

IN THE COURT OF CIVIL APPEALS OF THE STATE OF OKLAHOMA  
Tulsa Division

FILED  
COURT OF CIVIL APPEALS  
STATE OF OKLAHOMA

JUL 8 2003

MICHAEL S. RICHIE  
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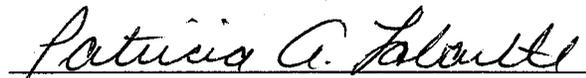
Oklahoma Department of Securities )  
*ex rel.*, Irving L. Faught, Administrator, )  
 )  
Plaintiff/Appellee, )  
 )  
v. )  
 )  
Accelerated Benefits Corporation; )  
C. Keith LaMonda; American Title )  
Company of Orlando; and David )  
Piercefield, )  
 )  
Defendants/Appellants, )  
 )  
v. )  
 )  
Tom Moran, )  
 )  
Court Appointed Conservator/Appellee. )

Case No. 98663  
(District Court Case No. CJ-99-  
2500-66

**MOTION FOR LEAVE TO CONSIDER SUR-REPLY**

Appellee, the Oklahoma Department of Securities, hereby requests that this Court consider the Sur-Reply of the Oklahoma Department of Securities, filed July 3, 2003, to correct the blatant misrepresentations regarding the content of the record before this Court raised in the Reply Brief of Defendants/Appellants. The Oklahoma Supreme Court Rules do not prohibit the filing of a sur-reply and the consideration of a sur-reply is the sole method by which Appellee can correct references to the record made by the Defendants/Appellants in their reply that would not be readily apparent to this Court. Based on the foregoing, Appellee, the Oklahoma Department of Securities, respectfully requests that the Court consider the Sur-Reply of the Oklahoma Department of Securities.

Date: July 8, 2003.



Patricia A. Labarthe, OBA # 10391  
Oklahoma Department of Securities  
First National Center, Suite 860  
120 N. Robinson  
Oklahoma City, OK 73102  
Telephone: (405) 280-7700  
Facsimile: (405) 280-7742

Attorney for the Appellee,  
Oklahoma Department of Securities

CERTIFICATE OF MAILING AND FILING

I hereby certify that a true and correct copy of the Motion for Leave to Consider Sur-Reply was mailed by U.S. Mail, with postage prepaid thereon, this 8th day of July, 2003, to the following:

The Honorable Daniel L. Owens  
Judge of the District Court of Oklahoma County  
304 Courthouse  
321 Park Avenue  
Oklahoma City, OK 73102

Melvin R. McVay, Jr. OBA #6096  
Thomas P. Manning, OBA #16117  
PHILLIPS McFALL McCAFFREY McVAY & MURRAH, P.C.  
Twelfth Floor, One Leadership Square  
211 N. Robinson  
Oklahoma City, OK 73102

Dino E. Viera, OBA # 11556  
William H. Whitehill, OBA # 12038  
FELLERS, SNIDER, BLANKENSHIP, BAILEY & TIPPENS  
Bank One Tower  
100 North Broadway, Suite 1700  
Oklahoma City, OK 73102-8820

I further certify that a copy of the Motion for Leave to Consider Sur-Reply was mailed to, or filed in, the office of the Oklahoma County Court Clerk this 8th day of July, 2003.

Patricia A. Talbot