

IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY  
STATE OF OKLAHOMA

JUN 12 2009

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

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

v. )

Case No. CJ-2009-2773

Global West Funding, Ltd., Co., )  
an Oklahoma limited liability company; )  
Global West Financial LLC, )  
an Oklahoma limited liability company; )  
Sure Lock Financial LLC, )  
an Oklahoma limited liability company; )  
Sure Lock Loans LLC, an Oklahoma )  
limited liability company; )  
The Wave-Goldmade, Ltd, )  
an unincorporated association; )  
Brian McKye, an individual; )  
Joe Don Johnson, an individual; and )  
James Farnham, an individual, )

Defendants, )

And )

Heritage Estate Service LLC, )  
an Oklahoma limited liability company, )  
 )  
Relief Defendant. )

**DEFENDANT JOE DON JOHNSON AND RELIEF DEFENDANT  
HERITAGE ESTATE SERVICE LLC'S ANSWER TO  
FIRST AMENDMENT TO PETITION FOR PERMANENT  
INJUNCTION AND OTHER EQUITABLE RELIEF**

Come now the Defendant, Joe Don Johnson, and Relief Defendant, Heritage  
Estate Service LLC, and for their response to the First Amendment to Petition for  
Permanent Injunction and Other Equitable Relief filed by the Oklahoma Department of

Securities ("Plaintiff"), generally and specifically deny each and every allegation contained therein, and demand strict proof thereof.

**AFFIRMATIVE DEFENSES**

Defendant, Joe Don Johnson, and Relief Defendant, Heritage Estate Service LLC, plead the following affirmative defenses to the Plaintiff's Amended Petition:

1. Failure to state a claim upon which relief can be granted;
2. Fraud;
3. Plaintiff is not the real party in interest;
4. Accord and satisfaction;
5. Arbitration and award;
6. Assumption of risk;
7. Contributory Negligence;
8. Discharge in Bankruptcy;
9. Duress;
10. Estoppel;
11. Failure of consideration;
12. Payment;
13. Release;
14. Illegality;
15. Injury by fellow servant;
16. Laches;
17. License;
18. Res judicata;

19. Statute of frauds;
20. Statute of limitations
21. Waiver; and
22. Any other matter constituting an avoidance or an affirmative defense.

23. Contrary to Plaintiff's assertions, Defendants, Joe Don Johnson and Heritage Estate Service LLC, are not operating a ponzi scheme. Defendants, Joe Don Johnson and Heritage Estate Service LLC, hold valid and sufficient assets that more than cover the investments made into those entities.

24. Defendants, Joe Don Johnson and Heritage Estate Service LLC, were wrongfully joined in this lawsuit.

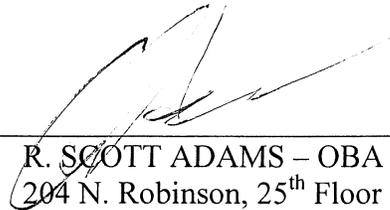
25. Defendants, Joe Don Johnson and Heritage Estate Service LLC, should be severed from this lawsuit.

26. Defendants, Joe Don Johnson and Heritage Estate Service LLC, will assert any and all additional defenses which become available or appear during discovery. The Defendants specifically reserve the right to Amend their Answer for the purpose of asserting such additional defenses.

WHEREFORE, having fully answered, Defendant, Joe Don Johnson, and Relief Defendant, Heritage Estate Service LLC, pray that the Plaintiff's causes of action as against said Defendants be dismissed, and that Plaintiff take nothing as against these Defendants.

Respectfully submitted,

ADAMS & ASSOCIATES, P.C.

BY: 

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FOR GOOD CAUSE SHOWN, LEAVE IS HEREBY GRANTED TO FILE THIS ANSWER OUT OF TIME THIS 11<sup>TH</sup> DAY OF JUNE, 2009.

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JUDGE OF THE DISTRICT COURT

**CERTIFICATE OF SERVICE**

This is to certify that on the 11<sup>th</sup> day of June, 2009, a true and correct copy of the above and foregoing document was mailed, with postage prepaid thereon, to:

Stephen J. Moriarty  
Fellers, Snider, Blankenship, Bailey and Tippens, PC  
100 N. Broadway, Suite 1700  
Oklahoma City, Oklahoma 73102

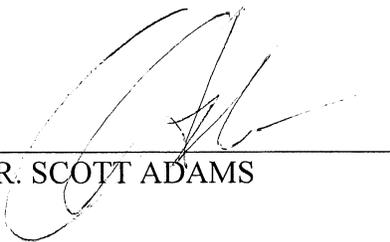
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