

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

SEP 15 2010

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

OKLAHOMA DEPARTMENT OF SECURITIES)
ex rel. IRVING L. FAUGHT, Administrator, et al.,)
)
Plaintiffs,)
v.)
)
ROBERT W. MATHEWS, et al.,)
)
Defendants.)
_____)

Case No. CJ-2005-3796

**MOTION FOR ORDER REQUIREING JUDGMENT DEBTOR, SCOTT WILCOX,
TO APPEAR AND ANSWER AS TO ASSETS**

Plaintiffs, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, and Douglas L. Jackson, in his capacity as court appointed receiver for the benefit of the claimants and creditors of Marsha Schubert and Schubert and Associates, move this Court for an Order requiring the Defendant and Judgment Debtor, Scott Wilcox, to appear at a date certain and answer concerning his property and assets.

Plaintiffs are Judgment Creditors, having obtained judgment and costs in the above-captioned case against the Defendant set forth below in the following amounts:

Defendant	Judgment Date	Judgment Amount	Costs
Scott Wilcox	August 2, 2010	\$58,496.00	\$75.00

with prejudgment interest in the amount of \$20,347.00, and post judgment interest at the statutory rate, until paid in full. A copy of the Journal Entry of Judgment for the Defendant is attached as *Exhibit A*.

The Defendant has property which he unjustly refuses to apply toward the satisfaction of the judgment; and Plaintiffs are entitled to an order of this Court requiring the Defendant to appear and answer concerning his property and assets before the Judge of this Court.

Plaintiffs further move that the Court enter an order against the Defendant restraining him from transferring or otherwise disposing of any property which he may have, either real or personal, pending the outcome of the hearing of this matter before the Court and subject to any other order of this Court.

Wherefore, Plaintiffs request that the Court enter an order requiring and directing the Defendant, Scott Wilcox, to appear before the Judge of this Court at a specified time and place to answer concerning property and assets belonging to him.

Respectfully submitted,



Bradley E. Davenport, OBA #18687
GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.
100 N. Broadway Avenue
3030 Chase Tower
Oklahoma City, OK 73102
(405) 272-4710 Ph./ (405) 272-5141 Fax
davenport@gungolljackson.com
Attorney for Plaintiff/Receiver, Douglas L. Jackson

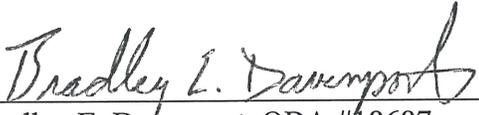
CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing instrument was mailed this 14th day of September, 2010, with postage prepaid, to:

15th
Amanda Cornmesser
Gerri Kavanaugh
Melanie Hall
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102
(405) 280-7700 PH (405) 280-7742 FAX
acornmesser@securities.ok.gov
gkavanaugh@securities.ok.gov
mhall@securities.ok.gov
Attorneys for Plaintiff, Oklahoma Department
of Securities

G. David Bryant
Julie Brower
Kine, Kline, Elliott & Bryant, P.C.
720 N.E. 63rd Street
Oklahoma City, OK 73105
Phone: 405-848-4448
Fax: 405-842-4539
jbrower@klinefirm.org
Attorney for Defendants, Raymond Laubach, *et al.*

Kenneth and Leslie Young
6020 NW 85th
Oklahoma City, OK 73132
Pro Se Defendants



Bradley E. Davenport, OBA #18687
GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.
100 N. Broadway Avenue
3030 Chase Tower
Oklahoma City, OK 73102
(405) 272-4710 Ph./ (405) 272-5141 Fax
davenport@gungolljackson.com
Attorney for Plaintiff/Receiver, Douglas L. Jackson

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

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JOURNAL ENTRY OF JUDGMENT

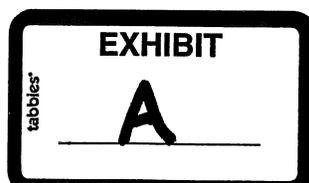
NOW on the 2nd day of August 2010, the *Motion for Summary Judgment* relative to Scott Wilcox (Defendant Wilcox), came on for hearing. The Department appeared by and through its attorneys, Amanda Cornmesser and Gerri Kavanaugh. The Plaintiff Receiver appeared by and through his attorney, Bradley Davenport. Defendant Wilcox failed to oppose the Motion:

Based on the briefs filed, the arguments of counsel, and being fully advised in the premises, this Court finds as follows:

1. There is no genuine issue of material fact pertaining to Plaintiffs' unjust enrichment cause of action against Defendant Wilcox; and,

2. Plaintiffs' *Motion for Summary Judgment* against Defendant Wilcox should be and hereby is granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that summary judgment is entered against Defendant Wilcox on Plaintiffs' unjust enrichment cause of action, and Defendant Wilcox is ordered to disgorge and/or repay to Plaintiffs the amount of \$58,496.00, plus prejudgment in the amount of \$ 20,347.00 and post-judgment interest at the statutory rate, and costs of the action in the amount of \$75.00.



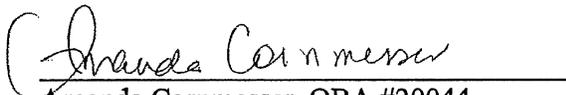
IT IS FURTHER ORDERED that Defendant Wilcox shall disgorge and/or repay the sums of money set forth above, including interest, to Plaintiff/Receiver, Douglas L. Jackson.

Date: 8/2/10

PATRICIA G. PARRISH

Honorable Patricia G. Parrish
Judge of the District Court

Approved as to Form:



Amanda Cornmesser, OBA #20044
Gerri Kavanaugh, OBA #16732
Melanie Hall, OBA #1209
Oklahoma Department of Securities
120 N. Robinson, Suite 860
Oklahoma City, OK 73120
(405) 280-7700 phone/(405) 280-7742
Attorneys for Plaintiff, Oklahoma Dept. of Securities


Bradley E. Davenport, OBA #18687
GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.
3030 Chase Tower
100 N. Broadway Avenue
Oklahoma City, OK 73102
(405) 272-4710 phone number
(405) 272-5141 facsimile number
Attorney for Plaintiff/Receiver, Douglas L. Jackson

G. David Bryant, OBA #01264
Lisa Mueggenborg, OBA #18595
Kline Kline Elliott & Bryant, PC
720 N.E. 63rd St.
Oklahoma City, OK 73105
Attorneys for Defendant

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G. David Bryant
Julie Brower
Kline, Kline, Elliott & Bryant, P.C.
720 N.E. 63rd Street
Oklahoma City, OK 73105
Attorneys for Defendant, Scott Wilcox

Kenneth Young, *Pro Se*
Leslie Young, *Pro Se*
6020 NW 85th
Oklahoma City, OK 73132



Brenda London