

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 18 2008

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)
)
vs.)
)
Jerry D. Cash,)
)
Defendant,)
)

Case No. CJ-2008-7963

PETITION IN INTERVENTION

Sherry J. Cash (“Intervenor”), for her Petition in Intervention, alleges and states as follows:

1. On August 29, 2008 the Oklahoma Department of Securities brought the above-captioned action against defendant, Jerry D. Cash (“Cash”).
2. Intervenor is the spouse of Cash.
3. On September 2, 2008 a Temporary Injunction and Order Freezing Assets was filed in this case which froze the assets of Cash (and Intervenor) (the “Freeze”).¹
4. The Freeze includes, but is not limited to, any real property, personal property, funds or other securities located in any bank, depository institution, brokerage firm, or internet based bank, securities or other financial institution account (the “Assets”).
5. As the spouse of Cash, Intervenor has, or may have, a legal and/or equitable interest in some, or all, of the Assets.
6. Intervenor had no knowledge of or participation in any of the wrongful acts which Plaintiff alleges were committed by Cash.

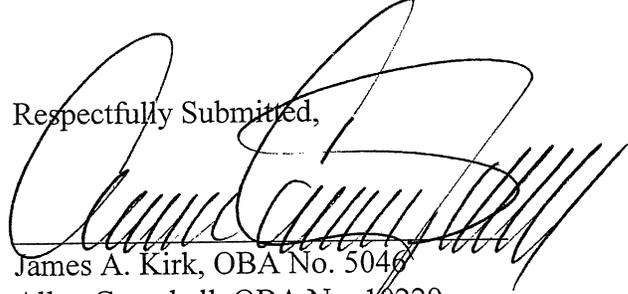
¹ The Freeze also froze the assets of Intervenor to the extent that Cash has any signatory or other designated authority over such assets (e.g., joint assets of the marital estate).

7. Intervenor's interest in the Assets should be determined and the Court should enter such orders as are necessary and appropriate to preserve and protect Intervenor's interest in the Assets.

Prayer

WHEREFORE, premises considered, Intervenor respectfully requests that the Court determine her interest in the Assets and enter such orders as may be necessary and appropriate to preserve and protect her interest in the Assets.

Respectfully Submitted,



James A. Kirk, OBA No. 5046
Allen Campbell, OBA No. 10229
KIRK & CHANEY
101 Park Avenue, Suite 800
Oklahoma City, Oklahoma 73102
(405) 235-1333
(405) 235-5914 facsimile

Attorneys for Intervenor

CERTIFICATE OF SERVICE

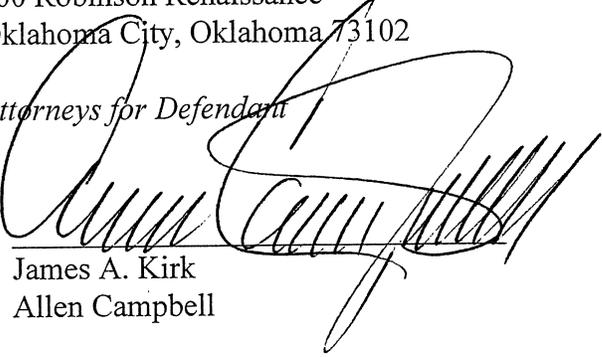
I hereby certify that on this 19th day of December, 2008, the above and foregoing document was mailed via U.S. Mail, postage pre-paid, to the following:

Shaun Mullins
Amanda Cornmesser
Jennifer Shaw
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102

Attorneys for Plaintiff

Patrick Ryan
Ryan, Whaley & Coldiron, P.C.
119 North Robinson Avenue
900 Robinson Renaissance
Oklahoma City, Oklahoma 73102

Attorneys for Defendant



James A. Kirk
Allen Campbell

VERIFICATION

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

Sherry J. Cash, being duly sworn, states that she is the above-named Intervenor; that she has read the foregoing Petition in Intervention and is familiar with the contents thereof; and that the facts therein set forth are true and correct to the best of her knowledge and belief.

Dated this 3rd day of December 2008.

Sherry J. Cash
Sherry J. Cash

Subscribed and sworn to this 3rd day of December 2008.

Pamela A. Thelen
NOTARY PUBLIC

My Commission Expires: 7/7/2012

My Commission Number: 11242

