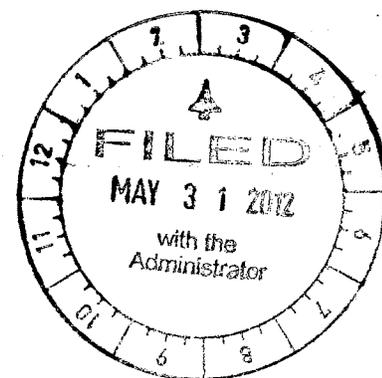


STATE OF OKLAHOMA
DEPARTMENT OF SECURITIES
THE FIRST NATIONAL CENTER
120 NORTH ROBINSON, SUITE 860
OKLAHOMA CITY, OKLAHOMA 73102



In the Matter of: Geary Securities, Inc., fka Capital West Securities, Inc.;
Keith D. Geary; Norman Frager; and CEMP, LLC,

Respondents.

ODS File No. 09-141

SUPPLEMENT TO MOTION OF NORMAN FRAGER TO CONTINUE HEARING

COMES NOW the Respondent, Norman Frager (“Frager”), and respectfully submits the instant supplement to his Motion to Continue Hearing filed herein on May 25, 2012 (the “Motion”). In support hereof, Frager would show as follows:

1. On May 17, 2012, the Hearing Officer entered the Final Amended Scheduling Order (the “Order”) in this matter.
2. Amongst other deadlines contained in the Order, the discovery deadline was set for June 11, 2012, and the hearing for this proceeding was set for Monday, June 18, 2012.
3. On May 25, 2012, Frager filed his Motion asking that the hearing be continued sixty (60) days to allow additional discovery to be conducted. More particularly, Frager asked the Hearing Officer to continue the hearing so Frager could depose the Department’s counsel, Melanie Hall and Terra Bonnell, as well as to the Department’s Director of Licensing and Examinations, Carol Gruis.
4. Frager also requested the extension because the Department had not disclosed the identity of a witness from Pershing, LLC, that it intended to produce at the June 18 Hearing, thereby making it impossible for Frager to depose the same prior to the discovery cutoff.

5. Finally, Frager requested the continuation because it was recently discovered that the Department had not complied with all of the document requests issued to it.¹

6. Since the filing of the Motion, additional facts have arisen which necessitate a continuation of the hearing and all other relevant deadlines an additional sixty (60) days.

7. On Thursday, May 24, 2012, Frager's wife was admitted to the hospital with an infection. On Friday, May 25, 2012, Mrs. Frager suffered a mild heart attack. During her hospitalization, several blood clots were also discovered in her lungs. As a result, Mrs. Frager has been admitted to the ICU and the timetable for her release is unknown. While this hospital stay is ongoing, Frager will be unavailable to travel and participate in the various depositions which are scheduled or which may be scheduled.

8. Frager's presence at the various depositions is vital to the preparation of his case. He has intimate knowledge of the facts which are at issue and it was intended that he would be able to provide instant feedback at such depositions to allow his counsel to address matters as they arose. Without his presence, Frager's counsel will not have the guidance of the person most familiar with the facts of this case and will be unable to fully explore the matters at issue.

9. Frager's counsel contacted counsel for the Department in an attempt to obtain a voluntary extension of the hearing date and the discovery deadline. The Department agreed to a continuation of the hearing date but required that it be scheduled the week of August the 6th, only. Frager has been unable, thus far, to reach all necessary witnesses to determine if such a

¹ As the Hearing Officer is aware, to avoid needless duplication of discovery, Frager had relied on counsel for Geary Securities, Inc. ("Geary") to spearhead discovery. In that regard, counsel for Geary, prior to the end of his client's involvement in this case, had requested all documents obtained by the Department from Capital West Securities, Inc. These documents included account statements from Dr. McKean from May and June of 2009 which, to date, have not been produced by the Department even though the July and August statements were produced. Despite request, the Department is now refusing to provide such documents to Frager by taking the position that the discovery requests were not issued by Frager, but by Geary. In order to remedy this, Frager would need to issue his own discovery on that topic, but there is insufficient time to do so before the current discovery deadline expires. Accordingly, an extension of the discovery deadline is warranted to allow this discovery to be conducted.

date would be adequate. Additionally, while the Department was agreeable to continuing the expert depositions scheduled for the week of June 4, 2012, it was unwilling to extend the discovery deadline past its current June 11, 2012, date to allow Frager to explore the various issues discussed above.

10. Given all of the above, Frager would ask that the date for the hearing and all deadlines be continued at least sixty (60) days to allow for the full and complete resolution of all of these issues.

WHEREFORE, Frager prays that the Hearing Officer grant this request and continue this matter and all deadlines at least sixty (60) days to allow for the full and complete resolution of the issues in this case.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2012, a copy of the foregoing document was served on the following via electronic mail:

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