



MAR 22 2024

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

RICK WARREN
COURT CLERK

37 _____

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

Case No. CJ-2022-5066
Judge Don Andrews

RECEIVER’S RESPONSE TO OPPOSED MOTION OF DEFENDANTS RICHARD DEAN AND DDIA FOR LEAVE TO FILE AMENDED ANSWER AND CROSS-CLAIMS

Eric L. Johnson (the “Receiver”) in his capacity as Receiver for Premier Global Corporation, Premier Factoring, LLC, PF-2, LLC, PF-3, LLC, PF-4, LLC, PF-5, LLC, PF-6, LLC, PF-7, LLC, Premier Factoring Group, LLC, KCI Business Services, LLC, DDI Advisory Group, LLC, Steven J. Parish, and Richard Dale Dean (collectively, the “Receivership Defendants”), hereby advises the Court that the Receiver reserves all rights to file a Motion to Dismiss any cross-claims brought by Defendants Richard Dale Dean (“Dean”) and DDI Advisory Group, LLC (“DDIA”) against any of the Receivership Entities, including any cross-claims against Steve Parish in this underlying action, for the reasons that: 1) said cross-claims violate the stay in effect as ordered on October 31, 2022, and November 21, 2022, and 2) any and all claims against the Receivership Entities should be handled in the claims process. In support, Receiver states as follows:

1. On October 31, 2022, this Court entered an order appointing the Receiver in the present case (the “Preliminary Order”) and entered a stay and restrained:

...all creditors and other persons seeking money, damages, lien enforcement, or other relief from any Receivership Entity, and all others acting on behalf of any such creditor or other persons, including sheriffs, marshals, and other officers and their deputies, and their respective attorneys, servants, agents, and employees, **are hereby stayed and restrained from doing any act or thing whatsoever (including the continuation of a pending lawsuit), to interfere with the Receiver or to the possession of or management by the Receiver of the Assets or to interfere in any manner during the pendency of this proceeding with the exclusive jurisdiction of this Court over the Receivership Entities.** This Order shall not stay or restrain any pending or future action whatsoever by any governmental agency or any representative on behalf of any government with respect to such governmental unit's police or regulatory power.

2. A final order appointing receiver was entered on November 21, 2021, which incorporated the provisions of the Preliminary Order (the "Final Order"), together with the Preliminary Order, the "Receivership Order").

The stay is important because, among other reasons, any and all claims that are to be made against the Receivership Entities, including Defendants Dean and DDIA's claims against Steve Parish, should be made and handled through an orderly claims process and not via piecemeal litigation. The Receiver agrees that Defendants Dean and DDIA are not waiving any right to file claims against Steve Parish in the claims process by not asserting cross-claims in their Answer to ODS' Amended Petition.

WHEREFORE, the Receiver respectfully reserves its right to file a Motion to Dismiss any cross-claims brought by Defendants Richard Dale Dean ("Dean") and DDI Advisory Group, LLC ("DDIA") against any of the Receivership Entities, including any cross-claims against Steve Parish in this underlying action, together with all such further relief as this Court deems just and equitable.

Dated: March 22, 2024.

Respectfully submitted,

SPENCER FANE LLP

By:  _____

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Attorneys for the Receiver

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2024, a true and correct copy of the above and foregoing was sent electronically to all parties requesting electronic notice and mailed to the parties who have mailing addresses and have entered an appearance.

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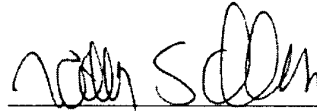
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A handwritten signature in black ink, appearing to read "Hilary S. Allen", written over a horizontal line.

Hilary S. Allen