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IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities ex rel. Irving L Faught, Administrator, Plaintiff,	)	Case No. CJ-2009-2773
v.	)	
Brian McKye, Defendant)	)	

DEFENDANTS' REQUEST FOR CONTINUANCE

COMES NOW the Defendant, Brian McKye pro se, and requests the Court to allow a short continuance until this actions' Hearing on Summary Judgement December 18th 2009.

Reason #1 — Defendant is litigating this action pro se and has on previous occasion requested funds in which to pay legal counsel. Request was denied.

Reason #2 — Defendant has been barred from the premesis of all seven store locations therefore Discovery is the ONLY remedy for Defendant at the present time to be afforded access to exculpatory information, and evidence exhonorating McKye.

Reason #3 — Defendant has a pending Motion to Vacate - Quash.

Reason #4 — Defendant, for his holiday scheduling, has assumed that this action was to be adjudicated next for Pre-Trial Conferencing January 6th 2010, as described by the Court. It is painfully difficult for Defendant to advance arguements in such a short time frame (December 10th and 18th) and without the opportunity for Discovery.

Therefore Defendant respectfully requests this Court to continue this action until December 18th 2009 or whatever future date the Court may allow for Defendant to:

A. Gain the Courts' ruling on whether Discovery in the form of Deposition by the Defendant will be allowed.

B. File all answers of Defendant to The ODS Agencies' Request for Summary Judgement, Stephen Moriarty's Motion Requiring Turnover, and ODS and Stephen Moriarty's Motion to Quash.

Issued this Wednesday the 9th of December 2009.

Respectfully submitted

Brian McKye

Brian McKye -Defendant pro se

Certification
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 9th of December, 2009, a true and correct copy of the foregoing was mailed by certified mail, return receipt requested, with postage paid there on or hand delivered addressed to:

Patricia A Labarthe
Oklahoma Department of Securities
120 N. Robinson su 860
Oklahoma City, Ok 73102

Stephen J. Moriarty
Fellers, Snider
100 N. Broadway, ste 1700
Oklahoma City Ok 73102

Brian McKye - Defendant

Brian McKye
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