

IN THE DISTRICT COURT OF LOGAN COUNTY,
STATE OF OKLAHOMA

STATE OF OKLAHOMA
LOGAN COUNTY SS
FILED FOR RECORD

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OKLAHOMA DEPARTMENT OF SECURITIES,)
ex rel., IRVING L. FAUGHT, Administrator,)
Plaintiff,)

vs.)

MARSHA SCHUBERT, an individual, and d/b/a)
SCHUBERT AND ASSOCIATES;)
RICHARD L. SCHUBERT, an individual and d/b/a)
SCHUBERT AND ASSOCIATES;)
and)
SCHUBERT AND ASSOCIATES, an unincorporated)
association,)
Defendants.)

REJEANIA ZMEK
COURT CLERK
BY _____ DEPUTY
Case No. CJ-2004-256

ORDER ESTABLISHING PROCEDURE TO NOTIFY CLAIMANTS TO MAKE CLAIMS

On the 14 day of January 2005, the above-captioned case comes on to be heard in its regular order upon the Receiver's Application for Court to Establish Procedure to Notify Creditors to Make Claims. The Receiver appears in person and by his counsel, Bradley E. Davenport, of Gungoll, Jackson, Collins, Box, & Devoll, PC.

Based upon the Receiver's Application and the Court having reviewed all pleadings and submissions of the parties, the Court finds that the Receiver shall give notice to all creditors of Marsha Schubert, Richard Schubert, and/or Schubert and Associates at their last known address, requiring them to file a proof of claim setting forth the nature and amount of their claims against Marsha Schubert, Richard Schubert and/or Schubert and Associates, together with supporting documentation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Receiver shall give notice to the creditors of Marsha Schubert, Richard Schubert, and/or Schubert and Associates in the form attached to this Order as Exhibit "A" and incorporated herein by reference, and said Notice to be given in the manner set forth below.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that **all creditors of Marsha Schubert, Richard Schubert, and/or Schubert and Associates are required to file a proof of claim with the Receiver that is delivered and received on or before March 31, 2005, or the claim will be forever barred.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Notice to Creditors of Marsha Schubert, Richard Schubert, and/or Schubert and Associates shall be published at least once a week for two consecutive weeks in a newspaper with general circulation in Logan County, Oklahoma.

IT IF FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver shall mail a copy of such Notice, by regular mail and certified mail, to each known creditor of Marsha Schubert, Richard Schubert, and/or Schubert and Associates at their last known address.

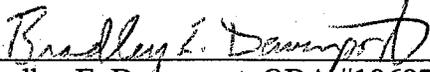
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Proof of Claim form and Proof of Claim instructions attached to this Order as Exhibit "B" and incorporated herein by reference is approved by the Court, and the Receiver is authorized by the Court to provide the Proof of Claim form and Proof of Claim instructions to all known creditors along with the Notice described above in this Order.

IN WITNESS WHEREOF I have set my hand and affixed the seal of this Court this 14 day of January 2005.

DONALD L. WORTHINGTON

Honorable Donald Worthington
Judge of the District Court

Approved as to form and substance:



Bradley E. Davenport, OBA #18687

GUNGOLL, JACKSON, COLLINS, BOX & DEVOLL, P.C.

Post Office Box 1549

Enid, Oklahoma 73702-1549

(580) 234-0436 phone number

(580) 233-1284 facsimile number

Attorney for Receiver

Proof of Claim forms, questions and other requests for information should be submitted to:

Douglas L. Jackson, Receiver
Schubert Receivership Estate
P. O. Box 1549
Enid, OK 73702-1549
Telephone: 580-234-0436 Toll Free: 800-725-0436
jackson@enidlaw.com

BY ORDER OF THE COURT.

Douglas L. Jackson, Receiver for Marsha Schubert,
Richard Schubert, and Schubert and Associates

SCHUBERT RECEIVERSHIP ESTATE

P. O. Box 1549
Enid, OK 73702-1549

PROOF OF CLAIM

District Court of Logan County
State of Oklahoma
Case No. CJ-2004-256

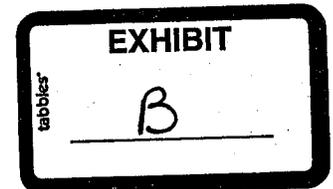
PLEASE READ INSTRUCTIONS CAREFULLY, DEADLINE FOR FILING PROOF OF CLAIMS IS MARCH 31, 2005.

PART 1 Person Making Claim (Claimant)	
<p>a. Claimant (sample) John and Jane Doe P. O. Box 0000 Kingfisher, OK 73750</p>	<p>b. Name/Address Change:</p> <p>Name _____</p> <p>Mailing Address _____</p> <p>City/State/Zip Code _____</p>
<p>c. Required Information:</p> <p>_____ Claimant's SSN or Federal Tax ID</p> <p>_____ Claimant's Telephone Number: Home</p> <p>_____ Claimant's Telephone Number: Work</p>	<p>d. Legal Representation:</p> <p>Are you represented by an Attorney? _____</p> <p>State Attorney's name, address and telephone number: _____ _____ _____</p>

PART 2 Claim Information	
<p>a. Who is your claim against?</p> <p><input type="checkbox"/> Marsha Schubert <input type="checkbox"/> Richard Schubert</p> <p><input type="checkbox"/> Schubert and Associates <input type="checkbox"/> Kattails, LLC</p> <p><input type="checkbox"/> Other, please specify: _____</p>	<p>b. Type of Claim</p> <p><input type="checkbox"/> Lost Investment <input type="checkbox"/> Wages</p> <p><input type="checkbox"/> Debt for goods or services</p> <p><input type="checkbox"/> Loan/Security Agreement/Mortgage</p> <p><input type="checkbox"/> Other, please specify: _____</p>
<p>c. Amount of Claim(s):</p> <p>Total: \$ _____</p>	<p>d. Describe the nature and basis of your claim:</p> <p>_____ _____ _____</p> <p>e. Names and addresses of parties, other than the Schuberts, who may have responsibility for the claim:</p> <p>_____ _____ _____</p>

PART 3

a. Did you invest with or pay money into Schubert and Associates? Yes No
If yes, specify the total amount: \$ _____



- b. Has Schubert and Associates paid any money to you? Yes No
If yes, specify the amount received by you from Schubert and Associates: \$ _____
- c. Has Schubert and Associates paid any money to a bank, credit card company, mortgage company, brokerage company or anyone else on your behalf or for your benefit? Yes No
If Yes, specify the total amount Schubert and Associates has paid on your behalf or for your benefit: \$ _____
And identify all individuals and/or companies Schubert and Associates has paid on your behalf:

- d. Has Marsha Schubert withdrawn any funds from your account(s) with AXA Advisors, LLC and/or Wilbanks Securities without your knowledge and permission that you have since discovered? Yes No
If yes, specify the amount(s) you claim was wrongfully withdrawn: \$ _____ And identify the name on the account, type of account and account number for each of your AXA or Wilbanks accounts from which you claim Marsha Schubert wrongfully withdrew money:

- e. Have you received any payments on the claim that is the subject of this Proof of Claim from any source?
 Yes No
If yes, specify the total amount received: \$ _____
And identify all sources of such payments: _____

- f. Do you owe any money to Marsha Schubert, Richard Schubert, Schubert and Associates, and/or Kattails, LLC for any reason, including but not limited to the purchase of merchandise on credit, screen printing, storage, purchase of cattle? Yes No
If yes, specify the amount: \$ _____
And reason: _____
- g. Is your claim against Marsha Schubert, Richard Schubert, Schubert and Associates, and/or Kattails, LLC that is the subject of this Proof of Claim a secured claim? Yes No
If yes, specify all security for such claim: _____

- h. Is your claim the subject of legal action (a lawsuit)? Yes No
If yes, specify the Court in which the legal action is pending: _____
Case Number: _____
And all parties and attorneys: _____

- i. Is your claim contingent or unliquidated: Yes No
If yes, specify the reason: _____

THE AFFIRMATION THAT FOLLOWS MUST BE COMPLETED.

PROOF OF CLAIM
SCHUBERT RECEIVERSHIP ESTATE
District Court of Logan County, State of Oklahoma; Case No. CJ-2004-256

AFFIRMATION

State of _____)
County of _____) ss:

The undersigned subscribes and affirms as true under the penalties of perjury as follows: that he or she has read the foregoing Proof of Claim and knows the contents thereof; that this claim in total amount of \$ _____ against Marsha Schubert, Richard Schubert, and/or Schubert and Associates, and/or Kattails, LLC is justly owing to the Claimant; that the answers and information set forth in my Proof of Claim and in any accompanying statements and supporting documents are true and correct; that no payment of or on account of the aforesaid claim has been received except as above stated; and that there are no set offs or counterclaims thereto except as above stated.

Claimant (signature)

Title or Official Capacity (if any)

Subscribed and sworn to before me this _____ day of _____, 2005.

(Seal)

Notary Public

Commission No: _____
My Commission Expires: _____

IMPORTANT NOTICES

- A. Proof of Claim must be properly signed and sworn to before a Notary Public or person authorized to administer oaths.
- B. Deadline for filing Proof of Claims is **March 31, 2005.**
- C. If you have a change of address, you are required to inform the receiver of the new address in order to receive any payment that might be due.
- D. Return your completed Proof of Claim form and supporting documentation to:

DOUGLAS L. JACKSON, RECEIVER
SCHUBERT RECEIVERSHIP ESTATE
P. O. BOX 1549
ENID, OK 73702-1549

PROOF OF CLAIM INSTRUCTIONS

General

1. The Proof of Claim must be typed or legibly printed in ink.
2. The Proof of Claim must have all items completed and questions answered. Your Proof of Claim will be returned to you if any items are left blank. Please review the entire form for completion prior to mailing.
3. If you need additional space to fully answer any questions, please do so on a separate sheet of paper and attach to your Proof of Claim.
4. You must attach to the Proof of Claim documents or evidence supporting your claim. **FAILURE TO PROVIDE SUFFICIENT DOCUMENTS OR EVIDENCE SUPPORTING YOUR CLAIM IS GROUNDS FOR DENIAL THEREOF.**
5. If you assert your claim is secured by any assets or property of Marsha Schubert, Richard Schubert, Schubert and Associates, and/or Kattails, LLC, you must attach all documents evidencing your security interest.
6. You have an ongoing duty to supplement your Proof of Claim with supporting documentation as additional information is received. This requirement includes notice of any change of address.
7. The Proof of Claim must be signed by the Claimant who is named in Part I(a), or by a representative of the Claimant who has knowledge of the matters set forth in the Proof of Claim and in any accompanying statement and supporting documents.
8. If you are a lien holder or an assignee of the Claimant's rights to distribution from the Receivership, you should complete a Proof of Claim and have the Claimant execute an unconditional assignment and deliver same to the address reflected in paragraph 14 below.
9. All Proofs of Claim must be sworn to before a Notary Public or person authorized to administer oaths.
10. All Proofs of Claim must be postmarked no later than **March 31, 2005**. The Receiver is not responsible for undelivered mail. To protect your claim, the Receiver recommends that you send your Proof of Claim by certified and/or registered mail.
11. The Receiver suggests you keep a copy of the completed Proof of Claim, including supporting documents, for your records.
12. All future correspondence, amendments, or other attachments must include reference to the Schubert Receivership Estate, Claimant's name, address, and social security number or federal tax identification to insure proper identification.

13. The Receiver will not accept Proofs of Claim that are filed out of time. Rather, any Claimant who does not file a Proof of Claim with the Receiver before the bar date established by the court should file an application with the court explaining why they did not file a Proof of Claim in the time allowed and seek permission from the court to file a Proof of Claim out of time.
14. Mail your completed Proof of Claim and supporting documentation to: Douglas L. Jackson, Receiver, Schubert Receivership Estate, P. O. Box 1549, Enid, OK 73702-1549. Facsimiles of Proofs of Claim and supporting documentation will not be accepted.
15. If you have any questions about the Proof of Claim procedure, you may call 580-234-0436.

Part 1

16. In Part 1(a), state the name and address of the party completing the Proof of Claim.
17. If Part 1 (a) has been pre-filled by the Receiver, indicate any address or name changes/corrections in Part 1(b).
18. List the social security number or federal tax identification and telephone numbers for the Claimant in Part 1 (c).
19. If the Claimant is represented by an attorney, you must state the attorney's name, address and telephone number in Part 1(d).

Part 2

20. In Part 2(a), indicate who the claim is against. Please note that you are required to provide documentation in support of your claim. As such, you should not check boxes indicating you have claims against more than one of the listed individuals or business entities unless you have documents to support such a claim. Further more, neither your claim nor your chances of recovery upon your claim will in any way be increased by selecting more than one or all of the listed individuals and/or business entities in Part 2(a).
21. Indicate the type of claim you are submitting in Part 2(c). If your claim does not fit any one of the four specific categories provided, please check the block beside "Other, please specify," and type or legibly print the type or category, which you believe best describes your claim.
22. You must indicate the total amount that you believe is due to you. If your claim is contingent or unliquidated, indicate the amount of claim as "undetermined".
23. In Part 2(d), you should indicate in narrative form the nature and basis of your claim. You may prefer to type or print this answer on a separate sheet of paper and attach it to your Proof of Claim form.

Part 3

24. If you invested with or paid money into Schubert and Associates as referenced in Part 3(a), you **MUST** provide supporting documentation in the form of canceled checks, cash receipts, copies of cashier's checks, wire transfer documentation, and/or monthly or quarterly statements regarding the investment. The Receiver will not accept verbal representations or self-prepared lists unaccompanied by supporting documentation. **FAILURE TO PROVIDE SUFFICIENT DOCUMENTS OR EVIDENCE SUPPORTING YOUR CLAIM IS GROUNDS FOR DENIAL THEREOF.**
25. With respect to Part 3(b), if you answer Yes, you **MUST** provide supporting documentation to the Receiver along with your Proof of Claim in the nature of canceled checks, copies of deposit items from your bank, copies of cashier's checks, wire transfer documentation, and/or bank statements, etc. The Receiver will not accept verbal representations or self-prepared lists unaccompanied by supporting documentation. **FAILURE TO PROVIDE SUFFICIENT DOCUMENTS OR EVIDENCE OF MONEY SCHUBERT AND ASSOCIATES PAID TO YOU IS GROUNDS FOR DENIAL OF YOUR CLAIM.**
26. If you answer Part 3(c) with a "Yes," you **MUST** provide the Receiver with supporting documentation along with your Proof of Claim form showing money Schubert and Associates has paid to a bank, credit card company, mortgage company, brokerage company or anyone else on your behalf or for your benefit. The supporting documentation should be comprised of documents, including but not limited to, canceled checks, copies of deposit items, copies of cashier's checks, wire transfer documentation, copies of bank and/or investment account statements, etc. The Receiver will not accept verbal representations or self-prepared lists unaccompanied by supporting documentation. **FAILURE TO PROVIDE SUFFICIENT DOCUMENTS OR EVIDENCE SHOWING MONEY SCHUBERT AND ASSOCIATES HAS PAID ON YOUR BEHALF OR FOR YOUR BENEFIT IS GROUNDS FOR DENIAL OF YOUR CLAIM.**
27. If you answer the question in Part 3(d) with a "Yes," identify the name on the account (i.e. John Doe or John Smith Living Trust), the type of account (i.e. Raymond James, Pershing, etc.), and account number for each of your AXA or Wilbanks' accounts from which you claim Marsha Schubert wrongfully withdrew money. You should provide supporting documentation to the Receiver along with your Proof of Claim form such as monthly or quarterly statements on your AXA and/or Wilbanks' accounts, and any other supporting documents and/or statements to verify that Marsha Schubert wrongfully withdrew money from those accounts.
28. If you have received any payments from any source relating to your claim, you must identify the source and amount of such payments in Part 3(e).
29. If you owe Marsha Schubert, Richard Schubert, Schubert and Associates, and/or Kattails, LLC any money, whether it is related to this claim or not, you must identify the amount and the reason in Part 3(f).

30. If your claim is the subject of legal action, you must specify the court, case number and parties and their attorneys in Part 3(g).
31. If all or any portion of your claim is contingent or unliquidated (for example, the existence of your claim is disputed or the amount of your claim cannot be determined), you must answer "yes" to the first portion of Part 3(i) and provide a brief explanation of why your claim is contingent or unliquidated in any respect.

Affirmation

32. You must insert the total amount of your claim as indicated in Part 2(c) in the Affirmation. If your claim is contingent or unliquidated, indicate the amount of claim as "undetermined" in the Affirmation.
33. You are signing the Proof of Claim under penalties of perjury. Please read both the Proof of Claim form and the Affirmation carefully before signing the Affirmation before a Notary Public or person authorized to administer oaths.

Allowance Procedures

34. Within such period as the court may establish, the Receiver will prepare and file a report setting forth the Claimants, amount of claims, and Receiver's recommendation with respect to each claim.
35. Upon the filing of such report, the court will schedule a time for a hearing on the report. If you file a Proof of Claim, you will receive notice of the hearing and such other information concerning the report and hearing as the court deems appropriate under the circumstances. In addition to such other information which may be provided, if, for any reason, the Receiver does not recommend acceptance of a claim as filed by the Claimant, such Claimant will be advised of the Receiver's recommendation regarding such claim.
36. The court will make the final determination as to whether claims are allowed or disallowed. Once the Receiver has recovered all of the money and assets on behalf of the Schubert Receivership Estate that he believes can be recovered, the Receiver will seek court approval to begin making distributions to the Claimants, as approved by the court, from the assets of the Receivership Estate. Please note that while the claim process will occur over the next few months, any distribution to Claimants from the Receivership assets will not likely occur until a much later time.

RECEIVED
OKLAHOMA DEPT.
OF SECURITIES
JAN 20 P 2:48