants by this Court to cease their illegal activities.

2. By order dated September 19, 2003 (the "Receivership Order"), Receiver was appointed receiver of the Defendants Sunset Financial Group, Inc., Vision Services, Inc., Amsterdam Fidelity Business Trust, EASE Corporation, and Solomon Brokerage, Inc. (the "Receivership Defendants").

3. Pursuant to the terms of the Receivership Order, the Receiver was charged, *inter alia*, with taking "exclusive custody, control and possession of all assets and documents of, or in the possession or custody, or under the control of, the Receivership Defendants, including those assets of Receivership Defendants in the possession or custody, or under the control of, Defendants Emzie Huletty, Grover H. Phillips, Betty G. Solomon and Donald J. Wood, wherever situated."

4. By order dated September 3, 2004 (the "Final Order"), Defendants Amsterdam Fidelity Business Trust, Rebates International, Inc., Grover H. Phillips, Terry Mahon, and Denver Large (the "Rebates Defendants") were ordered to pay to Receiver the sum of Three

Hundred Four Thousand, Six Hundred Sixty-four Dollars and Twenty-two Cents (\$304,664.22) to be used for restitution to Investors.<sup>1</sup>

5. In addition to the rebate coupons Defendants provided to Investors as referenced in paragraph one above, rebate coupons were also furnished by Defendants to purchasers of various consumer products or services (the "Non-Investors").

6. On April 18, 2007, Receiver requested and on the same date the Court entered an order establishing the procedure for the Receiver to give notice to Investors (the "Order") that they were required to file Proofs of Claim, in a form approved by this Court, setting forth the nature and amount of the investment and to provide documentation of such amounts. Claims were required to be submitted to Receiver on or before June 1, 2007. Pursuant to the Order, Non-Investor claimants who had previously submitted their claims to Receiver in the form of rebate coupons were not required to be provided with any additional notice of claims submission and Receiver was not required to provide any such additional notice to Non-Investors.

7. Receiver mailed to Investors notice of the establishment of such procedure, together with a Proof of Claim form and Proof of Claim instructions, via first class U. S. mail postage prepaid to each known Investor at their last known address. Plaintiff herein also posted notice of the foregoing on the website of the Oklahoma Department of Securities, [www.securities.ok.gov](http://www.securities.ok.gov).

8. Receiver has now completed a review of Investor Proof of Claims forms and supporting documentation. Receiver has compared this information with those records of the Receivership Defendants which are in his possession. Contemporaneously with the filing of the instant motion, Receiver has prepared and filed a *Report of Receiver*. Receiver has prepared a listing, attached hereto as Exhibit "A" and by reference made a part hereof, of the claims filed

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<sup>1</sup> Defined in the Petition as those individuals who purchased interests in the high-yield investment programs referenced herein.

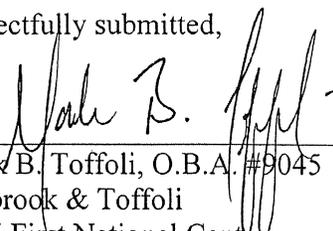
which would receive a distribution. **CLAIMANTS WHO PARTICIPATED IN THE EQUITY ASSET SURVEY (EAS) WILL RECEIVE A DISTRIBUTION OF APPROXIMATELY 15% OF THE AMOUNT OF THEIR INVESTMENT UNDER THE DISTRIBUTION PROPOSED BY RECEIVER. NO CLAIMANT INVOLVED IN THE SALE OF A HIGH YIELD INVESTMENT PROGRAM (AN "INSIDER") SHALL RECEIVE ANY RESTITUTION UNDER THE DISTRIBUTION PROPOSED BY RECEIVER. NON-INVESTOR CLAIMANTS SHALL RECEIVE NO RESTITUTION UNDER THE DISTRIBUTION PROPOSED BY RECEIVER.**

9. The Receiver has continued in his efforts to complete his duties as charged and believes all cash to be derived from the various Defendants has now been obtained by Receiver. Receiver believes no additional funds will be forthcoming to the receivership estate so as to merit solely a partial distribution to Investors.

10. Funds previously received by the Receiver from Defendants Amsterdam Fidelity Business Trust, Rebates International, Inc., Grover H. Phillips, Terry Mahon, and Denver Large should be paid as restitution to Investors whose claims are approved by this Court.

WHEREFORE, based on the foregoing, Receiver and Department respectfully request the Court approve the claim amounts designated by Receiver according to the listing attached as Exhibit "A". Receiver and Department further request that this Court approves a distribution to Investors on a pro rata basis on the designated claim amounts, after payment of all approved administrative claims of Receiver.

Respectfully submitted,

  
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(405) 232- 3664  
Attorneys for Receiver

  
Patricia A. Labarthe, O.B.A. #10391  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102  
(405) 280-7700  
Attorney for Plaintiff

#### NOTICE OF HEARING

Please be advised that a hearing on the Report of Receiver and Joint Motion for Approval of Investor Claim Designations and Distribution to Investors has been scheduled for the 5<sup>th</sup> day of December, 2008, at 9:30 o'clock A.M. before the Honorable Carolyn R. Ricks, District Judge, Oklahoma County Courthouse, Oklahoma City, Oklahoma.

#### CERTIFICATE OF SERVICE

I hereby certify that on the 25<sup>th</sup> day of September, 2008, a true and correct copy of the above and foregoing instrument was served via first class U. S. mail, postage prepaid, on the following:

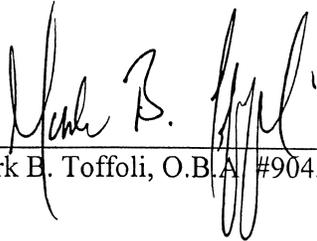
Betty Solomon  
1425 SW 37<sup>th</sup> Street  
Oklahoma City, Oklahoma 73119

P. David Newsome, Jr., Esquire  
Conner & Winters  
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15 East Fifth Street  
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Oklahoma City, Oklahoma 73116

Miller Dollarhide  
100 Park Avenue, Second Floor  
Oklahoma City, Oklahoma 73102

Betty Solomon  
P. O. Box 0010  
Oklahoma City, Oklahoma 73195

  
Mark E. Toffoli, O.B.A. #9045

<u>NUMBER</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>CLAIM</u>	<u>INSIDER</u>
601001	Aquino	Michael	Aquino	Valerie	10,000	
601049	Arnaldo	Jose Colon Marrero	Lopez Nieves	Carmen	14,000	Insider
600898	Bastyr	James	Bastyr	Holly	41,820	
1003R	Beard	Julio C	Acosta	Betsy	7,000	
601038	Blanford	Yolanda	Estrada		10,000	
601074	Bonilla	Laura	Bonilla	Roman	13,600	Insider
600965	Bonilla	Oscar Matos			100,000	
600862	Bright	Kayode			21,250	Insider
601029	Buck	Latina			22,500	
600865	Burgan	Kerry	Burgan	Sarah	46,665	
600893	Burgas	Iris M	Burgas	Luis Seda	144,500	Insider
600894	Burgas	Iris M	Burgas	Luis Seda	17,000	Insider
600985	Caneles	R Santos			15,000	
600887	Chavez Otero	Oscar	Marrero	Marta Otero	3,000	Insider
601075	Colon Medina	Jose Luis			4,250	Insider
1006G	Cruz	Carmen D Alcazar			17,000	
600883	Cruz Lopez	Ana	Berrios	Angel	17,000	
601070	DeJesus	Guillermo			17,000	
601034	Diaz Rodriguez	Primitivo			25,500	
600945	Febles	Carmelo			45,000	Insider
601007	Ferrer	D Del C	Torres González	Edgar	25,500	Insider
600504	Gee	Marilyn			2,890	Insider
600947	Gonzalez	Hector R			4,500	Insider
600988	Gonzalez	Herbert Garcia			20,000	
1012G	Gonzalez Mercado	Lydia	Hernandez	Luis	2,850	
1006R	Gonzalez Mercado	Luis S	Rivera	Rafael	12,100	
601039	Gonzalez	Ricardo Colon	Ramos	Lisandra Otero	5,700	
1005R	Gonzalez Mercado	Rosa M	Padin	Victor	5,100	
601018	Graniela	Jaime Matos	Toro	J.B.	6,426	
600856	Grizzard	Patricia	Grizzard		300	Insider
600973	Guzman Rosado	Luis R			25,000	
601036	Hernandez	Bianco	Hernandez	Eladia	10,000	
1004R	Hernandez	Elisa			10,289	
1015R	Hernandez	Lizette Curbelo	Perez	Juanita Hernandez	2,890	
600953	Latorre	Pablo			2,958	Insider
601047	Lopez Nieves	Carmen	Arnaldo	Jose Colon	2,000	Insider
600983	Lugo Almodovan	Teddy E			38,947	
1001R	Marks	Don			14,875	
601100	Marks	Don			6,700	
601044	McKizzlie	Pearlie				
1018R	Mercado	Sonia Gonzalez	Mercado	Alicia Gonzalez		

<u>NUMBER</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>CLAIM</u>	<u>INSIDER</u>
1019R	Mercado	Filomena			6,700	
600987	Rivera	Miguel Rivera	Roman	Olga	22,500	
601073	Miranda Cruz	Eusebio	DeJesus Ruiz	Aida	3,000	
601072	Montes	Jose Melendez	Negron	Isabel Otero	3,000	
600994	Nieves Perez	Edgar			2,890	
601003	Nieves Perez	Wanda			2,890	
601050	Nunez	Jose Ortiz	Garcia	Ana Hernandez	15,000	
601058	Oliver	X Lopez			1,020	
601078	Orna Ramos	Carmelita	Fleitas	Luis Fleitas	300	Insider
601008	Ortiz	Maria			3,400	Insider
601009	Ortiz	Rosa			425	Insider
601064	Pallens Alcazar	Rafael			1,000	
1003	Perez Beniquez	Vidalia			50,000	
601035	Perez	Sidney Heredia			2,890	
1016G	Pineiro Lopez	Angel M			16,150	Insider
601017	Pineiro Lopez	Angel M			6,035	Insider
600941	Ramos	Eliecer			28,000	
1008G	Reyes Perez	Arnaldo			18,700	Insider
1012R	Reillo	Rafael Perez			4,473	
1014R	Reillo	Rafael Perez			4,473	
600997	Rivera	Carlos	Evans	Prestol Rodriguez	5,950	
600998	Rivera	Pedro	Espinosa	Wendy	5,100	
600984	Rivera Franco	Jose Luis	Saez	Carmen Martinez	5,000	
601149	Rivera Mercado	Samuel	Jimenez	Ella Maldonado	23,120	Insider
601052	Rivera Mercado	Samuel	Jimenez	Ella Maldonado	5,389	Insider
600972	Rivera	Rafael	Rivera	Carmen	40,000	
600975	Rivera Varela	Ivonne			9,000	
1009R	Rivera Vasquez	Brenda	Aulet	Sidney Rivera	4,473	
1015G	Rivera	Maria	Olmeda		10,200	
601011	Robles	Winda	Santiago	Aramis	17,000	
600957	Rodriguez	C Vasquez	Vasquez	Ivette Rivera	12,000	
600995	Rodriguez	C Vasquez	Vasquez	Ivette Rivera	26,730	
600904	Rodriguez	Evans Prestol	Prestol	Maria	8,500	
600903	Rodriguez	Florinda Rivera	Collanzo	Luis Otero	7,000	
601094	Rodriguez	Jose Manuel Erazo			3,000	
601090	Rodriguez Montija	Laura			13,000	
601097	Rodriguez	Susanna	Rodriguez	Jessie	2,500	
No number	Rodriguez	Susanna	Rodriguez	Jessie	5,000	
601027	Rodriguez Villaneuva	Domingo	Suazo	Ramona Santiago	25,500	
601041	Roman	Emilio Sanabria	Madera	Ines Flores	1,020	Insider
600877	Rosado	Cynthia	Rosado	Elizabeth	17,000	Insider

<u>NUMBER</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>CLAIM</u>	<u>INSIDER</u>
600896	Rosado	Elizabeth	Valentin	C Ivette	17,000	Insider
601056	Rosado	Gloria	Ramos	Eliecer	3,500	
601054	Rosado	George	Rosado	Elizabeth	10,000	Insider
600866	Rosado	George	Rosado	Elizabeth	22,100	Insider
601002	Rosado	George	Rosado	Elizabeth	6,500	Insider
600891	Rosado	Nelson	Fortenza	Marlene	17,000	
1005	Rosado	Vivian	Lagrosa	Eric	42,500	
600901	Santana	Pedro	Castro	Lydia	34,000	
601055	Santiago	Iris	Santiago	Aramis	3,000	
600878	Santiago	Iris N	Santiago	Belinda	17,000	
1011R	Santiago	Jorge Laza	Cheverez	Nerieda Class	5,472	Insider
1009G	Santos	Juan	Santos	Nerieda	51,000	
601148	Solis	Angela	Solis	Jennifer	27,348	
601033	Stokes	Lidge	Stokes	Linda	17,000	
600881	Torres	Antoliano	Tomassini	Wanda	10,590	Insider
600902	Torres	Antoliano	Torres	Antoliano	13,200	Insider
601013	Torres	Pedro			7,500	Insider
600978	Torres	Jose F Flores			2,890	Insider
600977	Torres	Jose F Flores			5,780	Insider
601081	Ulmo	Cindy	Carrew	Gissada	17,000	
600876	Valentin	Alexis	Valentin	Ivette	26,100	
1014	Valentin Medina	Irving			10,000	
1010G	Vasquez	Isidro	Vasquez	Brunilda	32,000	
601045	Velasquez	Victor	Diaz	Aida	17,000	
601019	Villegas	Angelina	Reyes	Carlos Sosa	17,000	
601032	Vorobyovski	Andrey	Varvode	Anita	8,500	
600857	Williams	Ruby	Williams	John	4,250	Insider
601022	Williamson	Charles	Williamson	Judy	119,000	
600873	Williamson	Ruben	Williams	Dorothy	28,560	Insider

GOLDSTAR INVESTORS - PAY

<u>NUMBER</u>	<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>CLAIM</u>	<u>INSIDER</u>
Goldstar	Black	John & Carla	6,500	
Goldstar	Harrison	Mozella	22,100	Insider
Goldstar	Johnson	Helen	8,840	Insider
Goldstar	Lum Kin-Baksh	Patricia	42,245	
Goldstar	McDaniel	Danny	15,215	
Goldstar	McDaniel	Ted	12,580	
Goldstar	McDaniel	Terry	10,200	
Goldstar	McFarland	Thomas	18,700	
Goldstar	Morgan	Mack	8,840	
Commercial	Shepherd	Shaun	111,500	
Other	Siebert	Marilyn	25,500	
Goldstar	Smith	Lee Esther	1,700	
Goldstar	Yarborough	Sammy	5,950	

Total Claims Allowed

258,930