

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 NORTH ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Geary Securities, Inc. *fka* Capital West Securities, Inc.;
Keith D. Geary; Norman Frager; and CEMP, LLC,

Respondents.

ODS File No. 09-141

**NOTICE OF APPLICATION FOR JUDICIAL ENFORCEMENT OF
SUBPOENAS PURSUANT TO ORDER DATED MARCH 21, 2011**

The Geary Respondents do hereby give notice that, pursuant to Paragraph 13 of the Order dated March 21, 2011 Denying Motion to Quash and for Protective Order and Rule 660:2-9-4(e)(1), they have this day applied to the Administrator of the Oklahoma Department of Securities to take immediate action to obtain judicial enforcement of the Subpoenas previously issued by the Hearing Officer and served on Bank of Union, John Shelley, Mike Braun and Timothy Headington, all of whom are endorsed by the Department as witnesses and all of whom have failed and refused to comply with the Subpoenas and the Order of the Hearing Officer. See, Exhibit "A" hereto, confirming the application made by the Geary Respondents.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe M. Hampton".

Joe M. Hampton, OBA No. 11851
Amy J. Pierce, OBA No. 17980
A. Ainslie Stanford II, OBA No. 18843

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**ATTORNEYS FOR RESPONDENTS
GEARY SECURITIES, INC., KEITH D.
GEARY, AND CEMP, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2011, a copy of the foregoing document was served on the following by electronic mail:

Hearing Officer Bruce Kohl, Esq.
201 Camino del Norte
Santa Fe, NM 87501

Brenda London, Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102; and

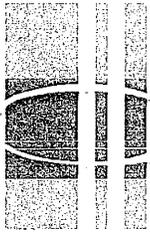
Melanie Hall, Director of Enforcement
Terra Shamas Bonnell, Enforcement Attorney
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102;

Donald A. Pape, Esq.
Donald A. Pape, P.C.
401 West Main Street, Suite 440
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Susan Bryant
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Joe M. Hampton.



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March 25, 2011

VIA E-MAIL

STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
Attention: Terra Shamas Bonnell, Enforcement Attorney
120 North Robinson, Suite 860
Oklahoma City, OK 73102

Re: *ODS v. Geary Securities, Inc., et al*; ODS File No. 090141

Dear Terra:

As you are aware, the Hearing Officer's "Order Denying Motion to Quash and for Protective Order" expressly directed "the Third Parties (Bank of Union, John Shelley, Mike Braun and Tim Hedington) to notify counsel for the Respondents of whether they intend to comply with the Subpoenas and with this Order no later than the close of business on Friday, March 25, 2011." See, Order, Paragraph 13.

It should come as no surprise to the Department or anyone copied on this letter to learn that the Third Parties and their counsel have failed to comply with the above-quoted portion of the Order. On March 24th, Mr. Shirger contacted my partner, Ainslie Stanford, and requested available times for a telephone call on March 25th (today). Mr. Stanford responded immediately, advising that he was available between 8:30-11 a.m. and 2-5 p.m. on March 25th. Mr. Shirger called and left a voice message for Mr. Stanford at 4:53 p.m. today. Mr. Stanford returned the call and left a message for Mr. Shirger at 4:55 p.m. Mr. Shirger called back and spoke with Mr. Stanford at approximately 5:10 p.m. In the course of that discussion, Mr. Shirger refused to commit to actual full compliance with the Subpoenas. For example, Mr. Shirger refused to commit to produce Mr. Headington for a deposition pursuant to the Subpoena.

As a result, this letter represents the Geary Respondents' request and application, pursuant to Paragraph 13 of the Order and Rule 660:2-9-4(e)(1), that the Administrator of the Oklahoma Department of Securities take immediate action to obtain judicial enforcement of the Subpoenas. Please copy me on all action taken by the Department in response and compliance with this request and application.

Very truly yours,


JOE M. HAMPTON
For the Firm

EXHIBIT "A"

cc: Hearing Officer Bruce Kohl, Esq. (via e-mail)
Donald A. Pape, sq. (via e-mail)