

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

FILED IN THE DISTRICT COURT  
 OKLAHOMA COUNTY, OKLA.

APR 30 2009

OKLAHOMA DEPARTMENT OF SECURITIES )  
*ex rel.* Irving L. Faught, Administrator, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 FARMERS & MERCHANTS BANK, et al. )  
 )  
 Defendants, )  
 )  
 and )  
 )  
 ROBERT LYNN POURCHOT, Trustee of the )  
 Robert Lynn Pourchot Trust, et al., )  
 )  
 Intervenor. )

PATRICIA PRESLEY, COURT CLERK  
 by \_\_\_\_\_  
 DEPUTY

Case No. CJ-2006-3311

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE OVERSIZED BRIEF  
 IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AGAINST INTERVENORS**

Defendants Farmers & Merchants Bank, Farmers & Merchants Bancshares, Inc., John V. Anderson and John Tom Anderson (collectively referred to as "Defendants"), pursuant to Rule 4 of the Rules for District Courts and Rule 37 of the Rules for the Seventh and Twenty-Sixth Judicial Districts, respectfully move the Court for leave to file an oversized brief not to exceed twenty-five (25) pages in support of their Motion for Summary Judgment Against Intervenor. In support of this motion, Defendants would show the Court as follows:

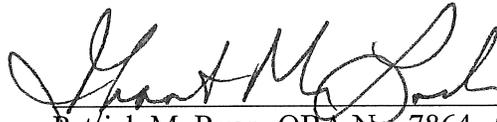
1. Pursuant to the Court's Scheduling Order, the deadline for filing dispositive motions is May 8, 2009.
2. In order to properly address the issues in support of Defendants' Motion for Summary Judgment, Defendants believe that an additional five (5) pages of argument and

authority will be necessary. Defendants, therefore request leave of Court to file an oversized brief, not to exceed twenty-five (25) pages.

3. Counsel for Intervenors has been contacted regarding this motion and undersigned counsel is authorized to state that counsel for Intervenors has no objection to the filing of an oversized brief.

WHEREFORE, Defendants Farmers & Merchants Bank, Farmers & Merchants Bancshares, Inc., John V. Anderson and John Tom Anderson respectfully request the Court for leave to file an oversized brief not to exceed twenty-five (5) pages in support of their Motion for Summary Judgment Against Intervenors.

Respectfully submitted,



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Patrick M. Ryan, OBA No. 7864  
Daniel G. Webber, Jr., OBA No. 16332  
Matthew C. Kane, OBA No. 19502  
Grant M. Lucky, OBA No. 17398  
RYAN WHALEY COLDIRON SHANDY PC  
900 Robinson Renaissance  
119 North Robinson  
Oklahoma City, Oklahoma 73102  
Telephone: (405) 239-6040  
Facsimile: (405) 239-6766

**ATTORNEYS FOR DEFENDANTS  
FARMERS & MERCHANTS BANK, FARMERS  
& MERCHANTS BANCSHARES, INC., JOHN  
V. ANDERSON and JOHN TOM ANDERSON**

**CERTIFICATE OF SERVICE**

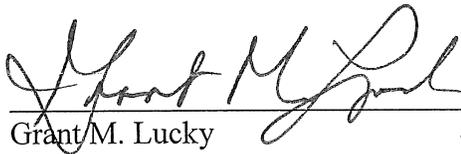
I hereby certify that on this 30<sup>th</sup> day of April 2009, a true and correct copy of the above and foregoing instrument was mailed, via U.S. Mail, first-class, postage prepaid, to the following attorneys of record:

Melanie Hall  
Amanda Cornmesser  
Gerri Stuckey  
Oklahoma Department of Securities  
120 North Robinson Avenue, Suite 860  
Oklahoma City, OK 73102

Ann L. Hoover  
5611 S.W. Barrington Ct. S., Suite 100  
Topeka, KS 66614-2489

Joseph H. Bocock  
Spencer F. Smith  
Lauren E. Barghols  
McAfee & Taft  
A Professional Corporation  
Tenth Floor, Two Leadership Square  
211 N. Robinson Avenue  
Oklahoma City, OK 73102-7102

Kurtis J. Ward  
Law Offices of Kurtis J. Ward  
East Wharf Plaza  
9225 Lake Hefner Pkwy., Suite 101  
Oklahoma City, OK 73120

  
\_\_\_\_\_  
Grant M. Lucky