

IN THE DISTRICT COURT OF LOGAN COUNTY,  
STATE OF OKLAHOMA

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.

Case No. CJ-2004-256

**RECEIVER'S APPLICATION FOR THE COURT TO ESTABLISH  
PROCEDURE TO NOTIFY CLAIMANTS TO MAKE CLAIMS**

Douglas L. Jackson, Receiver for Marsha Schubert, individually and d/b/a Schubert and Associates, Richard Schubert, individually and d/b/a Schubert and Associates, and Schubert and Associates, an unincorporated association ("Receiver"), by and through his undersigned counsel requests this Court to issue an order establishing a procedure to notify the creditors of Marsha Schubert, Richard Schubert, and Schubert and Associates that they are required 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, and in support of said request, the Receiver states as follows:

1. Notice to Creditors will be given by the Receiver as required by law.
2. The Receiver is in the process of taking control of cash held by Marsha Schubert, Richard Schubert, and Schubert and Associates and is depositing the cash in the Receiver's account at Central National Bank and Trust of Enid.

3. The Receiver has filed a Lis Pendens on three tracts of real property owned by the Schuberts in Logan County, Oklahoma. The Receiver is in the process of arranging for the appraisal and auction of the Schubert and Associates business office and Kattails store, which are both located at 302 N. Grand, Crescent, Oklahoma. The Receiver is also closing the sale of the Schuberts' condominium in Branson, Taney County, Missouri.

4. In addition, the Receiver continues his efforts to collect other property, money and assets on behalf of the Schubert receivership.

5. A procedure should be approved by the Court for the Receiver to give notice to the creditors of Marsha Schubert, Richard Schubert, and/or Schubert and Associates that they are required to file Proofs of Claim, and a bar date established by the Court for the creditors and claimants to file said Proofs of Claim.

WHEREFORE, the Receiver respectfully requests that the Court issue an order (1) establishing a procedure for notifying the creditors of Marsha Schubert, Richard Schubert and/or Schubert and Associates that they are required to file Proofs of Claim setting forth the nature and amount of their claims against Marsha Schubert, Richard Schubert and/or Schubert and Associates, and (2) establishing a bar date by which Claimants must file their Proofs of Claim.

Respectfully submitted,



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Bradley E. Davenport, OBA #18687  
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Post Office Box 1549  
Enid, Oklahoma 73702-1549  
(580) 234-0436 phone number  
(580) 233-1284 facsimile number  
Attorney for Receiver

CERTIFICATE OF SERVICE

I hereby certify that on the 21<sup>st</sup> day of December 2004, I mailed a true and correct copy of the above and foregoing instrument, postage pre-paid to:

Oklahoma Department of Securities  
Attn: Gerri Stuckey  
Amanda Cornmesser  
First National Center, Suite 860  
120 N. Robinson  
Oklahoma City, OK 73102

Mack Martin  
Martin Law Office  
119 N. Robinson, Suite 360  
Oklahoma City, OK 73102  
Attorneys for Defendant Marsha Schubert,  
individually, and d/b/a Schubert and Associates

William J. Baker  
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Stillwater, OK 74076  
Attorney for Defendant Richard Schubert, individually  
and d/b/a Schubert and Associates

  
Bradley E. Davenport