IN THE DISTRICT COURT OF OKLAHOMA
STATE OF OKLAHOMA

Oklahoma Dept. of Securities, Irving Faught Administrator PLAINTIFF	)	CASE No. CJ-2009-2773
vs.	)	
Global West Funding Ltd. Co. Et. Al. DEFENDANT	)	

DEFENDANTS OBJECTION TO MOTION TO DISMISS AND DISCHARGE THE SPECIAL MASTER

Defendant, BRIAN McKee, comes now and objects to this motion by ODS to dismiss this case and discharge special master for the following reasons:

1) There are several unresolved financial and reporting issues which this special master has a court mandated fiduciary duty to perform then "report" prior to his dismissal.

2) At the conclusion of this case this special master is mandated to provide the court with written documentation of the open accounts both active and inactive, including but not limited to real estate closing documents, vehicles and other property bills of sales, business and lending licenses, domain closing statements, bank account closure notices, safety deposit box and post office box closure notices, EFT closure

statements with Bank of America, [redacted] Moneygram, [redacted] Paycom and ACH works. Each of these are assets of defendant and defendant's companies. If special master is to be released and dismissed proof of these closure should be submitted prior to his discharge.

3) Prior to the discharge of special master, a full and good faith accounting should be required. A consolidated financial statement including income and expenses for the combined years 2009, 2010, 2011, and year to date, should be special masters responsibility to provide the court.

4) Prior to his discharge special master should be required to provide actual bank statements for the record of the seven entities over which he was appointed; Brian Mage's personal account, Global West Funding, Global West Financial, Sweetlock Loans, Sweetlock Financial, The Wave - Goldmade, and Heritage Estate Services for the thirty seven months this special master presided over their assets.

5) Plaintiff's motion under entry "8" refers to Mr. Moriarty as a "receiver". This is factually untrue. Mr. Moriarty was not empowered or authorized with receiver powers (which are greater in scope specifically) through this court. Mr. Moriarty's authority is limited therefore to only those specifically given by this court. This is significant in terms of liability against claims, errors, omissions or even malfeasance (if any) committed by this special master.

Any failure by this special master to properly execute and deliver on his court appointed duties has the deleterious effect and possible exposure of this court to future litigation thru inadequate reporting.

6) Prior to his discharge, special master should be required to submit for the record completed and signed Oklahoma Tax Commission forms and IRS tax forms for all entities in his authority and control for years 2009, 2010, 2011, and year to date filing forms showing all accessed taxes paid in full.

7) Defendant respectfully requests that the court mandate to this special master that he provide the court with a "Hold Harmless" signed indemnity agreement on each entitity, account, licensure and bank account for which he cannot provide the court with proper closure documents.

8) Notwithstanding, Mr. Mooney's partial and preliminary reports of 2009 and 2010, he has uniformly failed in the previous thirty seven months to provide adequate reporting of his fiduciary actions pertaining to the entity Heritage Estate Services, whose accounts have been linked to defendant by DDS court filings. Defendant prays for this court to mandate submitted closure forms and bank statements as well as all appropriate state and federal tax returns for HES prior to his dismissal.

Finally, let it be noted that this court, at the beginning of this action took the extraordinary gesture of waiving Mr. Moriarty's customary obligation of posting an Indemnity Bond. This absence of normal indemnifying protections should mandate that this court take extra care befor dismissing and discharging this special master.

Respectfully submitted, defendant requests the Court deny said motion until all proper reporting is provided to this court on and for the record.

Brian McKye
Brian McKye
Defendant

Certificate of Mailing

This is to certify that on Apr. 28th 2012 the foregoing was sent by U.S. mail first class postage prepaid.

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