



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

NOV - 7 2011

PATRICIA PRESLEY COURT CLERK
by _____
DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Adiminstrator)
Plaintiff,)
v.)
Robert E. Tucker, and Keystone)
Equity Group, Inc.)
Respondent.)

Case No. CJ - 2010 - 2525

**MOTION TO RECONSIDER AUTHORIZATION OF BENCH WARRANT
& ALLOWANCE OF PAYMENT PLAN**

COMES NOW, Defendant, Robert E. Tucker, by and through his attorney Brittany L. Woodard, and respectfully requests the Court to recall the outstanding bench warrant against Defendant and allow a payment plan for the remaining civil fine owed to the Oklahoma Department of Securities. In support of his request, Defendant states as follows:

1. On March 26, 2011, Defendant entered into a Stipulation and Consent to Final Order whereby Defendant, without admitting or denying allegations in the Petition which initiated this action, agreed to a settle the case by a) agreeing not to engage in the offer and/or sale of securities in and/or from the State of Oklahoma, and b) pay a civil fine in the amount of Twenty Thousand Dollars (\$20,000.00) within forty-five days of the entry of the Final Order. A Final Order was entered by this Court on March 30, 2011, and the Defendant's Stipulation and Consent to Final Order was incorporated by reference.

2. Since the Final Order was entered, Defendant fell gravely ill due to complications arising from diabetes and a bleeding hernia. As a result, Defendant has been hospitalized several times and has only been able to work sporadically which has greatly inhibited his ability to pay the civil fine as previously negotiated.

3. On June 6, 2011, Plaintiff filed an Application for Citation of Indirect Attempt because the civil fine had not yet been paid. At the June 24, 2011, contempt citation hearing, Defendant was given recognized bond, and the contempt trial was set for August 31, 2011.

4. Defendant was unable to attend the contempt trial and testify on his behalf because he was hospitalized. Although counsel for the Defendant was present, a request for a continuance was denied. Defendant's bond was revoked and a bench warrant was issued.

5. The stress of the knowledge of the outstanding bench warrant has increased the severity of Defendant's medical condition and limited his employment options, and thus, his earning potential. Additionally, Defendant requires out-of-state travel in order to have a specialist perform a surgery he requires to prevent his specific hernia from rupturing, and is wary about traveling with an outstanding bench warrant.

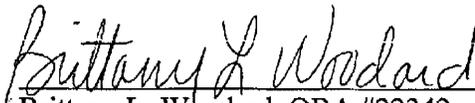
4. Despite his difficult circumstances, Defendant has made earnest efforts in good faith to pay as much of the civil penalty as his current financial circumstances will allow, submitting an amount of Seven Thousand Five Hundred Dollars (\$7,500.00) on October 12, 2011, and Five Thousand Dollars (\$5,000.00) on November 4, 2011.

5. The outstanding debt totals Seven Thousand Five Hundred Dollars (\$7,500.00). Although Defendant intends in good faith to pay the remainder of the debt in full at the earliest possible date, Defendant's current financial circumstances permit him to continue to make payments of the remaining \$7,500.00 at a rate of \$500.00 per month, payable on the fifteenth day of each month beginning December 15, 2011, and with the remaining payment due in full due by May 15, 2012, which is the one year anniversary of the original due date.

WHEREFORE, Defendant moves the Court to recall the bench warrant outstanding for Robert E. Tucker and allow for the payment plan described above in fulfilling Defendant's obligation to pay the civil fine.

Dated this 4th day of November, 2011:

Respectfully submitted,

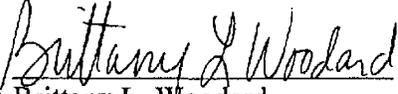


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Attorney for the Defendant

CERTIFICATE OF MAILING

This is to certify that a true and correct copy of the above and foregoing document was mailed on this on the date opposite my signature hereon, by U.S. first class mail, postage prepaid, to the Attorney for Plaintiff at the following address:

Oklahoma Department of Securities
Attn: Terra Shamas Bonnell
120 North Robinson, Suite 860
Oklahoma City, OK 73102

 11/4/11
Brittany L. Woodard Date

