

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

OKLAHOMA DEPARTMENT OF)
SECURITIES EX REL. IRVING)
FAUGHT, ADMINISTRATOR,)
)
Plaintiff,)

MAY 12 2009

PATRICIA PRESLEY, COURT CLERK
By _____
DEPUTY

v.)

Case No. CJ-2009-2773
Judge: Gurich, Noma D.

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,)
Oklahoma limited liability company; THE)
WAVE-GOLDMADE, LTD., an)
unincorporated association; BRIAN)
MCKYE, an individual; JOE DON)
Johnson, an individual; JAMES)
FARNHAM, an individual,)

Defendants.)

and)

HERITAGE ESTATE SERVICE,)
LLC, an Oklahoma limited liability)
company,)

Relief Defendant.)

**SPECIAL MASTER’S MOTION FOR AN ORDER DIRECTING
DEFENDANT, JOE DON JOHNSON TO RETURN PROPERTY TRANSFERRED
IN VIOLATION OF THIS COURT’S ORDER OF MARCH 24, 2009**

Stephen J. Moriarty ("Special Master") the Court appointed Special Master for
HERITAGE ESTATE SERVICE LLC, an Oklahoma limited liability company ("Heritage")
moves the Court for the entry of an Order requiring Defendant, Joe Don Johnson ("Johnson") to

return property transferred and/or received by Johnson in violation of this Court's Order of March 24, 2009. In support of the Motion, the Special Master represents as follows:

Factual Background

1. On March 24, 2009, this Court entered a Temporary Restraining Order, Order Freezing Assets and Order for Accounting in this case (the "TRO"). The TRO provides, in part, as follows:

IT IS FURTHER ORDERED that Defendants, Relief Defendants, their agents, servants, employees, assigns and all those persons, directly or indirectly, acting on their behalf, under their direction and control, and/or in active concert or participation with them, who receive actual notice of the order, by personal service, facsimile or otherwise, and each of them are prohibited from directly or indirectly, transferring, withdrawing, concealing, removing, destroying, or otherwise disposing of any and all Assets.

2. At all relevant times, Heritage maintained an account at Chase Bank, account # XXXX538 (the "Account").

3. The following withdrawals were made from the Account: (a) \$1,400.00 on April 6, 2009; (b) \$1,400.00 on April 6, 2009; (c) \$1,000.00 on April 13, 2009; (d) \$1,842.13 on April 14, 2009; (e) \$2,250.00 on April 15, 2009; (f) \$1,525.00 on April 20, 2009; (g) \$1,500.00 on April 22, 2009 and (h) \$4,000.00 on April 24, 2009. Each of the withdrawals was in violation of the TRO. The withdrawals total \$14,917.13 (collectively referred to as the "Withdrawals"). The Withdrawals were made at the direction of Johnson.

4. On April 23, 2009, this Court entered its Order Appointing Special Master. Pursuant to the Order, the Special Master was given full authority to "operate and manage all assets" of Heritage. Special Master was given the authority to "take immediate custody, possession, and control of any and all assets" of Heritage. Further, Special Master was authorized to "collect any and all sums of money due or owing" to Heritage and to "institute"

or “prosecute... actions or proceedings...”

5. Upon his appointment, Special Master visited the offices of Heritage located at 4200 Perimeter Center, Suite 245, Oklahoma City, Oklahoma (the “Office”). Heritage leased several office suites at this location. On information and belief, property was removed from one or more of the offices. Special Master is unable to determine whether any of the property removed was property of Heritage. To the extent Heritage property was removed it should be returned to Special Master. To determine whether any of the property removed was Heritage property, Johnson should provide an inventory to this Court of all property removed from the Office after March 24, 2009.

6. This Motion is made without prejudice to all other claims held by Special Master against Johnson.

WHEREFORE, the Special Master respectfully requests that the Court enter an order directing Defendant, Joe Don Johnson to return to Special Master the sum of \$14,917.13 and all property removed from the Office, directing that Johnson provide an inventory of all property removed from the Office after March 24, 2009, and granting the Special Master such other and further relief as this court deems just and proper.



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SPECIAL MASTER

NOTICE OF HEARING

A Please be advised that a hearing on the foregoing Motion has been set for 10:00
a.m. on the 12 day of June, 2009 before the Honorable Noma D. Gurich.

CERTIFICATE OF MAILING

This is to certify that on the 12th day of May, 2009, the foregoing
was sent by U.S. Mail, first class, postage prepaid to:

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Jennifer Shaw, Esq.
Oklahoma Department of Securities
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Oklahoma City, OK 73102

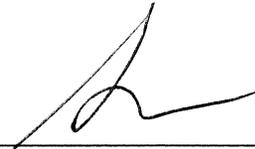
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