

STATE OF OKLAHOMA  
DEPARTMENT OF SECURITIES  
THE FIRST NATIONAL CENTER  
120 N. ROBINSON, SUITE 860  
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of:

Rodney Larry Watkins, Jr. (CRD #3091936);  
Southeast Investments, N.C. Inc. (CRD #43035); and  
Frank H. Black (CRD #22451);

Respondents.

ODS File No. 12-058

**AGREED SCHEDULING ORDER**

This *Agreed Scheduling Order* is issued pursuant to 660:2-9-3 of the Rules of the Oklahoma Securities Commission and the Administrator of the Oklahoma Department of Securities (Rules). All parties have agreed to this Order. This Order was agreed to prior to the October 23, 2013 Scheduling Conference that was stricken. All times herein refer to Central Time.

IT IS HEREBY ORDERED that:

1. **Preliminary Lists of Witnesses, Documents and Exhibits.** The parties shall file preliminary lists identifying all witnesses, documents and exhibits intended to be used at the hearing, on or before **December 11, 2013, at 5:00 p.m.** The parties shall identify expert witnesses intended to be called at hearing on their preliminary witnesses lists. The preliminary witness lists shall identify the witnesses by name, residential and/or business address, and telephone number and provide a short description of the witnesses' expected testimony. If a witness is known to be represented by counsel, contact information for a witness' counsel should be included.

2. **Final Witness Lists.** On or before **January 20, 2014, at 5:00 p.m.**, the parties shall file their final witness lists. The final witness lists shall identify, by name, residential and/or business address, and telephone number, all witnesses including, but not limited to, expert witnesses, intended to be called at hearing and contain a short description of the expected testimony of each witness. Failure to comply with this paragraph may result in the exclusion of witness testimony at hearing. If the witness is known to be represented by counsel, contact information for the witness' counsel should be included.

3. **Motions.** Any motions that are filed shall comply with 660:2-9-3(c) of the Rules unless otherwise agreed to by the parties or ordered by the Administrator or designated hearing officer. A response to a written motion shall be filed within ten (10) days after service of the motion but no later than one day prior to the date and time of the hearing. A reply to a response

may be filed within five (5) days after service of the response but not later than the date and time of the hearing.

Dispositive motions will not be considered if filed after **January 17, 2014, at 5:00 p.m.**

4. **Discovery.** Any discovery that is conducted shall comply with 660:2-9-3(b) of the Rules unless otherwise agreed to by the parties or ordered by the Administrator or designated hearing officer. Discovery, including depositions, must be completed/answered on or before the later of ten (10) days after final witness lists are due or the prehearing conference.

The deposition for Respondent Rodney Larry Watkins, Jr. will be on Thursday, January 9, 2014 at 10:30 a.m. in Oklahoma City, Oklahoma. The deposition for Respondent Frank Black will be on Tuesday, January 14, 2014 at 10:00 a.m. in Charlotte, North Carolina.

5. **Document and Exhibit Exchange.** On or before **January 31, 2014, at 5:00 p.m.**, each party shall provide all other parties with a copy of all documents and exhibits intended to be used by the party at hearing. Failure to comply with this paragraph will result in the exclusion of documents and exhibits at hearing.

6. **Hearing Briefs and Proposed Findings of Fact and Conclusions of Law.** Hearing briefs and/or proposed findings of fact or conclusions of law, if any, shall be filed on or before **February 4, 2014, at 5:00 p.m.**

7. **Prehearing Conference.** A prehearing conference shall be held on **February 11, 2014, at 10:00 a.m.** by telephone, or in person at the offices of the Oklahoma Department of Securities, 120 North Robinson Avenue, Suite 860, Oklahoma City, Oklahoma, to address the following matters:

- (A) simplification of issues;
- (B) the final list of witnesses and exhibits to be utilized at the hearing;
- (C) admissions and stipulations of fact;
- (D) stipulations regarding admission and authenticity of documents;
- (E) requests for official notice;
- (F) discovery disputes;
- (G) pending motions; and
- (H) other matters that will promote the orderly and prompt conduct of the hearing.

8. **Hearing Date.** The hearing is set to commence on **February 19, 2014, at 10:00 a.m.**, at the offices of the Oklahoma Department of Securities, 120 North Robinson Avenue, Suite 860, Oklahoma City, Oklahoma. The parties estimate that the hearing will take two (2) days.

9. **Filings and Service.** All documents required to be filed in connection with this matter shall be filed via email to [blondon@securities.ok.gov](mailto:blondon@securities.ok.gov), or by U.S. Mail, by third-party carrier or by personal delivery to the Department to the attention of Brenda London, before 5:00

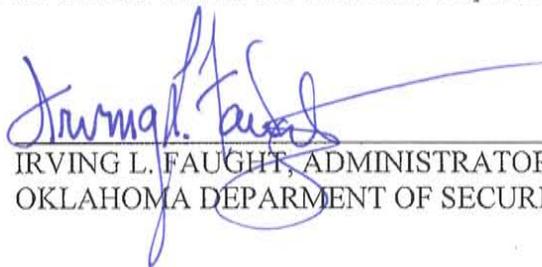
p.m. on the date such filing is due. All filings and any other document made after 5:00 p.m. shall be treated as filed on the next business day. All filings and any other document shall be served, by the party making the filing, upon counsel for all other parties via email and by U.S. Mail, third-party carrier, or personal delivery. The effective date of service for filings and other documents is the date on which the serving party sends the filing or document via email to the counsel for such other party if sent before 5:00 p.m. and the next business day if sent after 5:00 p.m.

10. **Failure to Comply.** Failure to comply with the terms of this Order may result in sanctions as set forth in 660:2-9-3(f) of the Rules.

**IT IS FURTHER ORDERED** that no date set by the Order can be changed except by agreement of all parties or for good cause and upon written order of the Administrator or designated hearing officer.

**WITNESS MY HAND** and the Official Seal of the Oklahoma Department of Securities this 4<sup>th</sup> day of November, 2013.

(SEAL)

  
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IRVING L. FAUGHT, ADMINISTRATOR OF THE  
OKLAHOMA DEPARTMENT OF SECURITIES

Approved by:

  
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