

IN THE DISTRICT COURT OF LOGAN COUNTY,  
STATE OF OKLAHOMA

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

vs. )

Case No. CJ-2004-256

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. )

RECEIVER'S RESPONSE AND OBJECTION TO JOINDER IN NON-PARTY MOVANTS'  
MOTION TO VACATE EX PARTE ORDER APPOINTING JACKSON RECEIVER FOR  
INVESTORS OF MARSHA SCHUBERT OR ALTERNATIVELY, TO TRANSFER MOTION  
TO THE OKLAHOMA COUNTY DISTRICT COURT

COMES NOW Douglas L. Jackson, the Court-appointed Receiver for Marsha Schubert, individually and d/b/a Schubert and Associates, and for the investors and creditors of Schubert and Associates ("Receiver"), and for his Response and Objection to the Joinder of additional non-parties to Movants' *Motion to Vacate Ex Parte Order Appointing Douglas L. Jackson Receiver for Investors of Marsha Schubert or Alternatively, To Transfer this Motion to the Oklahoma County District Court*, would show the Court as follows:

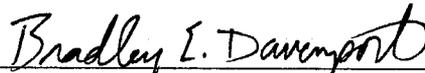
1. On or about August 3, 2005, a pleading entitled *Joinder by Defendants Fagg, Gibson and Carr in Defendants' Motion to Vacate Ex Parte Order Appointing Douglas L. Jackson as Receiver, Etc.* was filed on behalf of Janice Fagg, Kathleen Gibson and Ella Carr.
2. On or about August 4, 2005, a pleading entitled *Joinder in Movants' Motion to Vacate Ex Parte Order Appointing Douglas L. Jackson As Receiver for Investors of Marsha Schubert or*

*Alternatively, To Transfer this Motion to the Oklahoma County District Court* was filed on behalf of Robert Rains, Sheryl Mercer, and Bill Harris.

3. As response to these parties' Joinder in Movants' Motion to Vacate, Receiver hereby adopts and incorporates as though fully set forth herein his *Response and Objection to Movants' Motion to Vacate Ex Parte Order Appointing Douglas L. Jackson As Receiver for Investors of Marsha Schubert or Alternatively, To Transfer this Motion to the Oklahoma County District Court*, including all facts, arguments, legal authority and exhibits.

WHEREFORE, the Receiver respectfully requests that the Court deny the motion to intervene and motion to vacate the December 10, 2004 Order Amending Authority of Receiver in which these additional non-parties have joined.

Respectfully submitted,



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Attorneys for Court-appointed Receiver,  
Douglas L. Jackson

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of August 2005, 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  
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Bradley E. Davenport