

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

OCT 20 2010

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

OKLAHOMA DEPARTMENT OF SECURITIES)
ex rel. IRVING L. FAUGHT, Administrator,)
)
Plaintiff,)
v.)
)
THE ESTATE OF BRYAN DAVID ROARK,)
)
Defendant.)

Case No. CJ-2009-10905

**ORDER AUTHORIZING PAYMENT OF
INTERIM RECEIVER'S FEE**

NOW on the 13th day of October, 2010, the Receiver's Application for Authority to Pay Interim Receiver's Fee comes before the Court for consideration.

Based on the Receiver's Application and the Court having reviewed all pleadings and submissions of the parties, the Court finds as follows:

1. That the Receiver has expended a considerable amount of time in performance of his duties on behalf of the Roark Receivership Estate, and those services have been and will continue to be beneficial to the claimants and creditors of the Estate. Through the date the Receiver filed his Application for Authority to Pay Interim Receiver's Fee, the Receiver had recovered a total of \$4,592,365.71 on behalf of the Receivership Estate;
2. That the Receiver has worked on behalf of the Roark Receivership Estate from November, 2009 to the present without having received a Receiver's fee;
3. That there are ample funds on hand in the Receiver's small business checking and treasury fund accounts from which an interim Receiver's fee may be paid and that it would be just and equitable to allow the Receiver an interim fee at this time;

4. That the Receiver's proposal to utilize the formula for payment to the executor of an estate whose compensation is not expressly provided for by the will found in 58 O.S. §527 is fair, appropriate and reasonable based on the facts and circumstances in this case;

5. That the Court has been advised of and approves an agreement and compromise between the Receiver and creditor, Morgan Stanley Smith Barney, for a reduction in the amount of 13,845.41 from the interim Receiver's fee for which the Receiver originally made application in the amount of \$114,909.14. The amount of the reduction is based in part on attorney time entries made for the Receiver on detail transaction sheets for attorney fees previously submitted to the Court for payment by the Receiver. The remainder of the agreed reduction pertains to assets the Receiver recovered on behalf of the Roark Receivership Estate through the cooperation of Morgan Stanley Smith Barney regarding liquidation of investment accounts Roark held with that company.

6. That Receiver's Application for Authority to Pay Interim Receiver's Fee should be and is hereby granted, but not in the full amount requested in Receiver's Application for Authority to Pay Interim Receiver's Fee filed September 15, 2010. The amount of \$13,845.41 will be deducted from the amount of the interim fee requested by the Receiver of \$114,909.14. Therefore, the Receiver is authorized to pay and receive an interim fee in the amount of \$101,063.73 for his work and services on behalf of the creditors and claimants of the Roark Receivership Estate from November 4, 2009 through the date of his Application on September 15, 2010.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Receiver's Application for Authority to Pay Interim Receiver's fee is GRANTED, and it is ordered that Douglas L. Jackson, as court-appointed Receiver for the Assets of the Estate of Bryan David

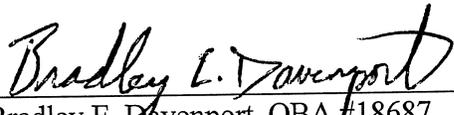
Roark, be allowed the sum of \$101,063.73 as an interim Receiver's fee for work and services performed from November 4, 2009 through the date of his Application filed September 15, 2010, and that the Receiver is authorized to pay such interim fee immediately.

IT IS FURTHER ORDERED THAT such interim Receiver's fee shall not be regarded as full compensation for the work and services rendered by the Receiver, but shall apply against the final amount of any fee awarded to the Receiver at the conclusion and termination of these proceedings.

PATRICIA G. PARRISH

For Honorable Twyla Mason Gray
Judge of the District Court

APPROVED AS TO FORM:


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Attorney for Receiver, Douglas L. Jackson

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 20 day of Oct, 2010.
By Patricia Presley
PATRICIA PRESLEY, Court Clerk
Deputy

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