

FILED IN THE DISTRICT COURT  
 IN THE DISTRICT COURT OF OKLAHOMA COUNTY, OKLA.  
 STATE OF OKLAHOMA

DEC 29 2008

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

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

v. )

Case No. CJ-2008-5138  
 Judge Bryan C. Dixon

Precious Oro Resources, LLC, )  
 an Oklahoma limited liability company; )  
 Thomas R. Ezell, an individual; and )  
 Nolan V. Harris, an individual; )  
 )  
 Defendants, )

and )

TMP Metals, LLC, )  
 a Texas limited liability company; )  
 Don Lynn Nunnally, an individual; )  
 Donna F. Elliott, an individual; and )  
 Eduwiges Baeza, an individual; )  
 )

Defendants Solely For )  
 Purposes of Equitable Relief. )

**ORDER OF DISMISSAL**

Plaintiff, Oklahoma Department of Securities, dismisses without prejudice, its action against TMP Metals, LLC, Don Lynn Nunnally, Donna F. Elliot, and Eduwiges Baeza, reserving all rights that Plaintiff may have against the remaining Defendants.

OKLAHOMA DEPARTMENT OF SECURITIES  
 Irving L. Faught, Administrator

By: Patricia A. Labarthe

Jennifer Shaw (OBA #20839)  
 Patricia A. Labarthe (OBA #10391)  
 Oklahoma Department of Securities  
 120 North Robinson, Suite 860  
 Oklahoma City, Oklahoma 73102  
 (405) 280-7700

I, PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the District Court Clerk's Office of Oklahoma County, Okla., this 29 day of Dec., 20 08.  
 PATRICIA PRESLEY, Court Clerk  
Patricia A. Labarthe Deputy