

1. Heritage Est Services entered into a certain contract with the State of Oklahoma (the "Heritage Contract").

2. Pursuant to the Heritage Contract, the State of Oklahoma issued a check in the amount of \$34,065.00 to Heritage Est Services as the initial payment on the Heritage Contract (the "Initial Payment").

3. Jeff Burke ("Burke") received the Initial Payment. Burke personally provided goods and services for the Heritage Contract.

4. Pursuant to the Heritage Contract, the State of Oklahoma issued a check in the amount of \$7,150.00 to Heritage Est Services as the final payment on the Heritage Contract (the "Final Payment").

5. During the period September, 2006 through October, 2008, payments totaling \$7,220.00 were made by Defendant, Heritage Estate Services, LLC to Jeff Burke (the "Burke Payments"). Burke claims the payments were for work done by Burke for Defendant, Joe Don Johnson. There is no evidence in the record to support a finding that Defendant, Heritage Estate Services LLC received consideration or anything of value in exchange for the Burke Payments.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Motion is denied and Special Master is entitled to receive the Final Payment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Special Master has no claim to the Initial Payment and that the Initial Payment was earned by Burke.

Dated this 12th day of February, 2010.

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 Clerks Office of Oklahoma County, Okla., this 26 day of March, 2010
By Patricia Presley PATRICIA PRESLEY, Court Clerk
Deputy

Yama W. Gunt
DISTRICT JUDGE

APPROVED FOR ENTRY:



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SPECIAL MASTER