

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

OKLAHOMA DEPARTMENT OF )  
SECURITIES, *ex rel.* Irving L. Faught, )  
Administrator, )

Plaintiff, )

vs. )

GLOBAL WEST FUNDING, LTD., CO., )  
an Oklahoma Limited Liability Co., )  
GLOBAL WEST FINANCIAL, LLC, )  
an Oklahoma Limited Liability Co., )  
SURE LOCK FINANCIAL , LLC, )  
an Oklahoma Limited Liability Co., )  
SURE LOCK LOANS LLC, )  
an Oklahoma Limited Liability Co., )  
THE WAVE-GOLDMADE, LTD., )  
an Unincorporated Association; )  
BRIAN McKYE, an Individual; and )  
JAMES FARNHAM, an Individual, )

Defendants, )

and )

HERITAGE ESTATE SERVICE, LLC, )  
An Oklahoma Limited Liability Co., )

Relief Defendant. )

Case No. CJ-2009-2773  
Judge: Davis, Lisa T.

FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

JUN 22 2011

PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
DEPUTY

**Set for hearing:  
June 23, 2011 at 1:30 p.m.**

**REPLY TO BRIAN MCKYE'S OBJECTION TO  
APPLICATION OF SPECIAL MASTER, STEPHEN J. MORIARTY TO  
ESTABLISH PROCEDURE TO NOTIFY CLAIMANTS TO MAKE CLAIMS**

Comes now the Special Master, Stephen J. Moriarty ("Special Master"), and hereby replies to the Objection of Brian McKye ("McKye") to Special Master's Application to establish procedures to notify creditors and requiring that, if necessary,

they file a proof of claim setting forth the nature and amount of their claims. In support of this Reply, Special Master would show unto the Court as follows:

1. The purpose of the Application and the relief sought thereby is to establish a bar date for the filing of claims and to have the Court approve the forms of notice given to creditors.

2. The Special Master disputes each and every claim made by McKye in his objection. However, none of the issues raised by the objection have anything to do with the establishment of a bar date or the form of notice given to creditors. For that reason alone, the objection must fail.

3. By way of further reply, the Special Master reminds the Court that:

a. Judge Gurich has previously ruled that McKye must return over \$21,000.00, removed by McKye in violation of this Court's Temporary Restraining Order, to the Special Master. To date, McKye has not returned the \$21,000.00 taken in violation of the TRO to Special Master;

b. On January 7, 2010, Judge Gurich found that McKye had operated a multi-million dollar Ponzi scheme in violation of Oklahoma law. Most of the investors were elderly retirees;

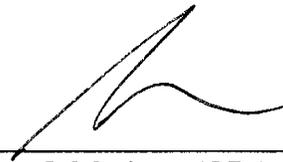
c. On September 9, 2010, Judge Gurich entered judgment against McKye in the amount of \$4,500,000.00. To date, McKye has failed to make any payment on this judgment;

d. While McKye did take an appeal from the judgment entered against him herein, he failed to prosecute the appeal and it has been dismissed.

*Brian McKye, Appellant v. Oklahoma Department of Securities, Appellee,*  
Supreme Court of the State of Oklahoma, Case No. DF-108795;

e. While the appointment of Special Master on April 1, 2009 was agreed to by all defendants (including McKye), since that date, and particularly after the firing of McKye on May 1, 2009 based on his violation of the TRO, McKye has repeatedly asked the Court to remove Special Master or limit his authority. Each of those attempts has failed. McKye has done nothing but add to the cost of administration of this case and delay the ultimate distribution to creditors.

WHEREFORE, Special Master respectfully requests that this Court enter an order (a) denying the objection filed by Brian McKye and (b) establishing a procedure, as set forth in the Application, to notify creditors to make claims and for such other and further relief as this Court deems just and equitable.



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Stephen J. Moriarty (OBA # 6410)  
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BAILEY & TIPPENS  
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Oklahoma City, OK 73102-8820  
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SPECIAL MASTER

**CERTIFICATE OF SERVICE**

I hereby certify that on 22nd day of June, 2011, the foregoing was set by U.S. Mail, first class, postage prepaid, to:

Patricia Labarthe, Esq.  
Jennifer Shaw, Esq.  
Oklahoma Department of Securities  
120 N. Robinson, Suite 860  
Oklahoma City, OK 73102

Brian McKye  
Pro Se  
P.O. Box 957  
Jay, OK 74346

  
\_\_\_\_\_  
Stephen J. Moriarty

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