

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED
DISTRICT COURT
OKLAHOMA COUNTY, OKLAHOMA

Oklahoma Department of Securities)
ex rel. Melanie Hall, Administrator,)
))
Plaintiff,)
))
v.)
))
Premier Global Corporation, et al.,)
))
Defendants.)

May 2, 2025 5:26 PM
RICK WARREN, COURT CLERK
Case Number CJ-2022-5066

Case No. CJ-2022-5066

**OPPOSED EMERGENCY MOTION TO STAY
DISCOVERY AND EXTEND PRE-TRIAL CONFERENCE DATE AND
ASSOCIATED DEADLINES BY
DEFENDANTS RICHARD DALES DEAN AND DDI ADVISORY GROUP, LLC**

Defendants Richard Dale Dean (“Mr. Dean”) and DDI Advisory Group, LLC (“DDIA”) (collectively, “the Dean Defendants”) move the Court to stay discovery until after the completion of the continued hearing on the Dean Defendants’ Motion to Unfreeze and/or Release Certain Accounts from the Order Freezing Assets (“the Motion”), strike and reset the current Pre-Trial Conference, and extend the current deadlines for discovery and motions. In support of this motion, the Dean Defendants show the Court as follows:

1. The Oklahoma Department of Securities ("ODS") filed its Petition in this case on October 13, 2022. The Petition alleges, *inter alia*, that Defendants, including the Dean Defendants, orchestrated a \$500 million Ponzi scheme and engaged in violations of Oklahoma's Uniform Securities Act.

2. On February 1, 2024, the Court entered a Scheduling Order setting a Pre-Trial Conference for January 21, 2025. On September 18, 2024, the Court moved that Pre-Trial Conference to its present date on April 4, 2025, at 1:30 p.m.

3. On January 22, 2025, the Dean Defendants filed an Unopposed Motion to Extend Pre-Trial Conference Date and Associated Deadlines. As stated in that motion, the parties recognized at that time that they require additional time to conduct and complete discovery in this matter. No parties opposed that motion. The Court granted that motion, reset the Pre-Trial Conference for June 16, 2025, at 1:30 p.m., and also extended all associated deadlines, including the discovery and motion deadlines, in the Court's February 2024 Scheduling Order.

4. On August 28, 2024, Mr. Dean filed a Motion to Unfreeze and/or Release Certain Accounts from the Order Freezing Assets. The Motion requested the Court to unfreeze certain bank accounts for Mr. Dean to allow him to pay living expenses and to remove four entities from the asset freeze in this case: (1) Settlements of Texas, Inc.; (2) AAA Management & Benefit, LLC; (3) Dickie Dean's Insurance & Investment Agency, Inc.; and (4) Wealth & Retirement Solutions, LLC.

5. In response to this Motion, Plaintiff Oklahoma Department of Securities ("Plaintiff") filed its Combined Response in Opposition to Defendant Richard Dale Dean's Motion to Unfreeze and/or Release Certain Accounts from the Order Freezing Assets and Expedited Motion for Accounting and Order for Return of Funds ("Opposition and Motion for Accounting") on September 16, 2024. Receiver Eric Johnson ("Receiver") also filed an Objection to the Motion, a Motion to Show Cause and for an Accounting by Defendant Richard Dean, and a Motion for Expedited Hearing on Receiver's Motion to Show Cause and for an Accounting.

6. The parties appeared for the expedited hearing on Receiver's Motion to Show Cause and for an Accounting on October 28, 2024. At that hearing, the Court made various

rulings relating to accounting activity for the Settlements of Texas, Inc. (“SOT”) entity as memorialized in an order filed on December 5, 2024. The Court also set an evidentiary hearing for February 14, 2025, to address matters raised in the Opposition and Motion for Accounting, the Receiver’s Motion to Show Cause and for an Accounting, and a response to them filed by Defendant Richard Dale Dean, particularly as to the SOT entity. The matters for decision at this hearing overlapped with the matters for decision on Mr. Dean’s Motion, and, therefore, the Dean Defendants filed an unopposed motion requesting the Court to strike the January 23, 2025, hearing on Mr. Dean’s Motion and to reset it for February 14, 2025, to coincide with the evidentiary hearing. On January 23, 2025, the Court granted that motion and reset the hearing on Mr. Dean’s Motion to coincide with the evidentiary hearing for the Opposition and Motion for Accounting and Receiver’s Motion to Show Cause and for an Accounting.

7. The parties appeared and participated in the evidentiary hearing session on February 14, 2025, but they did not finish presenting witnesses and evidence on the pending issues on that day. The Court set an additional hearing session for March 7, 2025. Again, the parties did not finish presenting witnesses and evidence on the pending issues on that day. Unfortunately, the Court did not have the ability to set the next session for the continuation of the evidentiary hearing until August 4, 2025. The parties currently have the August 4 date scheduled for the remainder of the evidentiary hearing and decisions on these outstanding motions and issues. When working to schedule the next session of the evidentiary hearing, and hearing that the next available date fell in August, Plaintiff’s counsel inquired about moving the Pre-Trial Conference date.

8. While the Motion remains pending, without any decision on the unfreezing of certain assets, including those from non-Receivership entities, Mr. Dean and DDIA remain

incapable of paying for defense costs for this case. The Receiver has requested that the Court delay ruling on and deciding whether or not to pay the defense fees for the Dean Defendants in response to the monthly submissions requesting payment of defense fees sent to the Receiver and the Court until the resolution of the ongoing evidentiary hearing and related motions.

9. Unfortunately, this decision to delay paying the defense fees for the Dean Defendants, paired with the availability that pushes the resolution of the evidentiary hearing until August, leaves the Dean Defendants without the ability to pay for defenses costs for the ongoing discovery activity occurring in the case in the lead up to the current Pre-Trial Conference date on June 16. Plaintiff has issued notices for six depositions for the case to occur in May including a deposition of Mr. Dean. The Dean Defendants will oppose that deposition notice in a later filing due its scheduling on a date when Mr. Dean and his counsel lack availability. Additionally, the Dean Defendants remain incapable of accessing any assets to pay for representation at these depositions until the resolution of the evidentiary hearing and Motion in August. This means that current discovery completion and motion deadlines that coincide with or run in advance of the Pre-Trial Conference on June 16, 2025, will pass without providing the Dean Defendants with the ability to pay for defense costs to participate in remaining discovery or to prepare any necessary motions. It also means the extreme prejudice of the Dean Defendants by effectively denying them counsel to assist with some of the most important parts of defense of this case, including Mr. Dean's own deposition, as they cannot access any assets to pay for such defense fees and costs.

10. Aside from the lack of a resolution for the evidentiary hearing issues and motions until August, while the parties continue to work to complete discovery, it remains

unlikely that the parties will complete all discovery tasks required under the Court's Scheduling Order by June 16, 2025. As mentioned, Plaintiff has noticed depositions for various parties and witnesses during May on dates where the deponents do not have availability. Despite requests for Plaintiff to withdraw the notice for Mr. Dean and notice and letters rogatory and commission for Rolando Espinosa for this reason, Plaintiff has refused to do so. Therefore, Mr. Dean and Mr. Espinosa will have to resort to upcoming motion practice to get those depositions reset. Plaintiff has already withdrawn another of the deposition notices and letters rogatory issued for a witness in Texas. That deposition has not yet been rescheduled. Due to these issues, the likelihood of the completion of all depositions in time to allow the parties to prepare complete motions, witness and exhibit lists, and a Pre-Trial conference order by June 16 remains unlikely.

11. Further, multiple parties have expressed a willingness to participate in a mediation as required under the Court's Scheduling Order, but that mediation has not yet been scheduled. The Scheduling Order requires that mediation to occur by the date of the Pre-Trial Conference on June 16. As of the date of the filing of this motion, it remains uncertain when that mediation will occur, and defense counsel for one of the defendants, Josh Owens, just withdrew from the case this week. This also factors into mediation scheduling and planning.

12. In light of these issues, the Dean Defendants respectfully request that, pursuant to Title 12, sections 2006(B) and 3226(D) of the Oklahoma Statutes, the Court enter an order staying discovery until after the completion of the continued hearing on the Dean Defendants' Motion to Unfreeze and/or Release Certain Accounts from the Order Freezing Assets, strike and reset the current Pre-Trial Conference, and extend the current deadlines for discovery and motions.

13. Time is of the essence due to the imminent close of discovery and the upcoming Pre-Trial Conference date.

14. The parties have requested, and the Court has moved, the Pre-Trial Conference date two times previously.

15. Plaintiff's counsel has indicated that it opposes the extension of the Pre-Trial Conference date and extension of the associated deadlines.

WHEREFORE, the Dean Defendants respectfully request that this Court enter an order to stay discovery until after the completion of the continued hearing on the Dean Defendants' Motion to Unfreeze and/or Release Certain Accounts from the Order Freezing Assets, strike and reset the current Pre-Trial Conference, and extend the current deadlines for discovery and motions. The Dean Defendants will submit a proposed order with this motion.

Dated this 2nd day of May, 2025.

Respectfully Submitted,



Tara A. LaClair, OBA No. 21903
Jennifer N. Lamirand, OBA No. 31398
BRESSLER, AMERY & ROSS, P.C.
6608 N. Western Ave., #1213
Oklahoma City, Oklahoma 73116
Telephone: (405) 901-5980
tlaclair@bressler.com
jlamirand@bressler.com
Attorneys for Defendants
Richard D. Dean and DDI
Advisory Group, LLC

CERTIFICATE OF SERVICE

This certifies that on this 2nd day of May, 2025, a true and correct copy of the above and foregoing document was delivered to the following as indicated:

Patricia A. Labarthe *(via E-Mail and First-Class Mail)*
Shaun Mullins
Brad Davenport
Oklahoma Department of Securities
204 N. Robinson, Suite 400
Oklahoma City, OK 73102
Attorneys for Plaintiff

Rollin Nash, Jr. *(via E-Mail and First-Class Mail)*
Dennis S. Boxeur
Nash Cohenour & Giessman, P.C.
4101 Perimeter Center Drive, Suite 200
Oklahoma City, OK 73112
*Attorneys for Defendants Elkins & Assocs. Inc.
And Clyde Edward Elkins*

J. Clay Christensen *(via E-Mail and First-Class Mail)*
Jonathan M. Miles
Brock Z. Pittman
Whitney J. Dockrey
Christensen Law Group, P.L.L.C.
The Parkway Building
3401 N.W. 63rd St., Suite 600
Oklahoma City, OK 73116
*Attorneys for Defendants J&H Holdings, LLC,
Kyle Blackburn, Mitzimack, Inc., Erika Greggs,
James Scott Stanley, Edmond Brokerage, Inc.,
Brent Lee Worley, Byron Kent Freeman and
Karen Lynn Freeman*

Hilary Allen *(via E-Mail and First-Class Mail)*
Spencer Fane LLP
9400 North Broadway Extension
Suite 600
Oklahoma City, OK 73114
Attorney for Receiver

Joshua Owen / Premier Marketing Management
7120 S. Mark Twain Dr.
Derby, KS 67037
joshua@ksmarketingco.com



Tara A. LaClair