

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

AUG 27 2010

Oklahoma Department of Securities]
<i>ex rel.</i> Irving L. Faught,]
Administrator,]
]
Plaintiff,]
]
vs.]
]
Firststar Financial Group of Central]
Oklahoma, L.L.C., an Oklahoma limited]
liability company; John Joseph Hamilton,]
an individual; and Robin L. Peck,]
an individual,]
]
Defendants.]

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Case No. CJ-2010-5268

**JOURNAL ENTRY REGARDING APPLICATION TO VACATE ORDER GRANTING
TEMPORARY RESTRAINING ODER AND ORDER FOR ACCOUNTING**

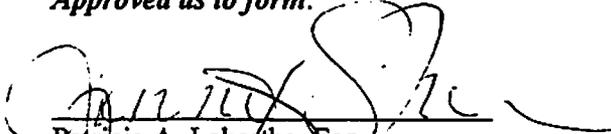
On this 17th day of August, 2010, appeared Defendant John J. Hamilton, individually and as Manager of Defendant Firststar Financial Group of Oklahoma City, through counsel P.R. Tirrell of the law firm of P.R. Tirrell, PLLC, and Plaintiff, the Oklahoma Department of Securities, through its counsel, Patricia A. Labarthe and Jennifer Shaw. Before the Court is Defendants' Application to Vacate Order Granting Temporary Restraining Order and Order for Accounting ("Application").

Having reviewed the Application, the Plaintiff's response to the same, and the pleadings filed in this matter, the Court finds that the Application should be GRANTED in part and DENIED in part. The "CD Program," as described in the Defendants' Application, is found not to be a security pursuant to 71 O.S. § 1-101 *et seq.* The Temporary Restraining Order entered in this matter on June 24, 2010 (the "TRO"), is hereby vacated as to the CD Program. The TRO shall remain in place as to the "A&O Capital Appreciation Bonds" as described in the Plaintiff's Petition.

Dated: August 24th, 2010


District Court Judge Daniel L. Owens

Approved as to form:


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document was served on the following parties or their counsel of record, as indicated below, on the ___ day of August, 2010:

Via first class mail:

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