

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

APR 18 2007

Oklahoma Department of Securities  
*ex rel.* Irving L. Faught,  
Administrator,

Plaintiff,

v.

Sunset Financial Group, Inc., an Oklahoma  
corporation; Vision Services, Inc., and Oklahoma  
corporation; Amsterdam Fidelity Business Trust,  
a Nevada Limited liability partnership; EASE  
Corporation, an Oklahoma corporation; Gold Star  
Properties, Inc., an unincorporated association;  
Rebates International, Inc., a Nevada corporation;  
Betty Solomon Brokerage, Inc., an Oklahoma  
corporation; Emzie Huletty, an individual;  
Grover H. Phillips, an individual; Nicholas Krug,  
an individual; Charles E. Elliott, an individual;  
Terry Mahon, an individual; Denver Large, an  
Individual; Betty G. Solomon, an individual; and  
Donald J. Wood, an individual,

Defendants.

PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
DEPUTY

CJ-2003-7899

**RECEIVER'S APPLICATION TO ESTABLISH CLAIMS PROCEDURE**

L. Win Holbrook, the duly appointed receiver in the above styled and numbered proceeding (the "Receiver"), by and through his undersigned counsel, requests hereby an order from this court establishing a procedure to notify those individuals (the "Investors"<sup>1</sup>) who purchased interests in high-yield investment programs, that they are required to file a proof of

<sup>1</sup> As defined in the "Petition for Permanent Injunction and Other Equitable Relief" filed herein on September 19, 2003.

claim setting forth the nature and amount of their claims<sup>2</sup>, and in support of said request, the Receiver states as follows:

1. On September 19, 2003, the Oklahoma Department of Securities filed a Petition for Permanent Injunction and Other Equitable Relief (the "Petition") against Sunset Financial Group, Inc., Vision Services, Inc., Amsterdam Fidelity Business Trust, EASE Corporation, Gold Star Properties, Inc., Rebates International, Inc., Betty Solomon Brokerage, Inc., Emzie Huletty, Grover H. Phillips, Nicholas Krug, Charles E. Elliott, Terry Mahon, Denver Large, Betty G. Solomon and Donald J. Wood (collectively, "Defendants"). The Department alleged that the Defendants violated the Oklahoma Securities Act by engaging in a prime bank scheme, involving the sale of interests in high-yield investment programs, in return for the receipt of a rebate coupon which guaranteed full repayment of a commercial or residential loan. An order was issued against the Defendants by the Oklahoma County District Court to cease their illegal activities.

2. By order dated September 19, 2003 (the "Receivership Order"), Receiver was appointed receiver of the Defendants Sunset Financial Group, Inc., Vision Services, Inc., Amsterdam Fidelity Business Trust, EASE Corporation, and Solomon Brokerage, Inc. (the "Receivership Defendants").

3. Pursuant to the terms of the Receivership Order, the Receiver was charged, *inter alia*, with taking "exclusive custody, control and possession of all assets and documents of, or in the possession or custody, or under the control of, the Receivership Defendants, including those assets of Receivership Defendants in the possession or custody, or under the control of,

<sup>2</sup> Purported claimants of Rebates International, Inc., who may have previously submitted their claims in the form of "rebate coupons" require no additional notification concerning submission of proof of their claims and by the instant application the Receiver specifically seeks court approval that he not be required to furnish such notice.

Defendants Emzie Huletty, Grover H. Phillips, Betty G. Solomon and Donald J. Wood, wherever situated."

4. By order dated September 3, 2004 (the "Final Order"), Defendants Amsterdam Fidelity Business Trust, Rebates International, Inc., Grover H. Phillips, Terry Mahon, and Denver Large were ordered to pay to Receiver the sum of Three Hundred Four Thousand, Six Hundred Sixty-Four Dollars and Twenty-Two Cents (\$304,664.22), to Receiver to be used for restitution to Investors.

5. The Receiver has continued in his efforts to complete his duties as charged and believes all cash to be derived from the various Receivership Defendants has now been obtained by Receiver.

6. A procedure should be approved by the court for the Receiver to give notice to Investors that they are required to file Proofs of Claim, and a bar date established by the court for the Investors to file said Proofs of Claim.

7. Notice to Investors of the establishment of such procedure will be given by the Receiver.

WHEREFORE, based on the foregoing, Receiver respectfully requests the court enter an order (i) establishing a procedure for notifying Investors that they are required to file Proofs of Claim setting forth the nature and amount of their claims; and (ii) establishing a bar date by

which Investors must file their Proofs of Claim.

Respectfully submitted,

HOLBROOK & TOFFOLI

Mark B. Toffoli, O.B.A.#9045  
2204 First National Center  
Oklahoma City, OK 73102

Attorneys for Receiver

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14<sup>th</sup> day of April, 2007, a true and correct copy of the above and foregoing instrument was served via first class U. S. mail, postage prepaid, on the following:

Ms. Patricia A. Labarthe  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102

Terry D. Kordeleski, II, Esquire  
Riggs, Abney, Neal, Turpen, Orbison & Lewis  
5801 Broadway Extension  
The Paragon Building, Suite 101  
Oklahoma City, Oklahoma 73118

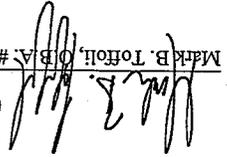
M. Michael Arnett, Esquire  
L. Justin Lowe, Esquire  
3133 N.W. 63rd Street  
Oklahoma City, Oklahoma 73116

Donald J. Wood  
4128 NW 61<sup>st</sup> Terrace  
Oklahoma City, Oklahoma 73102

Mark S. Edmondson, Esquire  
Miller Dollahide  
100 Park Avenue, Second Floor  
Oklahoma City, Oklahoma 73102

P. David Newsome, Jr., Esquire  
Conner & Winters  
3700 First Place Tower  
15 East Fifth Street  
Tulsa, Oklahoma 74103

Mark B. Toffoli, O.B.A.#9045



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Deputy

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an individual; Charles E. Elliott, an individual; )  
Terry Mahon, an individual; Denver Large, an )  
Individual; Betty G. Solomon, an individual; and )  
Donald J. Wood, an individual, )

Defendants. )

ORDER ESTABLISHING CLAIMS PROCEDURE

On the 18 day of April, 2007, the above-captioned case came on for consideration upon the Receiver's Application to Establish Claims Procedure (the "Receiver's Application"). The Receiver appeared in person and by and through his counsel; other parties appeared as announced in court.

Based upon the Receiver's Application and the court having reviewed the pleadings and the submissions of the parties, the court finds that the Receiver shall give notice, except as otherwise set forth herein, to all Investors, as such term is defined in the "Petition for Permanent Injunction and Other Equitable Relief" filed herein on September 19, 2003, that they are required

to file a proof of claim setting forth the nature and amount of their claims against Defendants, together with supporting documentation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver shall give notice to the Investors (Notice) in the form attached to this Order as Exhibit "A" and incorporated herein by reference, and said Notice to be given in the manner set forth below.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Investors, except as noted below, are required to file a proof of claim with the Receiver that is delivered and received on or before June 1, 2007, or the claim shall be forever barred.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that claimants of Rebates International, Inc., who may have previously submitted their claims to the Receiver in the form of "rebate coupons", require no additional notice of claims submission and accordingly the Receiver is not required to provide any such additional notice to said claimants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver shall mail a copy of such Notice, via first class U. S. mail postage prepaid, to each known Investor at their last known address. Plaintiff shall post the Notice on the website of the Oklahoma Department of Securities, [www.securities.ok.gov](http://www.securities.ok.gov), as notice to those Investors or claimants whose names and/or addresses are not known to the Receiver.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Proof of Claim form and Proof of Claim instructions attached to this Order as Exhibit "B" and incorporated herein by reference is approved by the court, and the Receiver is authorized by the court to provide the Proof of Claim form and Proof of Claim instructions to all known Investors along with the Notice described above in this order.

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NOTICE AND DEADLINE TO FILE PROOF OF CLAIM

TO ALL INVESTORS HAVING CLAIMS AGAINST SUNSET FINANCIAL GROUP, INC.,  
VISION SERVICES, INC., AMSTERDAM FIDELITY BUSINESS TRUST, EASE  
CORPORATION, GOLD STAR PROPERTIES, INC., REBATES INTERNATIONAL, INC.,  
BETTY SOLOMON BROKERAGE, INC., EMZIE HULETTY, GROVER H. PHILLIPS,  
NICHOLAS KRUG, CHARLES E. ELLIOTT, TERRY MAHON, DENVER LARGE, BETTY  
G. SOLOMON AND DONALD I. WOOD (collectively, "DEFENDANTS"), PLEASE  
REVIEW THIS NOTICE CAREFULLY AS YOUR RIGHTS MAY BE AFFECTED.

Please take notice that on April 18, 2007, the Oklahoma County District Court, Judge Carolyn  
Ricks presiding, entered an Order Establishing Claims Procedure, and ordering the court-  
appointed Receiver to mail Notice, by regular U.S. mail, postage prepaid, to each known  
Investor of the Defendants, at their last known address.

The records of the Defendants in the possession of the Receiver indicate that you may have a  
claim against the Defendants. Enclosed please find your Proof of Claim form and instructions  
for completing and returning the form. Please read the instructions carefully, and completely  
fill out your form. Failure to fully complete the form and timely submit all of the requested

EXHIBIT "A" PAGE 1 OF 2

IN WITNESS WHEREOF I have set my hand and affixed the seal of this court this 18

day of April, 2007.

Honorable Carolyn R. Ricks  
Judge of the District Court

Approved as to form:

I, PATRICIA PRESLEY, Court Clerk for Oklahoma  
County, Okla., hereby certify that the foregoing is a  
true, correct and complete copy of record in the District  
Court Clerk's Office of Oklahoma County, Okla.,  
this 18 day of April, 2007.  
PATRICIA PRESLEY, Court Clerk  
Deputy

HOLBROOK & TOFFOLI  
Mark B. Toffoli, O.B.A. #9045  
2206 First National Center  
120 North Robinson  
Oklahoma City, OK 73102  
(405) 232-3664  
Attorneys for Receiver

information, including documents or other materials supporting your claim, shall result in your claim being denied.

THE DEADLINE FOR SUBMITTING YOUR PROOF OF CLAIM IS

2007. There is no assurance that restitution will be paid. However, if you wish to have an opportunity to share in the distribution of available funds, **your Proof of Claim form must be delivered and/or received by** \_\_\_\_\_, 2007. A Proof of Claim form delivered and/or received after June 1, 2007, will lose its priority and will likely receive no distribution due to the present financial deficiency of the Defendants.

Questions and other requests for information may be submitted to:

L. Win Holbrook, Receiver  
Mark B. Toffoli, Attorney for Receiver  
2205 First National Center  
120 North Robinson  
Oklahoma City, Oklahoma 73102  
(405) 232-3664

BY ORDER OF THE COURT.