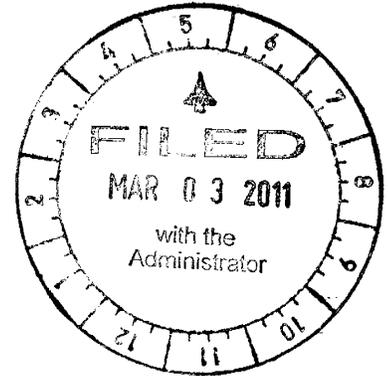


STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 NORTH ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



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

MOTION TO QUASH AND FOR PROTECTIVE ORDER

The Bank of Union ("Bank"), John Shelley ("Shelley"), Mike Braun ("Braun") and Tim Headington ("Headington") (collectively, the "Third Parties") file this Motion to Quash and for Protective Order pursuant to Rule 660:2-9-4. In support of this Motion, the Third Parties state as follows:

1. On September 22, 2010, the Enforcement Division of the ODS filed its Notice of Hearing and Recommendation, detailing the misconduct and deceptive business practices of the named Respondents herein.
2. On October 29, 2010, the Third Parties (specifically, the Bank and Headington) filed their First Amended Demand for Arbitration and Statement of Claim ("Demand") against the Respondents. A true and accurate copy of the Demand, filed with the Financial Industry Regulatory Authority ("FINRA"), is attached hereto as Ex. A.
3. In FINRA arbitrations, by design, discovery is narrowly tailored, including the ability to take depositions. For good cause, exceptions are made.

4. Within the last ten (10) days, Respondents have served subpoenas for records and for depositions upon the Third Parties. True and accurate copies of the subpoenas are attached hereto as Exs. B – F.

5. The subpoenas for records (Exs. B and C) are overbroad, unduly burdensome, meant to harass the Third Parties, and call for information protected from disclosure by the attorney-client privilege and work product doctrine. As a result, they should be quashed, or at most, counsel for the Respondents and the Third Parties should be ordered to negotiate the scope of the subpoenas.

6. Similarly, the subpoenas for testimony directed to Shelley, Braun and Headington are meant to harass the Third Parties and obtain deposition testimony that the Respondents are otherwise precluded from obtaining in the FINRA arbitration proceeding. These subpoenas too should be quashed, or at most, counsel for the Respondents and the Third Parties should be ordered to negotiate the necessity of the depositions and the scope of the depositions, if any.

WHEREFORE, the Third Parties respectfully request that the subpoenas at Exs. B – F be quashed, that a protective order be entered precluding the discovery sought by Respondents, or in the alternative, that such other relief be ordered as suggested in this Motion.

Dated: March 3, 2011.



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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March, 2011, a copy of the foregoing document with exhibits was served on the following by facsimile and email:

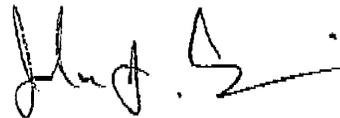
Irving Faught
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I further certify that on the 3rd day of March, 2011, a copy of the foregoing document with exhibits was served on the following by regular U.S. mail, and that a copy of the foregoing document without exhibits was served on the following by email:

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