IN THE DISTRICT COURT OF LOGAN COUNTY,
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF SECURITIES, *ex rel.*, IRVING L. FAUGHT, Administrator,	)	
Plaintiff,	)	
vs.	)	Case No. CJ-2004-256
MARSHA SCHUBERT, an individual, and d/b/a SCHUBERT AND ASSOCIATES; et al.,	)	
Defendants.	)	

RECEIVER'S APPLICATION FOR AUTHORITY TO DESTROY DOCUMENTS AND MISCELLANEOUS ITEMS IN STORAGE UPON NOTICE TO INTERESTED PARTIES

Douglas L. Jackson, the Court-appointed Receiver for Marsha Schubert and Schubert and Associates, makes application to this Court for authority to destroy eight boxes of miscellaneous papers and items that have been held in storage upon 30-days notice to the named parties, parties in interest, and counsel of record. In support of this Application, the Receiver would show as follows:

1. Upon his appointment as Receiver, one of the first things that Mr. Jackson did was secure the brokerage office of Marsha Schubert in Crescent, Oklahoma.

2. After the Oklahoma Department of Securities and its attorneys and investigators had reviewed brokerage files and customer materials relative to their investigation, the Receiver and the Oklahoma Department of Securities turned over all active client brokerage files and file materials in the office to either AXA advisors, LLC and/or Wilbanks Securities, Inc.

3. The Receiver subsequently sold the office building, as well as the office furniture, at public auction with the approval and authorization of this Court.

4. At this point, all that remains relative to Marsha Schubert's office and its contents are approximately eight Banker's boxes of miscellaneous papers, notes, and personal effects, including a few family photos that Marsha Schubert had in her office. The miscellaneous papers, family photos, and other miscellaneous items have been in storage under the Receiver's control since the closing on the sale of the office building several years ago.

5. The Receiver has only had two attorneys contact him to inspect the materials in storage. These requests for inspection were made and granted approximately four years ago. No request for inspection of the miscellaneous documents and photos in storage has been made at anytime since.

6. The Receiver believes that at this point in time any statute of limitations on any possible cause of action that any individual or business organization may have relative to Marsha Schubert, her brokerage business, or the brokerage companies for whom she was previously employed have expired.

7. As noted above, there have been no requests of the Receiver in well over three years to inspect the items in storage by anyone for any purpose.

8. As such, the Receiver makes Application to this Court for permission to destroy the miscellaneous documents and remaining items he has in storage in order to discontinue paying a monthly storage fee.

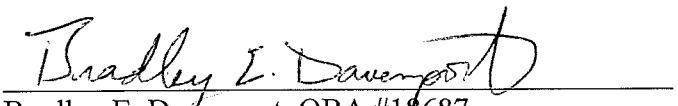
9. The Receiver proposes that should the Court grant this Application the Order should provide an opportunity for any party, interested party, attorney for an interested party, or Schubert family member to inspect and take any document, family photo, or other item that pertains to them, their family, or in the case of an attorney, documents or items that pertain to their client(s) or client(s)' pending claims or proceedings. Then, at the end of that thirty-day

period, the Receiver respectfully requests that the Order authorize him to destroy any and all remaining papers, family photographs, or other items not claimed or taken in the previously-described 30-day inspection period without the need to make further application to the Court on the issue. The Receiver advises the Court and all recipients of this Application that unclaimed papers, documents and other items will be shredded. Should any particular item not be conducive to shredding it will be destroyed by other appropriate means.

WHEREFORE, the Receiver respectfully requests this Court set this Application for hearing on its next regularly scheduled motion docket; that the Court grant this Application and allow any party, interested party, attorney for an interested party, or member of the Schubert family who is interested in inspecting any of the items or photographs contained in the Receiver's storage unit thirty days from the Court's ruling on this Application to inspect and take any items they want or need; and, enter an Order providing that at the end of the thirty-day inspection period the Receiver be authorized to destroy any and all remaining papers, documents, family photographs, and other miscellaneous items held in storage without the need to file any further application on the issue with this Court.

Dated: June 11, 2012

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June, 2012, I mailed a true and correct copy of the above and foregoing instrument, postage pre-paid to:

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