

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

NOV 28 2007

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator;)
)
Plaintiff,)

PATRICIA PRESLEY, COURT CLERK
by _____
Deputy

v.)

Case No. CJ-2005-3799

Barry Pollard and Roxanne Pollard,)
)
Defendants.)

v.)

AXA Equitable Life Insurance Company,)
f/k/a Equitable Life Assurance Company)
of the United States,)
)
Third Party Defendants.)

ORDER GRANTING PARTIAL SUMMARY JUDGMENT

On the 26th day of October, 2007, the Court announced its ruling on Plaintiff's *Motion for Summary Judgment*. The Plaintiff, Oklahoma Department of Securities, appeared by and through its legal counsel, Gerri Stuckey. Defendants Barry and Roxanne Pollard appeared by and through their attorneys, Carolie Rozell and Russell Mulinix.

The Court announced that it was treating Plaintiff's Motion for Summary Judgment as a motion for partial summary judgment and ruled as follows:

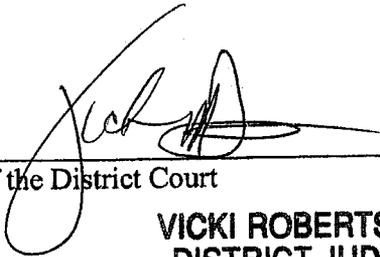
IT IS THEREFORE ORDERED that *Plaintiff's Motion for Summary Judgment* is sustained as a motion for partial summary judgment with respect to the existence of the "Ponzi" scheme and unjust enrichment on the part of the Defendants.

IT IS FURTHER ORDERED that Defendants' request for offsets, or setoffs, is

denied.

IT IS FURTHER ORDERED that the issue of amounts is reserved for further hearing.

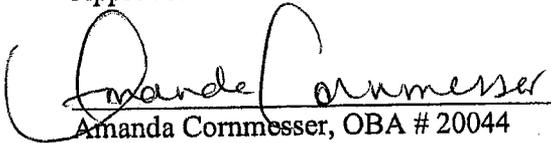
Dated: November 16, 08



Judge of the District Court

**VICKI ROBERTSON
DISTRICT JUDGE**

Approved as to form:



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Gerri Stuckey, OBA # 16732
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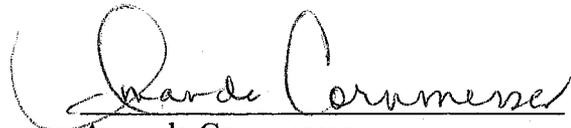
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 20th day of November, 2007, a true and correct copy of the above and foregoing was mailed by U.S. Mail, with postage prepaid thereon, addressed to:

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