

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 28 2007

PATRICIA PRESLEY, COURT CLERK
by _____
Deputy

OKLAHOMA DEPARTMENT OF)
SECURITIES ex rel. IRVING L.)
FAUGHT, ADMINISTRATOR,)

Plaintiff,)

Case No. CJ-2005-3799
Hon. Vicki Robertson

v.)

BARRY POLLARD AND)
ROXANNE POLLARD,)

Defendants and Third Party)
Plaintiffs,)

v.)

AXA ADVISORS, LLC, a Delaware)
Limited Liability Company; and AXA)
EQUITABLE LIFE INSURANCE)
COMPANY, f/k/a EQUITABLE LIFE)
ASSURANCE SOCIETY OF THE)
UNITED STATES,)

Third Party Defendants.)

**AXA EQUITABLE LIFE INSURANCE COMPANY'S UNOPPOSED MOTION TO
EXTEND TIME TO FILE DISPOSITIVE MOTIONS**

Third Party Defendant, AXA Equitable Life Insurance Company ("AXA") files this unopposed motion requesting entry of an order extending the time for AXA to file dispositive motions (if any) through and until January 31, 2008 ("Motion"). Counsel for AXA has consulted with counsel for Plaintiff, the Oklahoma Department of Securities ("Department") and counsel for Defendants/Third Party Plaintiffs Roxanne and Barry Pollard ("Pollards") who do not object to the relief requested. In support of its Motion, AXA states as follows:

1. On August 30, 2007, this Court entered its Scheduling Order setting the deadline for submission of dispositive motions for sixty (60) days prior to the pre-trial conference set for February 27, 2008.

2. Thus, the deadline to submit dispositive motions is December 29, 2007 (a Sunday).

3. On March 29, 2007, the Department filed its Motion for Summary Judgment, which was ultimately set for hearing on October 11, 2007.

4. On October 11, 2007, the Pollards filed their Motion for Summary Judgment against the Department. This Motion has been stricken by agreement.

5. On October 26, 2007, this Court orally sustained in part the Department's Motion for Summary Judgment, and on November 28, 2007, this Court entered its Order Granting Partial Summary Judgment in favor of the Department.

6. Also on October 26, 2007, new counsel entered an appearance for the Pollards.

7. On October 31, 2007, the Department filed its Response to the Pollards' Motion for Summary Judgment.

8. On December 13, 2007, the Pollards filed their Motion to Reconsider and Vacate Order Granting Partial Summary Judgment in Favor of the Department ("Motion to Reconsider").

9. The Motion to Reconsider is set for hearing on January 10, 2008.

10. Under this Court's Scheduling Order, the deadline for completion of discovery is February 26, 2008.

11. Because the Pollards' claims against AXA hinge in part on the Department's success in its case against the Pollards, AXA not conducted any significant discovery in this matter. Depositions are tentatively scheduled for January, 2008.

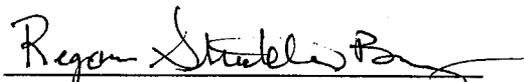
12. Therefore, AXA requires additional time to complete discovery sufficient to prepare its dispositive motions (if any).

13. AXA requests entry of an Order extending the deadline for AXA to file its dispositive motions (if any) through and until January 31, 2008.

14. Counsel for AXA has consulted with counsel for the Department and counsel for the Pollards who do not object to the relief requested.

WHEREFORE, AXA requests entry of an Order extending the deadline for AXA to file its dispositive motions (if any) through and until January 31, 2008.

Respectfully submitted,



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ATTORNEYS FOR AXA ADVISORS, LLC and
AXA EQUITABLE LIFE INSURANCE
COMPANY

CERTIFICATE OF SERVICE

This certifies that on the 28th day of December, 2007, a true and correct copy of the foregoing Motion was sent, postage pre-paid to

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