

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

Oklahoma Department of Securities)
ex rel. Irving L. Faught,)
Administrator,)
)
Plaintiff,)
)
v.)
)
Robert E. Tucker, and)
Keystone Equity Group, Inc.,)
)
Defendants.)

DEC 15 2010

PATRICIA PRESLEY, COURT CLERK

by HEPBTY

Case No. CJ-2010-2525

PLAINTIFF'S APPLICATION FOR CITATION-INDIRECT CONTEMPT

Plaintiff, Oklahoma Department of Securities *ex rel.* Irving L. Faught, Administrator, hereby charges and accuses Defendants Robert E. Tucker ("Tucker") and Keystone Equity Group, Inc. ("Keystone") (collectively, "Defendants"), of having knowingly, willfully and contemptuously disobeyed and violated the lawfully issued orders of the District Court of Oklahoma County as follows:

1. Plaintiff filed a motion to compel answers to interrogatories and production of documents on September 27, 2010, and a motion challenging the sufficiency of Defendants' answers to requests for admission on October 19, 2010. The Court granted both motions at a hearing on November 23, 2010 ("Order"). Defendants' counsel was present at the hearing. Plaintiff's motion to settle the journal entry for the Order is set for hearing on January 19, 2011.
2. The Order required Defendants to: (a) produce all documents responsive to the document requests contained in *Plaintiff's First Set of Requests for Admissions, Interrogatories and Document Requests to Defendants Robert E.*

Tucker and Keystone Equity Group, Inc. (“Plaintiff’s Discovery Request”), to Plaintiff within 15 days, (b) serve Plaintiff with full and complete answers to interrogatories numbered 3-4 and 8-12 contained in Plaintiff’s Discovery Request within 15 days, and (c) serve Plaintiff with full and complete amended answers to requests for admissions numbered 5, 9, 11, and 18-20, in Plaintiff’s Discovery Request within 15 days.

3. Pursuant to the Order, Defendants’ documents and answers to the specified interrogatories and requests for admission were due on or before December 8, 2010.
4. Plaintiff has not received Defendants’ answers to the specified interrogatories and requests for admission.
5. The conduct described above constitutes separate violations of the Order and are separate instances of indirect contempt of court.

WHEREFORE, Plaintiff requests that, pursuant to 12 O.S. § 3237(B)(2)(d), Defendants Tucker and Keystone be adjudged guilty of indirect contempt for failure to serve Plaintiff with full and complete answers to interrogatories numbered 3-4 and 8-12 and requests for admissions numbered 5, 9, 11, and 18-20, contained in Plaintiff’s Discovery Request, on or before December 8, 2010, and be punished by a fine, imprisonment, or both. Plaintiff further requests the Court to: (a) deem admitted requests for admissions numbered 5, 9, 11, and 18-20, (b) require Defendants to pay the reasonable expenses, including attorney fees, caused by their failure to comply with the Order, in accordance with 12 O.S. § 3237(B)(2), and (c) order such other relief as the Court deems appropriate to induce Defendant to obey the Order.

Respectfully submitted,



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Attorney for Defendants

CERTIFICATE OF MAILING

The undersigned certifies that on the 15th day of December, 2010, a true and correct copy of the foregoing was mailed to:

Gerald J. Lovoi, Esq.
616 S. Boston, Ste. 403
Tulsa, OK 74119
Attorney for Defendants



Terra Shamas Bonnell