

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

JAN 31 2011

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

OKLAHOMA DEPARTMENT OF SECURITIES )  
*ex rel.* IRVING L. FAUGHT, Administrator, et al., )  
 )  
Plaintiffs, )  
v. )  
 )  
ROBERT W. MATHEWS, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. CJ-2005-3796

MOTION TO REQUIRE JUDGMENT DEBTOR, GARRETT SCHUBERT,  
TO APPEAR AND ANSWER AS TO ASSETS

Plaintiffs, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, and Douglas L. Jackson, in his capacity as court appointed receiver for the benefit of the claimants and creditors of Marsha Schubert and Schubert and Associates, move this Court for an Order requiring the Judgment Debtor named below to appear at a date certain and answer concerning their property and assets.

Plaintiffs are Judgment Creditors, having obtained judgment and costs in the above captioned case against the Defendants set forth below in the following amounts:

| Defendants       | Judgment Date | Judgment Amount | Costs   |
|------------------|---------------|-----------------|---------|
| Garrett Schubert | June 17, 2009 | \$25,000.00     | \$75.00 |

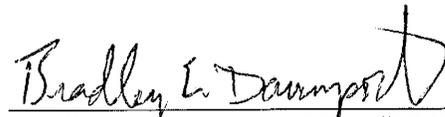
and postjudgment interest accrued and accruing at the statutory rate from and after the date of judgment. See 06/17/09 Agreed Journal Entry of Judgment and Order of Disgorgement attached as Exhibit A.

The Defendant has property which he unjustly refuses to apply toward the satisfaction of the judgment; and Plaintiffs are entitled to an order of this Court requiring the Defendants to appear and answer concerning their property and assets before the Judge of this Court.

Plaintiffs further move that the Court enter an order against the Defendant restraining him from transferring or otherwise disposing of any property which he may have, either real or personal, pending the outcome of the hearing of this matter before the Court and subject to any other order of this Court.

Wherefore, Plaintiffs request that the Court enter an order requiring and directing the Defendant to appear before the Judge of this Court at a specified time and place to answer concerning property and assets belonging to him.

Respectfully submitted,



Bradley E. Davenport, OBA #18687  
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davenport@gungolljackson.com  
Attorneys for Plaintiff/Receiver, Douglas L. Jackson

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing instrument was mailed this 31<sup>st</sup> day of January, 2011, with postage prepaid, to:

Amanda Cornmesser  
Gerri Kavanaugh  
Melanie Hall  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, OK 73102  
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Attorney for Defendants, Marvin and Pamela Wilcox

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Attorney for Garrett Schubert

  
\_\_\_\_\_  
Bradley E. Dayenport



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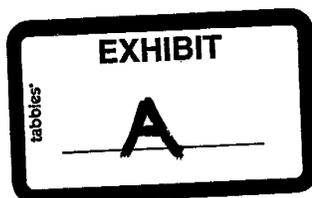
AGREED JOURNAL ENTRY OF JUDGMENT AND ORDER OF  
DISGORGEMENT RELATIVE TO DEFENDANT GARRETT SCHUBERT

On this 5<sup>th</sup> day of June, 2009, this agreed order between the parties came before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, for consideration. The Court, finding that it has jurisdiction over the parties and the subject matter of this action, finds the Defendant Garrett Schubert, after having the opportunity to consult legal counsel, consents to the entry of judgment against him in favor of the Plaintiffs in the amount of Twenty-Five Thousand Dollars (\$25,000.00).

The Court, having reviewed the evidence presented, and being fully advised in the premises, finds that the allegations in Plaintiffs' Petition as to Defendant Garrett Schubert are admitted as set forth therein, and that a basis for the requested equitable relief has been established by Plaintiffs.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that judgment is granted in favor of Plaintiffs and against Defendant Garrett Schubert in the amount of \$25,000.00, with post-judgment interest accruing thereon at the statutory rate from the date this judgment and order of disgorgement is entered until paid in full, plus the amount of \$75.00 as costs of the action.

*[Handwritten mark]*

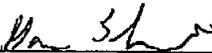


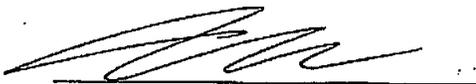
IT IS FURTHER ORDERED that Defendant Garrett Schubert disgorge the judgment amount specified above to the Plaintiff/Receiver, Douglas L. Jackson, P.O. Box 1549, Enid, OK 73702-1549.

Dated this 10 day of April, 2007.

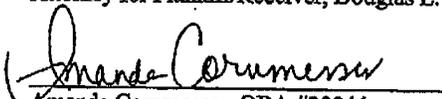
  
Patricia G. Paus  
Judge of the District Court

APPROVED AS TO FORM:

  
Garrett Schubert, Defendant

  
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