



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

**MOTION TO QUASH SUBPOENA DUCES TECUM,
 OBJECTION TO JURISDICTION
 AND REQUEST FOR HEARING**

In the Matter of:

Strategic Development Corporation, et al.;

Respondents.

ODS File No. 12-005

COME NOW Ameracorp Capital Group Corporation and The Free Enterprise Foundation, by and through their Counsel, Kent S. Ghahremani of the law firm Kent S. Ghahremani, JD, LLM of Sallisaw, Oklahoma and respectfully file this MOTION TO QUASH SUBPOENA DUCES TECUM, OBJECTION TO JURISDICTION AND REQUEST FOR HEARING stating and alleging as follows:

1. The Oklahoma Department of Securities (the "Department") has caused to be served the attached Subpoena Duces Tecum upon Sprit Bank of Bristow, Oklahoma requesting all financial records of Ameracorp Capital Group Corporation ("ACG") from January 1, 2010 to present (see attached Exhibit A).

2. The Department has caused to be served the attached Subpoena Duces Tecum upon Arvest Bank of Oklahoma City, Oklahoma requesting all financial records of The Free Enterprise Foundation ("Foundation") from January 1, 2010 to present (see attached Exhibit B). It should be noted that Foundation is misidentified by the Department as The Free Enterprise Foundation, Inc. when in actuality Foundation is a limited liability company.

3. ACG and Foundation appear specially and for the sole purpose of this MOTION TO QUASH SUBPOENA DUCES TECUM, OBJECTION TO JURISDICTION AND REQUEST FOR HEARING only urging that the Department lacks jurisdiction over ACG and Foundation and to quash the respective Subpoenas Duces Tecum issued to Sprit Bank and Arvest Bank.

4. ACG and Foundation have shareholders, officers, directors and members that are not associated with Strategic Development Corporation (identified as the "Respondent" on both of the Subpoenas Duces Tecum issued to the respective financial institutions) and contend that the respective Subpoena's Duces Tecum are an violation of their rights under The Oklahoma Financial Privacy Act and their respective common law right to privacy.

5. ACG and Foundation allege that the Department has no jurisdiction over them, that the Department has not identified the purpose of, or the basis for, the Department's investigation and the issuance of the Subpoenas at issue in the instant matter. ACG and Foundation allege further that the Department has made no showing of its basis to assert jurisdiction over them.

6. Therefore, ACG objects to the issuance of the Subpoena Duces Tecum upon Sprit Bank of Bristow, Oklahoma requesting all of its financial records from January 1, 2010 to present (see attached Exhibit A) on the basis that the Department has no jurisdiction over ACG, nor has the department made any showing of the basis of its jurisdiction over ACG and the fact that said Subpoena is overly broad and exceeds the bounds of discoverable material and constitutes a violation of ACG's right to privacy.

7. Furthermore, Foundation also objects to the issuance of the Subpoena Duces Tecum upon Arvest Bank of Oklahoma City, Oklahoma requesting all of its financial records from January 1, 2010 to present (see attached Exhibit B) on the basis that the Department has no jurisdiction over Foundation, nor has the department made any showing of the basis of its jurisdiction over Foundation and the fact that said Subpoena is overly broad and exceeds the bounds of discoverable material and constitutes a violation of Foundation's right to privacy.

WHEREFORE, ACG and Foundation request a Hearing to determine the Department's jurisdiction over them and to quash the respective Subpoenas Duces Tecum issued to their respective financial institutions (see Exhibs A and B attached).

Respectfully submitted,



Kent S. Ghahremani, OBN: 12107

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this MOTION TO QUASH SUBPOENA DUCES TECUM, OBJECTION TO JURISDICTION AND REQUEST FOR HEARING was mailed to:

Patricia A. LaBarthe
Enforcement Attorney
Oklahoma Department of Securities
120 North Robinson; Suite 860
Oklahoma City, Oklahoma 73102

Fax: 405-280-7742

Kim Gaither
Spirit Bank

Fax: 918-581-1349

Arvest Bank
Samantha Young

Fax: 479-573-1406

Via United States Mail, First Class postage paid. on *September 12, 2012.*

Kent S. Ghoheemani *9-12-2012*