

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

OCT 17 2006

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
)
Plaintiff,)
)
v.)
)
David Fowler,)
)
Defendant.)

Case No. CJ-2006-4228

DEFAULT JUDGMENT

This matter came on for hearing this 16th day of October, 2006, before the undersigned Judge of the District Court in and for Oklahoma County, State of Oklahoma, upon the motion of Plaintiff for default judgment against Defendant to be heard *instanter*, without notice.

The Court, having reviewed the *Petition for Order Enforcing Administrative Order* ("Petition"), the process server's returns, an affidavit of Terra Shamas, the *Affidavit of Dan Clarke*, the *Alias Summons* and Petition served upon the Administrator of the Oklahoma Department of Securities ("Administrator"), the *Notice of Service on the Administrator and Affidavit of Compliance*, and the return receipt dated September 20, 2006, and signed by C.C. Hart, finds: that Defendant has been validly served with copies of the *Alias Summons* and Petition; that the date by which Defendant was required to appear and defend this action was October 10, 2006; that no appearance was made by Defendant, nor has any motion or pleading been filed on his behalf; and that a default judgment may be taken against Defendant without notice, pursuant to Rule 10 of the Rules for District Courts of Oklahoma. The Court further finds that Defendant is in default and has thus admitted the allegations of the Petition; that the

allegations of the Petition are deemed true as therein set forth; and that Plaintiff is entitled to the relief for which it has prayed against Defendant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant is in contempt and shall pay a civil monetary penalty in the amount of One Thousand Three Hundred Dollars (\$1,300.00) to Plaintiff within thirty (30) days of the entry of this order.

IT IS SO ORDERED.

Dated this 16th day of October, 2006.

BRYAN C. DIXON

District Court Judge

I, PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the District Court Clerk's Office of Oklahoma County, Okla., this 17 day of Oct, 2006.

By SKR PATRICIA PRESLEY, Court Clerk Deputy

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 17th day of October, 2006, a true and correct copy of the *Default Judgment* was mailed by first class mail with postage prepaid thereon addressed to:

Mr. David Fowler
7030-C S. Lewis Ave., PMB 561
Tulsa, OK 74136



Terra Shamas, OBA #20838
Oklahoma Department of Securities
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Oklahoma City, OK 73102
(405) 280-7700 telephone
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