

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

FEB 21 2006

PATRICIA PRESLEY, COURT CLERK  
by Deputy

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

Oklahoma Department of Securities )  
*ex rel.* Irving L. Faught, )  
Administrator, )  
)  
Plaintiff, )  
)  
v. )  
)  
Neher Messenger Farms, Inc., an )  
Oklahoma corporation, Gail Platt, an )  
individual, and Lone Wolf, Inc., an )  
Oklahoma corporation, )  
)  
Defendants. )

Case No. CJ-2006-152

**MOTION FOR DEFAULT JUDGMENT AGAINST  
GAIL PLATT AND LONE WOLF, INC.**

Plaintiff, Oklahoma Department of Securities (“Department”) *ex rel.* Irving L. Faught, Administrator, moves this Court to enter judgment by default in its favor and against Defendants Gail Platt (“Platt”) and Lone Wolf, Inc. (“Lone Wolf”) for the relief prayed for in Plaintiff’s Petition for Permanent Injunction and Other Equitable Relief (“Petition”). In support of this motion, Plaintiff states as follows:

1. On January 25, 2006, Defendant Platt was served with copies of the Petition and Alias Summons by personal process server at the law office of Jack Tracy in Purcell, Oklahoma. Proof of service is attached as Exhibit A.

2. On January 25, 2006, Defendant Lone Wolf was served with copies of the Petition and Alias Summons by personal process server via service upon its officer, Defendant Platt, at the law office of Jack Tracy in Purcell, Oklahoma. Proof of service is attached as Exhibit B.

3. As of February 21, 2006, Defendants Platt and Lone Wolf have failed to answer or otherwise plead to the Petition, and their time for doing so has expired. Defendants Platt and Lone Wolf have not made any appearance in this matter.

4. Plaintiff is entitled to the relief prayed for in the Petition.

**WHEREFORE**, premises considered, Plaintiff prays that judgment by default be entered in its favor and against Defendants Platt and Lone Wolf for the following relief:

1. A permanent injunction forever enjoining and restraining Defendants Platt and Lone Wolf from offering or selling securities in or from this state and from directing other natural persons, corporations, or other business entities acting on their behalf to offer or sell securities in or from this state;

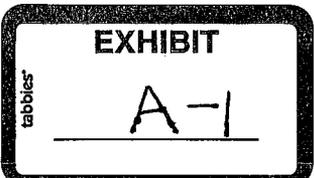
2. An order requiring Defendant Platt to pay restitution to purchasers of stock in Neher Messenger Farms, Inc. ("NMF Investors") in such amounts as should be adjudicated between Defendant Platt and the NMF Investors;

3. An order requiring Defendants Lone Wolf and Platt to pay restitution to purchasers of stock or investment contracts of Lone Wolf ("Lone Wolf Investors") in such amounts as should be adjudicated between Defendants Lone Wolf and Platt and the Lone Wolf Investors; and

4. An order requiring Defendant Platt to pay a civil monetary penalty in the amount of Five Thousand Dollars (\$5,000) to the Plaintiff.

Respectfully submitted,

  
\_\_\_\_\_  
Terra Shamas, OBA #20838  
Patricia Labarthe, OBA #10391  
Oklahoma Department of Securities  
120 North Robinson Avenue, Suite 860  
Oklahoma City, Oklahoma 73102  
(405) 280-7700 telephone



OUR FIRM FILE NO. \_\_\_\_\_

Client Terra M. Shemds Origin Oklahoma Co. Case No. CT-2006-152

Oklahoma Department of Securities et al.  
Travis L. Knight, Administrator

Plaintiff(s)

Process Fee: \_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_  
Rush Fee: \_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_  
Mileage: \_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_  
Hourly: \_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_  
Additional(s): \_\_\_\_\_ @ \_\_\_\_\_ \$ \_\_\_\_\_  
Research: \_\_\_\_\_ \$ \_\_\_\_\_  
Filing: \_\_\_\_\_ \$ \_\_\_\_\_  
Cost Advance: \_\_\_\_\_ \$ \_\_\_\_\_  
Other: \_\_\_\_\_ \$ \_\_\_\_\_  
Deposit Received: \$ \_\_\_\_\_  
TOTAL DUE \$ \_\_\_\_\_

Alber Messenger Farms, Inc. et al

Defendant(s)

Served Co. 1 Platt

Date Served 1-25-06

Other \_\_\_\_\_

Served By Randy Whitman

Origin Oklahoma Co.

### PROOF OF SERVICE

Case No. CT-2006-152

DOCUMENTS SERVED: I, being duly sworn, certify that I received the foregoing, to wit:

- |  |  |  |  |
|--|--|--|--|
| <input checked="" type="checkbox"/> Summons w/ Petition or Complaint | <input type="checkbox"/> Injunction                | <input type="checkbox"/> Motion to Modify              | <input type="checkbox"/> Interrogatories               |
| <input type="checkbox"/> Amended Petition/Complaint                  | <input type="checkbox"/> Garnishment               | <input type="checkbox"/> Motion for Leave/Vacate/Enter | <input type="checkbox"/> Brief Plaintiff's/Defendant's |
| <input type="checkbox"/> Petition/3rd Party Defendant                | <input type="checkbox"/> Subpoena Duces Tecum      | <input type="checkbox"/> Motion/Summary Judgment       | <input type="checkbox"/> Journal Entry                 |
| <input type="checkbox"/> Small Claims Affidavit                      | <input type="checkbox"/> Deposition Subpoena       | <input type="checkbox"/> Motion/Deficiency Judgment    | <input type="checkbox"/> Cross/Counter Claim           |
| <input type="checkbox"/> Forcible Entry & Detainer                   | <input type="checkbox"/> Witness Fees              | <input type="checkbox"/> Request for Admissions        | <input type="checkbox"/> Lis Pendens                   |
| <input type="checkbox"/> Hearing on Assets                           | <input type="checkbox"/> Notice to Take Deposition | <input type="checkbox"/> Request for Production        | <input type="checkbox"/> Letter                        |
| <input type="checkbox"/> Citation for Contempt                       | <input type="checkbox"/> Notice of Hearing         | <input type="checkbox"/> Order/Affidavit               | <input type="checkbox"/> Temporary Restraining Order   |
| <input type="checkbox"/> Other _____                                 |  |  |  |

Terra M. Shemds

METHOD OF SERVICE: And served the same according to law in the following manner, to wit:

#### PERSONAL SERVICE

by delivering a true copy of said process personally to Co. 1 Platt

at 501 W Main, Ponca Date: 1-25-06 Time: 3:25 pm

by delivering a true copy of said process personally to \_\_\_\_\_

at \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

#### USUAL PLACE OF RESIDENCE

by leaving a copy of said process for \_\_\_\_\_ with \_\_\_\_\_ a resident/family member, fifteen years of

age or older, at \_\_\_\_\_ which is his/her usual place of residence. Date: \_\_\_\_\_ Time: \_\_\_\_\_

#### CORPORATION/PARTNERSHIP, ETC.

by delivering a true copy of said process to \_\_\_\_\_

he/she/it, being the service agent, agent in charge, an officer or partner of said entity, to wit: \_\_\_\_\_

at \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

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OKLAHOMA COUNTY, OKLA.**

**JAN 30 2006**

#### NOT FOUND

Said process WAS NOT SERVED on the following named for reasons stated: \_\_\_\_\_

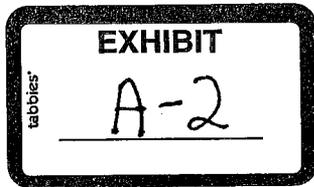
**PATRICIA PRESLEY, COURT CLERK**  
by \_\_\_\_\_ DEPUTY

#### OTHER INFORMATION

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2006.  
Notary Public, Notary Public Commission Exp. \_\_\_\_\_  
State of Oklahoma  
Commission # 03000034 Expires 1/2/07

Undersigned declares under penalty of perjury that the foregoing is true and correct.  
Name of Server \_\_\_\_\_ (date) \_\_\_\_\_

ABL# 2006-15



IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

Oklahoma Department of Securities )  
ex rel. Irving L. Faught, )  
Administrator, )  
Plaintiff, )  
v. )  
Neher Messenger Farms, Inc., et al. )  
Defendants. )

Case No. CJ-2006-152

Gail Platt  
601 NW 4th Street  
Lindsay, OK 73052

ALIAS SUMMONS

To the above-named Defendant:

You have been sued by the above-named plaintiff, and you are directed to file a written answer to the attached petition in the court at the above address within twenty (20) days after service of this summons upon you, exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff.

Unless you answer the petition within the time stated, judgment will be rendered against you with costs of the action.

Issued this 13th day of January, 2006.

PATRICIA PRESLEY, COURT CLERK

(Seal)

By:

Attorney(s) for Plaintiff(s)

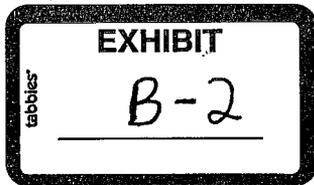
Name: Terra M. Shamas, OBA #20838  
Patricia A. Labarthe, OBA #10391  
Address: First National Center, Suite 860  
120 N. Robinson  
Oklahoma City, OK 73102  
Telephone: (405) 280-7700

This summons was served on \_\_\_\_\_  
(date of service)

\_\_\_\_\_  
Signature of person serving summons

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.





IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

Oklahoma Department of Securities )  
ex rel. Irving L. Faught, )  
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Defendants. )

Case No. CJ-2006-152

Lone Wolf, Inc.  
601 NW 4th Street  
Lindsay, OK 73052

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Issued this 13th day of January, 2006.

PATRICIA PRESLEY, COURT CLERK

(Seal)

By:

Attorney(s) for Plaintiff(s)  
Name: Terra M. Shamas, OBA #20838  
Patricia A. Labarthe, OBA #10391  
Address: First National Center, Suite 860  
120 N. Robinson  
Oklahoma City, OK 73102  
Telephone: (405) 280-7700

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