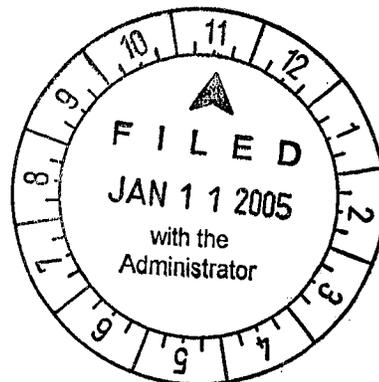


OKLAHOMA DEPARTMENT OF SECURITIES

In the Matter of:)
)
 Benjamin Wei)
)
 Respondent.)

ODS File No. 02-166



MOTION TO ASSOCIATE COUNSEL

Respondent Benjamin Wei, hereby moves the Court for an Order permitting Richard J. Babnick, Jr. to practice in the above styled and numbered cause pursuant to 5 O.S.1.1 et. seq. This motion is supported by the attached "Verified Application: (Exhibit A), "Certificate(s) of Good Standing (Exhibit B), and the "Statement of Compliance" (Exhibit C) from the Oklahoma Bar Association.

Respectfully submitted,

OGLE & WELCH, P.C.



J. DAVID OGLE, OBA NO. 17476
117 Park Avenue
Third Floor
Oklahoma City, Oklahoma 73102
(405) 232-9800 Telephone
(405) 232-1608 Facsimile
Attorney for Plaintiff

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 11th day of January, 2005, a true and correct copy of the above and foregoing instrument was mailed with postage prepaid thereon addressed to:

Rebecca Cryer, Enforcement Attorney
Oklahoma Department of Securities
120 North Robinson, Suite 860
Oklahoma City, Oklahoma 73102



EXHIBIT A

APPLICATION

 ORIGINAL



OUT OF STATE ATTORNEY REGISTRATION

Richard Johnnie Babnick, Jr. Applicant, respectfully represents:
First Name Middle Name Last Name

1. Applicant resides at 190 Riverwalk Way
Clifton Passaic NJ 07014
City County State Zip Code
(973) 591-0553
Telephone

2. Applicant is an attorney at law and a member of the law firm of Sichenzia Ross Friedman Ference LLP

with its principal offices located at 1065 Avenue of the Americas, 21st Floor
New York NY NY 10018
City County State Zip Code
(212) 930-9700 (212) 398-3186 (212) 930-9725
Telephone (Firm) Telephone (Applicant's Direct Dial) Fax (Applicant)

rbabnick@srff.com If Applicant's office address is different from above,
E-mail Address (Applicant)

please provide the following: n/a
Mailing Address
City County State Zip Code

3. Applicant is admitted to practice and is a member in good standing (statements attached) of the bar(s) of the highest court(s) of the following state(s):

State	Date of Admission
New York	1997

4. Applicant is admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or other tribunals on the dates indicated for each, and is presently a member in good standing of the bars of said courts:

<u>Tribunal</u>	<u>Date of Admission</u>
U.S. District Court - Southern District of NY	May 1998
U.S. District Court - Eastern District of NY	May 1998

5. Applicant is not currently suspended or disbarred in any court except as hereinafter provided (Give particulars; e.g. court, jurisdiction, date): n/a

6. Applicant is not currently subject to any pending disciplinary proceedings by any organization with authority to discipline attorneys at law except as hereinafter provided (Give particulars; e.g. court, discipline authority, date, status): n/a

7. Applicant has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (Give particulars; e.g. court, discipline authority, type of discipline, date, status): n/a

8. Applicant has never had any certificate or privilege to appear and practice before any regulatory or administrative body suspended or revoked except as hereinafter provided (Give particulars; e.g. administrative body, date, status of suspension or reinstatement): n/a

9. Applicant, or any member of Applicant's firm with which Applicant is associated, has/have filed applications to appear as counsel in the state of Oklahoma during the past three (3) years in the following matters (including court cases, court annexed arbitrations, court annexed mediations, matters pending before an administrative agency or governmental body):

<u>Date of Application</u>	<u>Title of Court Administrative Body or Forum</u>	<u>Was Application Granted or Denied</u>
	n/a	

10. Applicant seeks admission to practice in the State of Oklahoma in the following matter (give particulars; e.g. caption of case, court or agency, type of matter, party to be represented): **Note - A separate application is to be submitted for each matter in which the applicant seeks admission!**

In the Matter of Benjamin Wei, ODS File No. 02-166,
 State of Oklahoma Department of Securities,
 Administrative Hearing, representing Respondent Benjamin Wei

11. The Oklahoma Bar Association member who is counsel of record for Applicant in this matter is:

J	David	Ogle	17476 <i>HW</i>
First Name	Middle Name	Last Name	O.B.A. Number
117 Park Avenue, 3rd Floor		Oklahoma City OK	73102
Mailing Address		City	State
(405) 232-9800		(405) 232-1608	() dogle@oglewelchlaw.com
Telephone Number		Fax Number	E-mail Address

12. The following accurately represents the names of each party in this matter and the names and addresses of each counsel of record who appear for that party:

<u>Party Name</u>	<u>Counsel Name</u>	<u>Address of Counsel</u>
<u>Benjamin Wei</u>	<u>Richard J. Babnick, Jr.</u>	<u>1065 Avenue of the Americas, 21st Fl New York, NY 10018</u>
	<u>Marc J. Ross</u>	<u>(same as above)</u>
	<u>J. David Ogle</u>	<u>117 Park Avenue, Oklahoma City, OK 73102</u>
<u>Department of Securities</u>	<u>Rebecca Cryer</u>	<u>Oklahoma Dept. of Securities, First National Center, Suite 860, 120 North, OK City, OK 73102</u>

13. Applicant certifies that he/she shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the laws of this state governing the conduct of attorneys to the same extent as a member of the Oklahoma Bar Association.

14. Applicant understands and shall comply with the standards of professional conduct required of members of the Oklahoma Bar Association.

15. Applicant has disclosed in writing to the client that the Applicant is not admitted to practice in this jurisdiction and the client has consented to such representation.

I, Richard J. Babnick Jr., do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

I am the Applicant in the above referenced matter; I have read the foregoing and know the contents thereof; the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the Oklahoma Bar Association; I understand and shall comply with the standards of professional conduct required by members of the Oklahoma Bar Association; and that I am

EXHIBIT B



State of New York
Supreme Court, Appellate Division
Third Judicial Department

I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

Richard Johnnie Babnick, Jr.

having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 28th day of January, 1997, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 21st day of December, 2004.



Michael J. Novack

Clerk

EXHIBIT C

STATEMENT OF COMPLIANCE

Registration of Out-of-State Attorneys Act



The Oklahoma Bar Association, in response to the application of out-of-state attorney, submits the following statement pursuant to 5 O.S. 1.1 et.seq., :

1. There is no record of previous applications for appearance by applicant or other attorney members of the applicant's firm made within the last three (3) years.
2. Date of Application: **December 30, 2004**
3. Application Number: **2004-250**
4. Applying Attorney: **Richard Johnnie Babnick, Jr.**
Sichenzia Ross Friedman Ference LLP
1065 Avenue of the Americas 21st Fl
New York, NY 10018
5. The Application was: **GRANTED**

Dated this 30 day of December , 2004.



Gina L. Hendryx
Ethics Counsel
Oklahoma Bar Association
1901 N. Lincoln Blvd.
P.O. Box 53036
Oklahoma City, OK 73152-3036