

This matter is set for hearing on the ___ day of _____, 2010 at ___ .m. before the Honorable Judge Vicki L. Robertson

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF)
SECURITIES ex rel. IRVING L. FAUGHT,)
ADMINISTRATOR)

Plaintiff,)

v.)

BARRY POLLARD AND)
ROXANNE POLLARD,)

Defendants and Third)
Party Plaintiffs)

v.)

AXA ADVISORS, LLC, a Delaware)
Limited Liability Company; and AXA)
EQUITABLE LIFE INSURANCE)
COMPANY, f/k/a/ EQUITABLE LIFE)
ASSURANCE SOCIETY OF THE)
UNITED STATES)

Third Party Defendants.)

Case No. CJ-2005-3799

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

AUG 27 2010

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

**DEFENDANTS BARRY POLLARD AND ROXANNE POLLARD'S
MOTION TO ENTER A NEW SCHEDULING ORDER AS TO THIRD PARTY
DEFENDANT AXA EQUITABLE LIFE INSURANCE COMPANY, F/K/A EQUITABLE
LIFE ASSURANCE SOCIETY OF THE UNITED STATES**

Defendants Barry Pollard and Roxanne Pollard ("Pollards"), hereby request this Court to enter a new scheduling order pursuant to Rule 5 of the Rules for District Courts. Previously, this Court bifurcated the Third Party Claims, however in the Agreed Order Bifurcating Third Party Claims it was ordered that any party may at any time file an application with this Court seeking

leave to enter a new scheduling order as to Third Party Claims. The circumstances surrounding the case have changed significantly since the time the bifurcation was ordered whereby Pollards now believe it is appropriate to enter a new scheduling order pertaining to the Third Party Claims.

WHEREFORE, premises considered, Pollards respectfully request the Court enter a new scheduling order as to the Third Party Claims.

Respectfully Submitted,



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CERTIFICATE OF MAILING

This will certify that on the 27th day of August, 2010 a true and correct copy of the foregoing was mailed first class mail, postage prepaid to the following:

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