

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUN 11 2008

PATRICIA PRESLEY, COURT CLERK
 by _____
 Deputy

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

v.)

Case No. CJ-2006-10111

Raglin Industries, LLC, an Oklahoma)
 limited liability company; Phillip Levaughn)
 Raglin, an individual; and Joseph Daniel)
 Layne, an individual,)
)
 Defendants,)

and)

Gerald Cooper, an individual;)
 Diana Cooper, an individual;)
 Melinda Cooper Raglin, an individual;)
 BMI Construction Co., L.L.C.,)
 an Oklahoma limited liability company,)

Defendants Solely For)
 Purposes of Equitable Relief.)

MOTION FOR DEFAULT JUDGMENT

Plaintiff, Oklahoma Department of Securities ex rel. Irving L. Faught, Administrator, moves this Court to enter judgment by default in its favor and against Defendants Raglin Industries, LLC and Phillip Levaughn Raglin (collectively, "Defendants") for the relief prayed for in the *Petition for Permanent Injunction and Other Equitable Relief* ("Petition") filed in this matter on December 12, 2006. In support of this motion, Plaintiff states as follows:

1. On December 13, 2006, Defendants were served by the Wagoner County Sheriff's Office with the *Petition* and *Summons* by personal delivery. See Exhibits A and B. On

December 13, 2006, Defendant Raglin Industries, LLC was served with the *Petition* and *Summons* by certified mail. See Exhibit C. On December 13, 2006, Defendant Phillip Levaughn Raglin was served with the *Petition* and *Summons* by certified mail. See Exhibit D.

2. As of this date, Defendants have failed to answer the *Petition*, and their time for doing so has expired.

3. On January 3, 2007, Defendants consented to this Court's issuance of a *Temporary Injunction*, in which they waived no defenses to this action. On January 24, 2007, Defendants consented to a *Motion for Return of Checks* and a *Motion for Return and/or Sale of Vehicle, Deposit and Electronics* ("*Motions*"). On February 8, 2007, Defendants agreed to the orders issued pursuant to the *Motions*.

4. As of this date, Defendants have failed to otherwise plead in this case.

5. As of this date, no attorney has entered an appearance in this case on behalf of Defendants. Plaintiff is mailing notice of this Motion for Default Judgment to Defendants.

6. Plaintiff is entitled to the following relief:

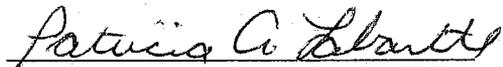
A. a permanent injunction forever enjoining and restraining Defendants from offering and/or selling any security in this state as requested in the *Petition*;

B. an order requiring Defendants to make restitution to any and all investors who purchased securities from Defendants or who transferred money to Defendants for the purpose of making securities investments on their behalf, in a sum to be determined by this Court at the conclusion of this case, not to exceed Five Hundred Fourteen Thousand Dollars (\$514,000.00); and

C. an order imposing a civil penalty against each Defendant in the amount of Fifty Thousand Dollars (\$50,000.00).

WHEREFORE, premises considered, Plaintiff prays that this Court enter a judgment by default against Defendants forever enjoining and restraining them from offering and selling any security in this state as requested in the *Petition*, granting restitution, and imposing a civil penalty.

Respectfully submitted,



Patricia A. Labarthe, OBA # 10391
Oklahoma Department of Securities
120 North Robinson Avenue, Suite 860
Oklahoma City, Oklahoma 73102
Telephone: (405) 280-7700
Facsimile: (405) 280-7742

CERTIFICATE OF SERVICE

The undersigned certifies that on the 11th day of June, 2008, a copy of the foregoing *Motion for Default Judgment* was mailed to the following addresses:

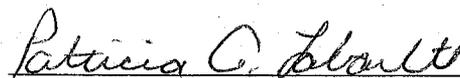
Raglin Industries, LLC
c/o National Registered Agents, Inc. of OK
115 SW 89th Street
Oklahoma City, OK 73139

and

33261 East 701 Drive
Wagoner, OK 74467-8653

Phillip Raglin
Muskogee County Jail
122 South 3rd
Muskogee, OK 74401

Robert R. Nigh, Jr., OBA #11686
Brewster & De Angelis
2617 East 21st Street
Tulsa, OK 74114


Patricia A. Labarthe

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

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

v.)

Case No.CJ-2006-10111

Raglin Industries, LLC, an Oklahoma)
limited liability company; Phillip Levaughn)
Raglin, an individual; and Joseph Daniel)
Layne, an individual,)
)
Defendants,)

and)

Gerald Cooper, an individual;)
Diana Cooper, an individual;)
Melinda Cooper Raglin, an individual;)
BMI Construction Co., L.L.C.,)
an Oklahoma limited liability company,)
)
Defendants Solely For)
Purposes of Equitable Relief.)

**FINAL ORDER, JUDGMENT AND PERMANENT INJUNCTION
FOR RAGLIN INDUSTRIES, LLC AND PHILLIP LEVAUGHN RAGLIN**

This matter came on for hearing this ____ day of _____, 2008, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, upon the Plaintiff's *Petition for Permanent Injunction and Other Equitable Relief* pursuant to Section 1-603 of the Oklahoma Uniform Securities Act of 2004 ("Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2003).

Plaintiff, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, (“Department”) appears through its attorney, Patricia A. Labarthe. Defendants Raglin Industries, LLC and Phillip Levaughn Raglin (collectively, “Defendants”) appear not.

The Court, having reviewed all pleadings and evidence, finds as follows:

1. At all times material hereto, Defendant Raglin Industries, LLC (“Raglin Industries”) and Defendant Phillip Levaughn Raglin (“Phillip Raglin”) engaged in the offer and/or sale of securities in the nature of limited liability company membership interests (“LLC Interests”), in and/or from the state of Oklahoma, to investors (“Investors”).

2. The LLC Interests are securities as defined by Section 1-102 of the Act.

3. The securities offered and sold by Defendants are not, and have not been registered under the Act. The securities have not been offered or sold pursuant to an exemption from registration pursuant to Sections 1-201 or 1-202 of the Act.

4. Defendant Raglin Industries is an issuer as defined in Section 1-102 of the Act. Defendant Raglin Industries employed agents who were not registered under the Act to transact business in this state.

5. Defendant Phillip Raglin, by virtue of his efforts and activities in transacting business in this state, is an agent as defined in Section 1-102 of the Act and transacted business in and/or from the state of Oklahoma as an agent. Defendant Phillip Raglin is not registered under the Act in any capacity.

6. Defendants, in connection with the offer, sale or purchase of securities, directly and indirectly, made untrue statements of material fact and omitted to state material facts necessary, in order to make the statements made, in light of the circumstances under which they were made, not misleading, in violation of subsection (2) of Section 1-501 of the Act.

7. Defendants, in connection with the offer, sale or purchase of securities, and through the use of untrue statements of material facts and omissions of material facts, engaged in an act, practice, or course of business that has operated as a fraud or deceit upon Investors, in violation of subsection (3) of Section 1-501 of the Act.

8. There is a likelihood of future violations of the Act by Defendants if they are not enjoined.

9. The Department has requested this Court enter judgment by default in its favor and against Defendants. Effective service of the *Petition* and *Summons* has been made on Defendants. Defendants have failed to answer the *Petition*, and their time for doing so has expired. Defendants have failed to respond to the Motion for Default Judgment.

Therefore, based on the pleadings and the evidence, the Court finds that Plaintiff is entitled to the relief prayed for and, therefore:

IT IS HEREBY ORDERED that a permanent injunction be and is hereby entered, forever enjoining and restraining Defendants from offering and/or selling any security including, but not limited to, limited liability company membership interests, in and/or from this state.

IT IS FURTHER ORDERED that Defendants pay restitution to Investors on a pro rata basis and that the amount and allocation of restitution to Investors, shall be determined by this Court at the conclusion of this case, not to exceed Five Hundred Fourteen Thousand Dollars (\$514,000.00).

IT IS FURTHER ORDERED that pending determination of the amount of restitution to be paid by Defendants, the assets of Defendants continue to be frozen, as specified in the Temporary Injunction.

IT IS FURTHER ORDERED that Defendants each pay a civil penalty to the Department in the amount of Fifty Thousand Dollars (\$50,000.00).

IT IS FURTHER ORDERED that this Court will retain jurisdiction of this matter for the purpose of enforcement of this order.

IT IS SO ORDERED.

Dated this _____ day of _____, 2008.

DISTRICT COURT JUDGE

Approved:

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

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
Plaintiff,)
v.)
Raglin Industries, LLC, et al.,)
Defendants.)

Case No. CJ _____

CJ-2006-10111

Raglin Industries, LLC
33261 E. 701 Drive
Wagoner, OK 74467-8653

SUMMONS

To the above-named Defendant:

You have been sued by the above-named plaintiff, and you are directed to file a written answer to the attached petition in the court at the above address within twenty (20) days after service of this summons upon you, exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff.

Unless you answer the petition within the time stated, judgment will be rendered against you with costs of the action.

Issued this 12th day of December, 2006.

PATRICIA PRESLEY, COURT CLERK

(Seal)

By: _____

Attorney for Plaintiff

Name: Patricia A. Labarthe, OBA #10391
Melanie Hall, OBA #1209
Address: First National Center, Suite 860
120 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 280-7700

This summons was served on 12-13-06
(date of service)

Bill Wilson D-14
Signature of person serving summons

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.

Exhibit A

RETURN OF SERVICE BY SHERIFF
PERSONAL SERVICE

No. _____

I certify that I received the foregoing summons on the 13 day of December, 2006, and that I delivered a copy of said summons with a copy of the petition attached to each of the following named defendants personally in WAGONER County at the address and on the date set forth opposite each name, to wit:

Name of Defendant	Address	Date of Service
<u>Phillip Raglin</u>	<u>33261 E 701 Drive</u>	<u>December 13th 2006</u>

USUAL PLACE OF RESIDENCE

I certify that I received the foregoing summons on the _____ day of _____, 2006, and that on _____, I served _____ by leaving a copy of said summons with a copy of the petition attached at _____ which is his usual place of residence with _____ a member of his family fifteen (15) years of age or older.

CORPORATION RETURN

Received this summons this I certify that I received the foregoing summons on the _____ day of _____, 2006, and as commanded therein, I summoned the within Phillip Raglin named defendant, as follows, to wit: At Place of Residence + Business 33261 E 701 Drive Wagoner OK 74467
of Raglin Industries LLC
a corporation, on the _____ day of _____, 2006, by delivering a true and correct copy of the within summons hereof with endorsements thereon and a copy of the petition, to Phillip Raglin, he being the President of said corporation, and the _____ President, Vice-President, Secretary, Treasurer or other chief officer not being found in said county.

NOT FOUND

Received this summons this _____ day of _____, 2006, I certify that the following persons of the defendant _____ within named not found in county: _____

FEES

Fee for service \$ _____, Mileage \$ _____, Total \$ _____

Dated this _____ day of _____, 2006.

By: Bill Winters Sheriff
Wagoner County, Oklahoma Deputy

CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the petition attached to the following named defendants at the address shown by certified mail, addressee only, return receipt requested, on the _____ day of December, 2006, and receipt thereof on the dates shown:

Defendant	Address Where Served	Date Received
<u>Raglin Industries, LLC</u>	<u>33261 E. 701 Drive</u> <u>Wagoner, OK 74467-8653</u>	

(SEAL)

By: _____

RETURN OF SERVICE BY SHERIFF
PERSONAL SERVICE

No. _____

I certify that I received the foregoing summons on the 13th day of December, 2006, and that I delivered a copy of said summons with a copy of the petition attached to each of the following named defendants personally in _____ County at the address and on the date set forth opposite each name, to wit:

Name of Defendant	Address	Date of Service
<u>Phillip Raglin</u>	<u>33261 E. 701 DRIVE</u>	<u>12-13-06</u>

USUAL PLACE OF RESIDENCE

I certify that I received the foregoing summons on the _____ day of _____, 2006, and that on _____, I served _____ by leaving a copy of said summons with a copy of the petition attached at _____ which is his usual place of residence with _____ a member of his family fifteen (15) years of age or older.

CORPORATION RETURN

Received this summons this I certify that I received the foregoing summons on the _____ day of _____, 2006, and as commanded therein, I summoned the within Phillip Raglin named defendant, as follows, to wit: At Place of Residence 33261 E 701 Drive Wagoner OK 74467

a corporation, on the _____ day of _____, 2006, by delivering a true and correct copy of the within summons hereof with endorsements thereon and a copy of the petition, to _____, he being the _____ of said corporation, and the _____ President, Vice-President, Secretary, Treasurer or other chief officer not being found in said county.

NOT FOUND

Received this summons this _____ day of _____, 2006, I certify that the following persons of the defendant _____ within named not found in county: _____

FEES

Fee for service \$ _____, Mileage \$ _____, Total \$ _____

Dated this _____ day of _____, 2006.

By: Bill Wagoner Sheriff
Wagoner Deputy
County, Oklahoma

CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the petition attached to the following named defendants at the address shown by certified mail, addressee only, return receipt requested, on the _____ day of December, 2006, and receipt thereof on the dates shown:

Defendant	Address Where Served	Date Received
<u>Phillip Raglin</u>	<u>33261 E. 701 Drive Wagoner, OK 74467-8653</u>	

(SEAL)

By: _____

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 19 2006

PATRICIA PRESLEY, COURT CLERK
by _____ DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
Plaintiff,)
v.)
Raglin Industries, LLC, et al.,)
Defendants.)

Case No. CJ _____

CJ-2006-10111

Raglin Industries, LLC
c/o National Registered Agents, Inc. of OK
115 SW 89th Street
Oklahoma City, OK 73139

SUMMONS

To the above-named Defendant:

You have been sued by the above-named plaintiff, and you are directed to file a written answer to the attached petition in the court at the above address within twenty (20) days after service of this summons upon you, exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff.

Unless you answer the petition within the time stated, judgment will be rendered against you with costs of the action.

Issued this 12th day of December, 2006.

PATRICIA PRESLEY, COURT CLERK



(Seal)

By: _____

Attorney for Plaintiff
Name: Patricia A. Labarthe, OBA #10391
Melanie Hall, OBA #1209
Address: First National Center, Suite 860
120 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 280-7700

This summons was served on _____
(date of service)

Signature of person serving summons

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.

Exhibit C

RETURN OF SERVICE BY SHERIFF
PERSONAL SERVICE

No. _____

I certify that I received the foregoing summons on the _____ day of _____, 2006, and that I delivered a copy of said summons with a copy of the petition attached to each of the following named defendants personally in _____ County at the address and on the date set forth opposite each name, to wit:

Name of Defendant	Address	Date of Service
_____	_____	_____

USUAL PLACE OF RESIDENCE

I certify that I received the foregoing summons on the _____ day of _____, 2006, and that on _____, I served _____ by leaving a copy of said summons with a copy of the petition attached at _____ which is his usual place of residence with _____, a member of his family fifteen (15) years of age or older.

CORPORATION RETURN

Received this summons this I certify that I received the foregoing summons on the _____ day of _____, 2006, and as commanded therein, I summoned the within _____ named defendant, as follows, to wit: _____

a corporation, on the _____ day of _____, 2006, by delivering a true and correct copy of the within summons hereof with endorsements thereon and a copy of the petition, to _____, he being the _____ of said corporation, and the _____ President, Vice-President, Secretary, Treasurer or other chief officer not being found in said county.

NOT FOUND

Received this summons this _____ day of _____, 2006, I certify that the following persons of the defendant _____ within named not found in county: _____

FEES

Fee for service \$ _____, Mileage \$ _____, Total \$ _____

Dated this _____ day of _____, 2006.

By: _____, Sheriff
_____ Deputy
County, Oklahoma

CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the petition attached to the following named defendants at the address shown by certified mail, addressee only, return receipt requested, on the 12th day of December, 2006, and receipt thereof on the dates shown:

Defendant	Address Where Served	Date Received
Raglin Industries, LLC c/o National Registered Agents, Inc. of OK	115 SW 89th Street Oklahoma City, OK 73139	December 13, 2006

(SEAL)

By:

Brenda London

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 19 2006

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
Plaintiff,)
v.)
Raglin Industries, LLC, et al.,)
Defendants.)

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Case No. CJ _____
CJ-2006-10111

Phillip Raglin
Doubletree Hotel-WarrenPlace
6110 S. Yale Avenue
Tulsa, OK 74136

SUMMONS

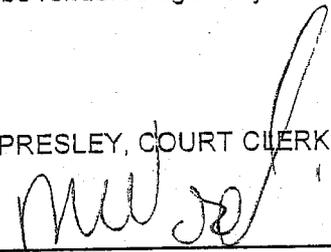
To the above-named Defendant:

You have been sued by the above-named plaintiff, and you are directed to file a written answer to the attached petition in the court at the above address within twenty (20) days after service of this summons upon you, exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff.

Unless you answer the petition within the time stated, judgment will be rendered against you with costs of the action.

Issued this 12th day of December, 2006.

PATRICIA PRESLEY, COURT CLERK



By: _____

(Seal)

Attorney for Plaintiff

Name: Patricia A. Labarthe, OBA #10391
Melanie Hall, OBA #1209
Address: First National Center, Suite 860
120 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 280-7700

This summons was served on _____
(date of service)

Signature of person serving summons

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.

Exhibit D

8.

RETURN OF SERVICE BY SHERIFF
PERSONAL SERVICE

No. _____

I certify that I received the foregoing summons on the _____ day of _____, 2006, and that I delivered a copy of said summons with a copy of the petition attached to each of the following named defendants personally in _____ County at the address and on the date set forth opposite each name, to wit:

Name of Defendant	Address	Date of Service

USUAL PLACE OF RESIDENCE

I certify that I received the foregoing summons on the _____ day of _____, 2006, and that on _____, I served _____ by leaving a copy of said summons with a copy of the petition attached at _____ which is his usual place of residence with _____, a member of his family fifteen (15) years of age or older.

CORPORATION RETURN

Received this summons this I certify that I received the foregoing summons on the _____ day of _____, 2006, and as commanded therein, I summoned the within _____ named defendant, as follows, to wit: _____

a corporation, on the _____ day of _____, 2006, by delivering a true and correct copy of the within summons hereof with endorsements thereon and a copy of the petition, to _____, he being the _____ of said corporation, and the _____ President, Vice-President, Secretary, Treasurer or other chief officer not being found in said county.

NOT FOUND

Received this summons this _____ day of _____, 2006, I certify that the following persons of the defendant _____ within named not found in county: _____

FEES

Fee for service \$ _____, Mileage \$ _____, Total \$ _____

Dated this _____ day of _____, 2006.

By: _____, Sheriff
_____ Deputy
County, Oklahoma

CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the petition attached to the following named defendants at the address shown by certified mail, addressee only, return receipt requested, on the 12th day of December, 2006, and receipt thereof on the dates shown:

Defendant	Address Where Served	Date Received
Phillip Raglin	Doubletree Hotel-WarrenPlace 6110 S. Yale Avenue Tulsa, OK 74136	

(SEAL)

By: Brenda London Paralegal

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

7000 0520 0023 1186 1873

Civil Pet etc 07-040 PAE

Postage	\$ 1.59	12/12/06 Postmark Here
Certified Fee	2.40	
Return Receipt Fee (Endorsement Required)	1.85	
Restricted Delivery Fee (Endorsement Required)	3.70	
Total Postage & Fees	\$ 9.54	

Phillip Raglin
 Doubletree Hotel-WarrenPlace
 6110 S. Yale Avenue
 Tulsa, OK 74136

by mailer

for instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RESTRICTED DELIVERY

Phillip Raglin
 Doubletree Hotel-WarrenPlace
 6110 S. Yale Avenue
 Tulsa, OK 74136

Civil Pet etc 07-040 PAE

2. Article Number (Copy from service label)
 7000 0520 0023 1186 1873

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) _____ B. Date of Delivery _____

C. Signature: *[Signature]* Agent Addressee

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: _____

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

* Sender: Please print your name, address, and ZIP+4 in this box *

OKLAHOMA DEPARTMENT OF SECURITY
 120 North Robinson, Suite 860
 Oklahoma City, Oklahoma 73102

RECEIVED
 OKLAHOMA DEPT.
 OF SECURITIES

DEC 15 A 8:31