

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



In the Matter of:

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

Respondents.

File No. 09-141

ORDER DENYING
MOTION TO RECONSIDER

On February 14, 2011, pursuant to Section 1-602(B) of the Oklahoma Uniform Securities Act of 2004 (the "Act"), Okla. Stat. tit. 71, §§ 1-101 through 1-701 (Supp. 2009) and 660:2-9-4 of the Rules of the Oklahoma Securities Commission and the Administrator of the Oklahoma Department of Securities (the "Rules"), certain subpoenas were issued at the request of and on behalf of Respondents by the designated Hearing Officer in the referenced matter. The subpoenas required the appearances for testimony of John Shelley, Mike Braun and Timothy Headington and the production of documents by The Bank of Union and Timothy Headington (collectively referred to as the "Subpoenas").

On March 25, 2011, pursuant to 660:2-9-4(e)(1) of the Rules, Respondents applied to the Administrator for enforcement of the Subpoenas.

On April 6, 2011, the Administrator applied to the District Court of Oklahoma County for enforcement of the Subpoenas (the "Application"). On that same date

Respondents filed returns of service of the Subpoenas (the "Returns of Service"). The Return of Service for each of the Subpoenas included The United States Postal Service Form 3811 Domestic Return Receipt ("Return Receipts").

On May 5, 2011, the Application was granted in part and denied in part by the Court. The Court denied the Application with respect to the subpoena requiring the appearance for deposition of Timothy Headington, a resident of the state of Texas (the "Headington Deposition Subpoena").

On July 13, 2011, Respondents filed a *Motion for Reconsideration of Administrator's Refusal to Proceed with Subpoena Enforcement* in the referenced matter (the "Motion"). The Motion specifically requests that the Administrator obtain judicial enforcement, in the state of Texas, of the Headington Deposition Subpoena.

The Return Receipt, attached to the Return of Service for the Headington Deposition Subpoena reflects that the individual whose signature appears on the Return Receipt is the agent of the addressee, not Timothy Headington the addressee. The Return Receipt for the Headington Deposition Subpoena contains an illegible signature and provides no printed name.

Having reviewed the evidence and the pleadings filed in this matter, the Administrator hereby finds that there was no effective service of process of the Headington Deposition Subpoena and the date for the appearance of the deponent has past.

IT IS THEREFORE ORDERED that the Motion is DENIED.

Witness my Hand and the Official Seal of the Oklahoma Department of Securities
this 4th day of August, 2011.

(SEAL)


IRVING L. FAUGHT, ADMINISTRATOR OF
THE OKLAHOMA DEPARTMENT OF
SECURITIES

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of August, 2011, a true and correct copy of the above and foregoing was emailed and mailed by first-class mail with postage prepaid thereon, to the following:

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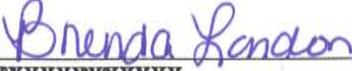
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