

9-24-10
9am

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 L. Faught,)
Administrator)

Plaintiffs,)

vs.)

FIRSTAR FINANCIAL GROUP OF CENTRAL)
OKLAHOMA, LLC, AN OKLAHOMA LIMITED)
LIABILITY COMPANY; JOHN JOSEPH)
HAMILTON, AN INDIVIDUAL; AND ROBIN L)
PECK, AN INDIVIDUAL)

Defendants.)

AUG - 9 2010

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Case No. CJ-2010-5268

MOTION TO MODIFY STAY
AS IT PERTAINS TO CASE NO. CJ-2009-12041

COMES NOW the Movant, Peggy Horton (hereinafter "Horton"), and respectfully requests that the Court lift the stay in this case as it pertains to Horton, and in support thereof, states as follows:

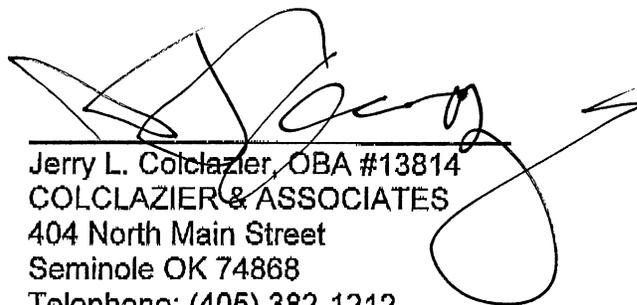
1. On December 10, 2009, Horton filed suit against the Defendants herein, alleging various securities violations. On June 24, 2010, the Plaintiff filed suit against the Defendants herein and requested damages and injunctive relief, including a temporary restraining order.

2. On June 24, 2010, the Court entered a Temporary Restraining Order and Order for Accounting, which, *inter alia*, included an order to creditors and other persons seeking relief from the Defendants, staying all actions. The Temporary Order did not appoint a receiver. The Plaintiff did not request such relief. This Order appears to be

directed to Horton, and is preventing her from pursuing her claims against Defendants.

3. Horton respectfully requests that the Court lift the stay in this case as it pertains to Horton, and for such other and further relief as the Court determines to be fair and equitable.

WHEREFORE, Horton respectfully requests that the Court lift the stay in this case as it pertains to Horton, and for such other and further relief as the Court deems fair and equitable.



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ATTORNEY FOR HORTON

CERTIFICATE OF MAILING

I certify that on the 9 day of August, 2010, I mailed a true and correct copy of the above and foregoing instrument, by first-class mail, with postage thereon prepaid, to the following:

Patricia A. Labarthe
OKLAHOMA DEPARTMENT OF SECURITIES
120 N. Robinson, Suite 860
Oklahoma City, OK 73102

P.R. Tirrell
P.R. TIRRELL, P.L.L.C.
211 N. Broadway
P.O. Box 1432
Oklahoma City, OK 73034

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FELLERS, SNIDER, BLANKENSHIP,
BAILEY & TIPPENS
100 N. Broadway, Suite 1700
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