

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

OCT 17 2011

PATRICIA PRESLEY, COURT CLERK

by _____ DEPUTY

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

Plaintiff,)

v.)

Case No. CJ-2009-7957

Judge: Davis, Lisa T.

STORYBOOK PROPERTIES, LLC,)
a California limited liability company;)
STORYBOOK INVESTMENTS WA,)
LLC, a Washington limited liability)
company; MATTHEW G. STORY)
an individual; JOE DON JOHNSON,)
an individual; and JAMES FARNHAM,)
an individual,)

Defendants.)

**NOTICE OF HEARING ON THIRD INTERIM APPLICATION
OF RECEIVER, STEPHEN J. MORIARTY
FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES**

Please be advised that a hearing on Receiver's Third Interim Application for Compensation and Reimbursement of Expenses for the period of November 1, 2010 through September 30, 2011 has been set for 1:30 P.m. on the 15th day of December, 2011 before the Honorable Lisa T. Davis.



STEPHEN J. MORIARTY (OBA #6410)
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RECEIVER

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the Notice of Hearing for Interim Application of Receiver, Stephen J. Moriarty For Compensation and Reimbursement of Expenses was mailed on this 17th day of October, 2011, by placing the same in the United States mails, postage prepaid, to:

Patricia A. Labarthe, Esq.
Jennifer Shaw, Esq.
Oklahoma Department of Securities
First National Center, Suite 860
120 N. Robinson
Oklahoma City, OK 73102

Matthew G. Story
27943 Seco Canyon Rd., Suite 201
Santa Clarita, CA 91350

James Farnham
6308 N. Harvard Ave.
Oklahoma City, OK 73122

R. Scott Adams, Esq.
204 N. Robinson, 25th Floor
Oklahoma City, OK 73102



Stephen J. Moriarty

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an individual; and JAMES FARNHAM,)
an individual,)

Defendants.)

**THIRD INTERIM APPLICATION OF
RECEIVER, STEPHEN J. MORIARTY FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

COMES NOW, Stephen J. Moriarty (“Receiver”), the Court appointed receiver for Storybook Properties, LLC, Storybook Investments WA, LLC, EZ-To-Buy Homes, LP and Matthew G. Story (collectively the “Storybook Companies”), and for his third interim application for compensation and reimbursement of expenses, alleges and states as follows:

1. On October 7, 2009, this Court entered its order appointing the Receiver (the “Order”). Pursuant to the Order, the Receiver was given “immediate and exclusive custody, control and possession of all assets . . . of Defendants, of whatever kind and description, and wherever situated.” Further, Receiver was given the authority “to take the necessary steps to protect the interests of Investors, including the liquidation or sale of assets of Defendants. . . .”

2. Pursuant to the Order, “the Receiver may apply to the Court for compensation from time to time, in a reasonable sum to be determined by the Court and from such sources as approved by the Court and for reimbursement of reasonable expenses incurred with his duties as Receiver.”

3. Receiver seeks interim compensation at his normal hourly rate for work performed, plus reimbursement of Receiver’s actual and necessary expenses, for the period November 1, 2010 through September 30, 2011.

4. The amount of compensation to be allowed rests within the sound discretion of the Court. Hudson v. Hubbell, 1935 OK 138, 41 P.2d 844.

5. Receiver has devoted substantial time and effort in the execution of his duties and seeks compensation as detailed in the statement attached as Exhibit “A.” The charges set forth in Exhibit “A” were reasonable and necessary.

6. Due to the extensive time required to discharge his duties, Receiver has been forced to decline other legal representations.

7. This Application covers allowance of compensation and reimbursement of expenses for the period of November 1, 2010 through September 30, 2011. During the period covered by this application, Receiver expended a total of 90.4 hours at an hourly rate of \$335.00. A paralegal expended a total of 3.25 hours at an hourly rate of \$130.00 per hour. In addition, Receiver seeks reimbursement of expenses in the amount of \$369.46, as detailed in Exhibit “A” hereto.

WHEREFORE, Receiver respectfully requests that this Court enter an Order approving interim compensation to Receiver in the amount of \$30,706.50 and reimbursement of expenses in the amount of \$369.46, for the period November 1, 2010 through September 30, 2011.



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