

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 29 2008

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

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

Plaintiff,)

v.)

Case No. CJ-2006-10111

Raglin Industries, LLC, an Oklahoma)
limited liability company; Phillip Levaughn)
Raglin, an individual; and Joseph Daniel)
Layne, an individual,)

Defendants.)

and)

Gerald Cooper, an individual;)
Diana Cooper, an individual;)
Melinda Cooper Raglin, an individual;)
BMI Construction, Co., L.L.C.,)
an Oklahoma limited liability company;)

Defendants Solely For)
Purposes of Equitable Relief.)

**MOTION FOR ORDER APPROVING INVESTOR DESIGNATION
AND PARTIAL DISTRIBUTION**

On March 1, 2007, Plaintiff requested and on March 2, 2007, this Court entered an order establishing a claims procedure to notify those who invested money with Defendants (Investors), that they are required to submit a proof of claim setting forth the nature and amount of their investments and to provide documentation of such amounts (Proof of Claim). On October 4, 2007, this Court approved Investor designations and a partial distribution of funds.

In September, 2008, Plaintiff received notice from the Personal Representative of an Investor (Investor 310), that Investor 310 died in August, 2007, and the Personal Representative

has requested consideration of a Proof of Claim filed by Investor 310's estate. Plaintiff has :
completed a review of the estate's Proof of Claim and supporting documentation and has
compared this information with the Raglin Industries, LLC databases and bank records of
Defendants. Investor 310 invested Five Thousand Dollars (\$5,000.00) with Defendants, and
received a return of One Thousand Two Hundred Seven Dollars and Fifty Cents (\$1,207.50), for
a net investment loss of Three Thousand Seven Hundred Ninety-Two Dollars and Fifty Cents
(\$3,792.50). Funds in the bank account of Raglin Industries LLC, at Bank of America, are
sufficient to make a partial distribution in accordance with the Court's order of October 4, 2007.

Plaintiff respectfully requests that this Court approve the payment of a partial distribution
to the Personal Representative of Investor 310 in the prorated amount of One Thousand Five
Hundred Seventy-Five Dollars and Sixty-Three Cents (\$1,575.63).

Respectfully submitted,


Patricia A. Labarthe OBA #10391
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102
Telephone (405) 280-7700
Fax (405) 280-7742
Attorney for Plaintiff

NOTICE OF HEARING

**Please be advised that a hearing on the Motion for Order Approving Investor
Designation and Partial Distribution has been set for the 29th day of January,
2009, at 9³⁰ o'clock A.m., before District Judge Carolyn R. Ricks, Oklahoma County
Courthouse, Oklahoma City, Oklahoma.**

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CERTIFICATE OF MAILING

The undersigned certifies that on the 24th day of December, 2008, a true and correct copy of the foregoing was mailed by first class mail, with postage prepaid thereon, to the following:

Raglin Industries, LLC
c/o National Registered Agents, Inc. of OK
115 SW 89th Street
Oklahoma City, OK 73139

Gerald Cooper
33261 East 701 Drive
Wagoner, OK 74467-8653

and

33261 East 701 Drive
Wagoner, OK 74467-8653

Diana Cooper
33261 East 701 Drive
Wagoner, OK 74467-8653

Phillip Raglin
122 South 3rd
Muskogee, OK 74401

Melinda Cooper Raglin
33261 East 701 Drive
Wagoner, OK 74467-8653

Robert R. Nigh, Jr., OBA #11686
Brewster & De Angelis
2617 East 21st Street
Tulsa, OK 74114

James C. Hodges
Eller and Detrich, P.C.
2727 East 21st Street, Suite 200
Tulsa, OK 74114

Jerry L. Gunter
Winters, King & Associates
2448 E. 81st Street, Suite 5900
Tulsa, OK 74137-4259



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**IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA**

Oklahoma Department of Securities)	
<i>ex rel.</i> Irving L. Faught,)	
Administrator,)	
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Plaintiff,)	
)	
v.)	Case No.CJ-2006-10111
)	
Raglin Industries, LLC, an Oklahoma)	
limited liability company; Phillip Levaughn)	
Raglin, an individual; and Joseph Daniel)	
Layne, an individual,)	
)	
Defendants.)	
)	
and)	
)	
Gerald Cooper, an individual;)	
Diana Cooper, an individual;)	
Melinda Cooper Raglin, an individual;)	
BMI Construction, Co., L.L.C.,)	
an Oklahoma limited liability company;)	
)	
Defendants Solely For)	
Purposes of Equitable Relief.))	

**ORDER APPROVING INVESTOR CLAIM DESIGNATION
AND PARTIAL DISTRIBUTION**

This matter came on for hearing this ____ day of _____,
200____, before the undersigned Judge of the District Court in and for Oklahoma
County, State of Oklahoma, to approve a Proof of Claim filed by the Personal
Representative of the estate of an investor (Investor 310) with Defendants Raglin
Industries, LLC, Phillip Levaughn Raglin and Joseph Daniel Layne (collectively,
“Defendants”). Plaintiff appears by and through its attorney, Patricia A. Labarthe. After
considering the evidence, the Court finds that the partial distribution should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Investor 310 incurred a net loss of Three Thousand Seven Hundred Ninety-Two Dollars and Fifty Cents (\$3,792.50), and that a partial distribution in the prorated amount of One Thousand Five Hundred Seventy-Five Dollars (\$1,575.63) be paid to the Personal Representative of Investor 310.

IT IS FURTHER ORDERED that Bank of America issue a cashier's check to the Personal Representative of Investor 310, from the Raglin Industries LLC Account Number 3040170230, in the name and at the address to be provided to Bank of America by Plaintiff, and in the prorated amount of One Thousand Five Hundred Seventy-Five Dollars and Sixty-Three Cents (\$1,575.63).

IT IS FURTHER ORDERED that Bank of America issue and mail the cashier's check to the Personal Representative of Investor 310, and provide a copy of the cashier's check to Plaintiff, no later than twenty (20) days from the date of this Order.

IT IS FURTHER ORDERED that Bank of America is authorized to debit a reasonable fee from Raglin Industries LLC Account Number 3040170230, that does not exceed Six Dollars (\$6.00), for the issuance of the check to the Personal Representative of Investor 310.

Dated this _____ day of _____, 200__.

DISTRICT COURT JUDGE

Approved as to form and substance:

Patricia A. Labarthe, OBA # 10391
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Oklahoma City, OK 73102
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