IN THE DISTRICT COURT OF LOGAN COUNTY,
STATE OF OKLAHOMA

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| 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. | ) | |

**APPLICATION FOR AUTHORITY TO PAY INTERIM ATTORNEY FEES**

Receiver, Douglas L. Jackson, makes Application to this Court for authority to pay interim attorney fees and costs to GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C. (hereinafter "Attorneys"), and would show the Court as follows:

1. Pursuant to the Order of this Court entered on November 15, 2004, Petitioner employed GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C., as attorneys to advise and to represent Petitioner in connection with the matters pertaining to the recovery of assets for and administration of the Schubert Receivership Estate.

2. The Order provided that the amount of the fees paid to Receiver's attorneys would be determined by the terms set forth in the Application for Approval for Employment of Legal Counsel, submission of an Application for payment of fees to the Court, and approval of the fees by the Court.

3. For the time period of April 1, 2012 through August 31, 2012, Attorneys have expended 44.20 hours in and about the performance of duties as counsel for the Receiver for which they have not been compensated, as set forth in the attached itemized statement of

attorney fees. See Gungoll Jackson Statement for Account No. 8505.0000H attached hereto as *Exhibit A.*

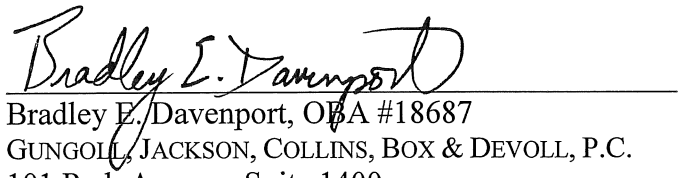
4. Similarly, Attorneys have advanced $447.64 of costs and litigation expenses in and about the performance of duties as Receivership counsel for the time period referenced in the preceding paragraph for which they have not been compensated, as set forth in the attached Detailed Cost Transaction File List. See *Exhibit A* at P-8 and P-9.

5. Petitioner believes that it would be unduly burdensome and inequitable to require Petitioner's counsel to devote time and effort to the service of the Receiver and the Schubert Receivership Estate without receiving interim compensation to remunerate counsel, at least in part, for the time spent and the costs incurred.

6. As appears from the Receiver's monthly accountings filed herein, Attorneys' efforts have resulted in considerable assistance to the Receiver and a recovery of more than $4.4 million on behalf of the creditors and claimants of the Schubert Receivership Estate, including $85,449.59 recovered between April 1, 2012 and August 31, 2012. The Receiver does have on hand sufficient funds with which to pay interim attorneys' fees and costs.

WHEREFORE, the Receiver respectfully requests that this Court authorize him to pay the Receiver's attorneys, GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C., the total amount of $10,729.00 as interim attorneys' fees, and $447.64 as interim costs, for the period of April 1, 2012 through August 31, 2012.

Respectfully submitted,



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Attorney for Receiver, Douglas L. Jackson

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of September 2012, I mailed a true and correct copy of the above and foregoing instrument, postage pre-paid to:

Oklahoma Department of Securities
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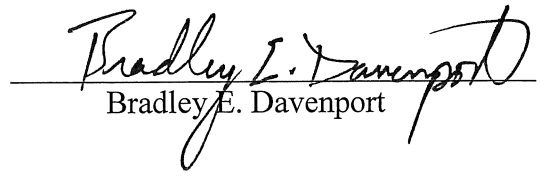

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