

DISTRICT COURT FOR OKLAHOMACOUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

DEC 18 2014

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TIM RHODES
COURT CLERK

Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)

v.)

Case No. CJ-2014-4515

Seabrooke Investments, LLC, an Oklahoma)
limited liability company;)
Seabrooke Realty LLC, an Oklahoma)
limited liability company;)
Oakbrooke Homes LLC, an Oklahoma)
limited liability company;)
Bricktown Capital LLC, an Oklahoma)
limited liability company;)
KAT Properties, LLC, an Oklahoma)
limited liability company;)
Cherry Hill LLC, an Oklahoma limited liability)
Company doing business as Cherry Hill Apartments;)
Tom W. Seabrooke, individually and as trustee of)
Tom Seabrooke 2007 Revocable Trust and)
J. Karyn Seabrooke 2007 Revocable Trust; and)
Judith Karyn Seabrooke, individually and as trustee)
of Tom Seabrooke 2007 Revocable Trust and)
J. Karyn Seabrooke Revocable Trust,)
)
Defendants.)

**RECEIVER'S APPLICATION FOR THE COURT TO
ESTABLISH PROCEDURE TO NOTIFY CREDITORS
AND/OR CLAIMANTS TO MAKE CLAIMS**

COMES NOW Ryan Leonard, Receiver for the defendants, and makes application for this Court to issue an Order establishing a procedure to notify creditors and/or those alleging claims against Defendants or their related entities to file proof of any and all alleged claims, including the nature and amount of the claim(s) and provision of any substantiating documentation in support thereof. In support of this request, the Receiver states as follows:

1. Pursuant to the Order for Temporary Injunction and Ancillary Relief dated September 5, 2014, among other activities, the Receiver is:

- a. taking custody, possession and control of Assets of Defendants, as well as records or documents relating to the Assets;
- b. managing the business activities of Defendants, their affiliates, subsidiaries and related entities existing at the time of the filing of Petition, and conserving, holding maintaining, protecting and preserving the Assets of the Receivership pending further action by this Court;
- c. marketing the Assets of the Defendants for sale and evaluating offers on the sale of the Assets;
- d. receiving and collecting sums of money owing to Defendants at the time of the filing of the Petition, collecting the revenue and income generated by the maintenance and operation of the Assets, and making such payments and disbursements as necessary and advisable for the preservation of the Assets of the Receivership;
- e. exercising those powers necessary to implement the orders and directives of this Court; and,
- f. with the approval of the Court, entering into contracts for the sale of certain Assets of the Defendants.

2. In furtherance of the objectives of the Receivership, a procedure should be established to notify the creditors and/or those alleging claims against Defendants and their related entities to file proof of any and all alleged claims, including the nature and amount of the

claim(s), and to provide any substantiating documentation in support thereof. Further, the Receiver requests that a date be established by the Court for the creditors and/or alleged claimants to file said proofs of claim, after the passing of which date further claims against Defendants arising from this Receivership shall be barred.

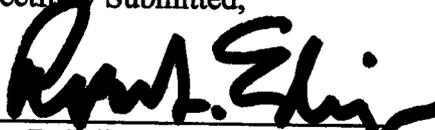
3. A proposed notice to creditors and/or claimants and deadline to file proof of claim ("Notice") is attached hereto as Exhibit "A." A proposed proof of claim, together with affirmation and instructions ("Proof of Claim") is attached hereto as Exhibit "B."

WHEREFORE, the Receiver respectfully requests that this Court enter an Order that establishes:

(1) a procedure for the Receiver to notify the creditors and/or those alleging claims against Defendants or their related entities to file proof of any and all alleged claims, including the nature and amount of the claim(s), and to provide any substantiating documentation in support thereof, and;

(2) a date for the creditors and/or alleged claimants to file said proofs of claim, after the passing of which further claims against Defendants or their related entities arising from this Receivership are barred.

Respectfully Submitted,



Robert D. Edinger, OBA No. 2619
Robert Edinger, PLLC
116 East Sheridan, Suite 207
Oklahoma City, OK 73104
Telephone: (405) 702-9900
Facsimile: (405) 605-8381
redinger@edingerpllc.com

ATTORNEY FOR THE RECEIVER,
RYAN LEONARD

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18th day of December, 2014, a true and correct copy of this pleading was served via First Class Mail, postage prepaid, and/or by Email to:

Patricia A. Labarthe
Jennifer Shaw
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, OK 73102
plabarthe@securities.ok.gov
jshaw@securities.ok.gov

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Michael Paul Kirschner
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9658 N. May Avenue, Suite 200
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John M. Thompson
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dpoarch@baileyandpoarch.com


Robert Edinger

**DISTRICT COURT FOR OKLAHOMACOUNTY
STATE OF OKLAHOMA**

Oklahoma Department of Securities)
ex rel. Irving L. Faught, Administrator,)
)
Plaintiff,)

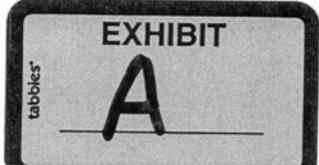
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of Tom Seabrooke 2007 Revocable Trust and)
J. Karyn Seabrooke 2007 Revocable Trust,)
)
Defendants.)

**NOTICE TO CREDITORS AND/OR CLAIMANTS AND
DEADLINE TO SUBMIT PROOF OF CLAIM**

TO ALL CLAIMANTS AND/OR CREDITORS HAVING A CLAIM AGAINST THE RECEIVERSHIP FOR ASSETS OF DEFENDANTS SEABROOKE INVESTMENTS, LLC; SEABROOKE REALTY, LLC; OAKBROOKE HOMES, LLC; BRICKTOWN CAPITAL, LLC; KAT PROPERTIES, LLC; CHERRY HILL, LLC; TOM W. SEABROOKE, INDIVIDUALLY AND AS TRUSTEE OF THE TOM SEABROOKE 2007 REVOCABLE TRUST AND J.



KARYN SEABROOKE 2007 REVOCABLE TRUST; AND JUDITH KARYN SEABROOKE, INDIVIDUALLY AND AS TRUSTEE OF THE TOM SEABROOKE 2007 REVOCABLE TRUST AND J. KARYN SEABROOKE 2007 REVOCABLE TRUST (COLLECTIVELY "DEFENDANTS"), AND THEIR RELATED ENTITIES. PLEASE REVIEW THIS NOTICE CAREFULLY, AS IT SETS OUT IMPORTANT INFORMATION CONCERNING YOUR RIGHTS AND RESPONSIBILITIES AS A POTENTIAL CREDITOR AND/OR CLAIMANT.

Please take note that on _____, 20___, the Oklahoma County District Court, Judge Patricia Parrish presiding, entered an Order establishing a procedure to notify creditors and/or claimants to make claims and ordering the Receiver to mail a copy of such notice, by regular and certified mail, to each known creditor and/or claimant of Defendants or their related entities at their last-known address.

The records of Defendants and/or their related entities in the possession of the Receiver indicate that you may have a claim against or may be a creditor of the Defendants or their related entities. Enclosed please find a proof of claim form and instructions for completing and returning the form. **Please read the instructions carefully and fill out the form completely. If you believe you have more than one claim, please complete a separate form for each claim. Failure to fully complete the form(s) and submit all of the requested information, including documents or other materials supporting your claim, will result in your claim being denied.** Note: if you are receiving this Notice by publication, please contact the phone number indicated below to obtain a proof of claim form and instructions.

THE DEADLINE FOR SUBMITTING YOUR PROOF OF CLAIM IS MARCH 15, 2015. If you wish to have an opportunity to share in the distribution of the available liquidated

assets of the Defendants' estate, **your proof of claim form(s) must be delivered to the address indicated below by March 15, 2015.** Proof of claim form(s) delivered and/or received after March 15, 2015, will lose their priority and will likely receive no distribution of assets due to, upon information and belief, the present financial deficiency of the Defendants' estate.

Proof of claim forms, questions and other requests for information should be submitted to the Receiver:

Ryan Leonard, OBA No. 19155
Meyer & Leonard, PLLC
116 East Sheridan, Suite 207
Oklahoma City, OK 73104
Telephone: (405) 702-9900

BY ORDER OF THE COURT.

SEABROOKE ET AL. RECEIVERSHIP
c/o Ryan Leonard, Receiver
Meyer & Leonard, PLLC
116 East Sheridan, Suite 207
Oklahoma City, OK 73104

PROOF OF CLAIM
District Court of Oklahoma County
State of Oklahoma
Case No. CJ-2014-4515

PLEASE READ INSTRUCTIONS CAREFULLY. DEADLINE FOR FILING PROOF OF CLAIMS IS MARCH 15, 2015.

PART 1: Person Making Claim (Claimant)	
<p>a. Claimant Information</p> <p>Name:</p> <p>Mailing Address:</p> <p>City/State/Zip:</p>	<p>b. Required Information</p> <p>Claimant's SSN or Federal Tax ID:</p> <p>Claimant's Telephone Number (home):</p> <p>Claimant's Telephone Number (work):</p>
<p>c. Legal Representation</p> <p>Are you represented by an Attorney?</p>	<p>d. If you are represented by an attorney, please provide the attorney's name, address, phone number:</p>



SEABROOKE ET AL. RECEIVERSHIP
c/o Ryan Leonard, Receiver
Meyer & Leonard, PLLC
116 East Sheridan, Suite 207
Oklahoma City, OK 73104

PROOF OF CLAIM
District Court of Oklahoma County
State of Oklahoma
Case No. CJ-2014-4515

PLEASE READ INSTRUCTIONS CAREFULLY. DEADLINE FOR FILING PROOF OF CLAIMS IS MARCH 15, 2015.

PART 2: Claim Information	
<p>a. If you know, please identify which individual(s) or entity your claim is against? Circle one or more:</p>	<p>b. Describe the nature and basis of your claim, the date it arose, and whether your claim is secured by any collateral, mortgage or security interest (you may attach a separate sheet providing additional explanation):</p>
<p>Seabrooke Investments, LLC</p>	
<p>Seabrooke Realty, LLC</p>	
<p>Oakbrooke Homes, LLC</p>	
<p>Bricktown Capital, LLC</p>	
<p>KAT Properties, LLC</p>	
<p>Cherry Hill, LLC</p>	
<p>Tom W. Seabrooke</p>	
<p>Tom W. Seabrooke, as trustee of the Tom Seabrooke 2007 Revocable Trust and/or as trustee of the J. Kayrn Seabrooke 2007 Revocable Trust</p>	
<p>Judith Karyn Seabrooke</p>	
<p>Judith Karyn Seabooke, as trustee of the Tom Seabrooke 2007 Revocable Trust and/or as trustee of the J. Karyn Seabrooke 2007 Revocable Trust</p>	
<p>Other, please specify: _____</p>	
<p>_____</p>	

SEABROOKE ET AL. RECEIVERSHIP
c/o Ryan Leonard, Receiver
Meyer & Leonard, PLLC
116 East Sheridan, Suite 207
Oklahoma City, OK 73104

PROOF OF CLAIM
District Court of Oklahoma County
State of Oklahoma
Case No. CJ-2014-4515

PLEASE READ INSTRUCTIONS CAREFULLY. DEADLINE FOR FILING PROOF OF CLAIMS IS MARCH 15, 2015.

Tom Seabrooke 2007 Revocable Trust and J. Karyn Seabrook 2007 Revocable Trust; and Judith Karyn Seabrooke, individually and as trustee of the Tom Seabrooke 2007 Revocable Trust and J. Karyn Seabrooke 2007 Revocable Trust (collectively "Defendants") is justly owing to the Claimant, that the answers and information set forth in this Proof of Claim and in any accompanying statements and supporting documents are true and correct, that no payment of or on account of the aforesaid claim has been received except as stated in the Proof of Claim.

Claimant (signature)

On behalf of (if applicable)

Subscribed and sworn to before me this ____ day of _____, _____.

(Seal)

Notary Public

Commission No.: _____

My Commission Expires: _____

INSTRUCTIONS

IMPORTANT NOTICES

- A. The Proof of Claim must be properly signed and sworn to before a Notary Public or person authorized to administer oaths.
- B. Deadline for filing the Proof of Claim is March 15, 2015.
- C. If you have a change of address at any time while your claim is pending, you are required to inform the Receiver of your new address in order to receive any notices and/or payment that might be due.
- D. Return your completed Proof of Claim and supporting documentation to:

Ryan Leonard, Receiver
Seabrooke Investments, LLC, et al., Receivership,
(Oklahoma County CJ-2014-4515)
116 E. Sheridan, Suite 207
Oklahoma City, OK 73104

PROOF OF CLAIM INSTRUCTIONS

General

1. The Proof of Claim must be typed or legibly printed in ink.
2. The Proof of Claim must have all items completed and questions answered. Your Proof of Claim will be returned to you if any items are left blank. Please review the entire form for completion prior to mailing.
3. If you need additional space to fully answer any questions, please do so on separate sheets of paper and attach them to your Proof of Claim.
4. You must attach to the Proof of Claim documents or evidence supporting your claim. **FAILURE TO PROVIDE SUFFICIENT DOCUMENTS OR EVIDENCE SUPPORTING YOUR CLAIM IS GROUNDS FOR DENIAL THEREOF.** See item 23 below for a non-exhaustive list of examples of the type of documents and supporting evidence required.
5. If you assert that your claim is secured by any assets or property of the Defendant(s), you must attach all documents evidencing your security interest.
6. If known, identify which Defendant(s) you are filing your claim against.
7. You have an ongoing duty to supplement your Proof of Claim with supporting documentation as additional information is received. This requirement includes notice of any change of address.

8. The Proof of Claim must be signed by the Claimant who is named in Part 1(a), or by a representative of the Claimant who has knowledge of the matters set forth in the Proof of Claim and any accompanying statements or supporting documents.
9. If you are a lien holder or an assignee of the Claimant's right to a distribution from the Receivership, you should complete a Proof of Claim and have the Claimant execute an unconditional assignment and deliver the same to the Receiver at the address above.
10. All Proofs of Claim must be sworn to before a Notary Public or person authorized to administer oaths.
11. All Proofs of Claim must be received no later than March 15, 2015. The Receiver is not responsible for undelivered mail. To protect your claim, the Receiver recommends that you send your Proof of Claim by certified U.S. mail.
12. The Receiver suggests that you keep a copy of your completed Proof of Claim, including supporting documents, for your records.
13. All future correspondence, amendments, or other attachments must include reference to the Claimant's name to insure proper identification.
14. The Receiver will not accept a Proof of Claim that is filed out of time. Rather, any Claimant who does not file a Proof of Claim with the Receiver before the bar date established by the court should file an application with the court explaining why they did not file a Proof of Claim in the time allowed and seek permission from the court to file a Proof of Claim out of time.
15. Mail your completed Proof of Claim and supporting documentation by certified U.S. mail to: Ryan Leonard, Receiver, Seabrooke Investments, LLC, et al., Receivership, (Oklahoma County CJ-2014-4515) 116 East Sheridan, Suite 207, Oklahoma City, OK 73104. Facsimiles of Proof of Claim and supporting documentation will not be accepted.
16. If you have any questions about the Proof of Claim procedure, you may call Ryan Leonard, Receiver, or Robert Edinger, counsel for the Receiver, at (405) 702-9900.

Part 1

17. In Part 1(a), state the name and address of the individual(s) or entity submitting the Proof of Claim.
18. List the social security number or federal tax identification and telephone number(s) for the Claimant in Part 1 (b).
19. If the Claimant is represented by an attorney, you must state the attorney's name, address and telephone number where noted.

Part 2

20. In Part 2(a), if you know, indicate which Defendant(s) your claim is against. If not listed, specify who the claim is against in the blank left for that purpose.
21. In Part 2(b), describe the nature and basis for your claim, the date it arose, and whether it is secured by any collateral, mortgage or security interest. It is critically important that you provide as much detail as possible concerning your claim, so please attach an additional sheet (or sheets) explaining all pertinent details you believe are relevant to your claim.
22. In Part 2(c), indicate: (1) the total amount of money you invested with or loaned to any Defendant; (2) the total amount of money you received, if any, as payment by a Defendant on your loan(s) or investment(s); and (3) the total amount you claim is due by Defendant(s) to you. With respect to sums you claim are due to you by Defendant(s), please denote whether the money you claim you are owed is principal or interest or both (if both, please state separately the amount claimed for principal and interest). If you do not know the amount of your claim, please state "Undetermined" on the line provided.
23. With respect to Part 2(d), you **MUST** provide supporting documentation in the form of canceled checks, cash receipts, copies of cashier's checks, wire transfer documentation, and/or monthly or quarterly statements regarding the investment, as well as any other documents supporting your claim. This should include but not be limited to, correspondence with one of the Defendants or their agents, documents purporting to convey an ownership interest in a company or property, and/or documents purporting to convey a mortgage or other security interest. **IT IS CRITICALLY IMPORTANT THAT YOU PROVIDE ALL RELEVANT DOCUMENTS IN SUPPORT OF YOUR CLAIM. FAILURE TO DO SO MAY RESULT IN DENIAL OF YOUR CLAIM.**
24. If you have received payment from any source from any Defendant or a related entity, you must identify the source and amount of such payments. Failure to do so may result in denial of your claim.

Affirmation

25. You **MUST** insert the total amount of your claim as indicated in Part 2(c) in the Affirmation. If your claim is contingent, unliquidated or the amount is unknown, indicate the amount of claim as "Undetermined" in the Affirmation.
26. You are signing the Proof of Claim under penalty of perjury. Please read both the Proof of Claim form and the Affirmation carefully before signing the Affirmation before a Notary Public.

Allowance Procedures

27. Within a period of time to be established by the Court, the Receiver will prepare and file a report setting forth the Claimants, amounts of claims, the Receiver's recommendations with respect to each claim and the basis for the recommendation. **SUBMITTING A CLAIM DOES NOT GUARANTEE THAT YOUR CLAIM WILL BE PAID THROUGH THIS RECEIVERSHIP.**
28. Upon the filing of the report by the Receiver, the Court will schedule a time for a hearing on the Receiver's report. If you file a Proof of Claim, you will receive notice of the hearing and such other information concerning the report and hearing as the court deems appropriate under the circumstances. In addition to other information which may be provided, if, for any reason, the Receiver does not recommend acceptance of your claim, you will be advised of the Receiver's recommendation regarding your claim.
29. The District Court of Oklahoma County will make the final determination as to whether claims against Defendant(s) are allowed or disallowed. Once the Receiver has recovered all of the money and assets of Defendants' estate subject to liquidation that the Receiver determines can be reasonably recovered, the Receiver will seek court approval to make any final distributions from the Receivership Estate. **THE COURT, IN ITS SOLE DISCRETION, WILL APPROVE OR DISALLOW ALL CLAIMS MADE AGAINST THIS RECEIVERSHIP BY CREDITORS AND/OR CLAIMANTS.** Please note that while the deadline for submitting Proofs of Claim is March 15, 2015, distributions approved by the Court for creditors and/or claimants will be made at a later date to be determined by the Court.