

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

DEC 17 2014

TIM RHODES
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Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)

v.)

Case No. CJ-2014-4515

Seabrooke Investments LLC, an Oklahoma)
limited liability company;)
Seabrooke Realty LLC, an Oklahoma)
limited liability company;)
Oakbrooke Homes LLC, an Oklahoma)
limited liability company;)
Bricktown Capital LLC, an Oklahoma)
limited liability company;)
KAT Properties LLC, an Oklahoma)
limited liability company;)
Cherry Hill LLC, an Oklahoma limited liability)
company doing business as Cherry Hill Apartments;)
Tom W. Seabrooke, individually and as trustee of)
Tom Seabrooke 2007 Revocable Trust and)
J. Karyn Seabrooke 2007 Revocable Trust; and)
Judith Karyn Seabrooke, individually and as trustee)
of Tom Seabrooke 2007 Revocable Trust and)
J. Karyn Seabrooke 2007 Revocable Trust,)
)
Defendants.)

ORDER

This matter came on for hearing on December 5, 2014, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, upon the motion of Plaintiff, Oklahoma Department of Securities, to allow the Receiver, Ryan Leonard (Receiver), to retain the commission from the sale of real estate located at 4708 SE 44th Street, Oklahoma City, Oklahoma, known as the Cherry Hill Apartments (Cherry Hill Apartments).

The Cherry Hill Apartments are an asset of the receivership estate as defined in the *Temporary Injunction and Ancillary Relief* issued in this matter on August 19, 2014 (Temporary Injunction).

Defendant KAT Properties LLC is a property management company and Sky Property Management LLC is an entity used for the management of income and expenses for KAT Properties LLC, both subject to the receivership and asset freeze ordered by the Temporary Injunction. Defendant KAT Properties LLC and Sky Property Management LLC are not operating at a profit and are in fact requiring contributions of capital from the receivership estate.

Based on the pleadings and hearing in this matter, the Court finds that this Order should be entered and therefore:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant KAT Properties LLC and Sky Property Management LLC are released, effective December 5, 2014, from the receivership and the asset freeze ordered by the Temporary Injunction.

IT IS FURTHER ORDERED that the receivership and receiver shall be released and indemnified from and against all liability and loss for any debts or obligations, acts or omissions, of whatever nature of Defendant KAT Properties LLC and Sky Property Management, LLC.

IT IS FURTHER ORDERED that Karyn Seabrooke has earned a realtor's commission in the sum of Twenty Thousand Dollars (\$20,000) for the sale of the Cherry Hill Apartments (Cherry Hill Commission). Karyn Seabrooke has earned one-half (1/2) of the realtor's commission for the five real estate properties located on 17th Street in Oklahoma City, Oklahoma (17th Street Commission). If Karyn Seabrooke sells the real estate property known as Briargate Plaza, Karyn Seabrooke shall earn one-half (1/2) of the realtor's commission (Briargate Plaza Commission). However, the Cherry Hill Commission, 17th Street Commission and Briargate

Plaza Commission, earned by Karyn Seabrooke, shall be escrowed in a separate escrow account by the Receiver pending a final judgment in this litigation or further order of the Court.

IT IS FURTHER ORDERED that Karyn Seabrooke shall be paid no greater amount of commission for the sale of any and all other real estate property defined to be an asset of the receivership in the Temporary Injunction than the amount of commission paid to the Receiver through Seabrooke Realty LLC for such property.

IT IS FURTHER ORDERED that Karyn Seabrooke shall receive all commissions earned from the sale of real estate properties not defined to be assets of the receivership in the Temporary Injunction.

IT IS SO ORDERED.

Entered this 16th day of December, 2014.

PATRICIA G. PARRISH

DISTRICT COURT JUDGE

APPROVED:



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AS FILED OF RECORD
IN DISTRICT COURT

DEC 17 2014

TIM RHODES Court Clerk
Oklahoma County




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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the _____ day of December, 2014, a true and correct copy of the above and foregoing was emailed to the following:

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