

IN THE DISTRICT COURT OF LOGAN COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA
LOGAN COUNTY SS
FILED FOR RECORD

2005 NOV 28 AM 8:30

FILED
SUPREME COURT
STATE OF OKLAHOMA

REJEANNA ZMEK
COURT CLERK

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

NOV 28 2005

BY _____ DEPUTY

Plaintiff/Appellee,)

MICHAEL S. RICHIE
CLERK

v.)

District Court No. CJ-2004-256

Marsha Schubert, an individual and)
dba Schubert and Associates,)

Supreme Court No. 102756

Defendants,)

OKLAHOMA DEPARTMENT
OF SECURITIES'
COUNTER-DESIGNATION
OF RECORD

and)

Richard LeBoeuf,)

Intervenor/Appellant.)

DESIGNATION OF RECORD FOR APPEAL FROM DISTRICT COURT

- Designation of Record
- Counter-Designation of Record
- Amended Designation of Record

Plaintiff hereby designates the following for inclusion in the record on appeal in this case:

A. TRANSCRIPTS

I, _____, attorney for appellee, as indicated below, hereby state that I have not ordered a transcript.

B. EXHIBITS

Not applicable

C. DESIGNATION OF PLEADINGS AND DOCUMENTS

Items are designated by listing the item below with the date it was filed in the trial court.

1. Petition of Plaintiff Oklahoma Department of Securities – October 14, 2004;
2. Application for Temporary Restraining Order Freezing Assets, Order Appointing Receiver, and Order for Accounting – October 14, 2004;
3. Temporary Restraining Order – October 14, 2004;
4. Oath of Receiver – October 18, 2004;
5. Answer and Cross-Claim – November 4, 2004;
6. Stipulation and Consent to Order of Permanent Injunction – November 15, 2004;
7. Order of Permanent Injunction – November 15, 2004;
8. Motion to Amend Order Appointing Receiver – November 15, 2004;
9. Order Amending Authority of Receiver – December 10, 2004;
10. Order Establishing Procedure to Notify Claimants to make Claims – January 14, 2005;
11. Notice to Creditors and Deadline to File Proof of Claim – January 24, 2005;
12. Affidavit of Mailing Notice to Creditors – January 25, 2005;
13. Intervention of Party and Motion to Transfer and Consolidate this Matter– July 8, 2005;
14. Oklahoma Department of Securities' Memorandum in Opposition to Richard LeBoeuf's Motion to Consolidate – July 26, 2005;
15. Motion to Intervene and Set Aside Order Appointing Receiver, and to Transfer and Consolidate this Case, with Brief in Support– July 28, 2005;
16. Receiver's Motion to Strike, and Alternatively, Objection to LeBoeuf's Intervention of Party and Motion to Transfer and Consolidate this Matter – July 29, 2005;
17. Subpoena of Richard LeBoeuf served on August 8, 2005 – filed August 11, 2005;
18. Intervenor's Motion to Quash Subpoena – August 10, 2005;
19. Plaintiff's Response to Richard LeBoeuf's Motion to Quash Subpoena – August 11, 2005;

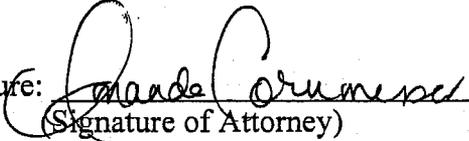
20. Receiver's Response and Objection to Non-Party Movant LeBoeuf's Motion to Intervene and Set Aside Order Appointing Receiver and Consolidate This Case With Brief in Support – August 12, 2005;
21. Oklahoma Department of Securities' Memorandum in Opposition to LeBoeuf's Motion to Intervene and Set Aside Order Appointing Receiver, and to Transfer and Consolidate this Case, and Motion to Amend Order Amending Authority of Receiver – August 12, 2005;
22. Intervenor's Motion to Compel Plaintiff Department of Securities', Receiver's, Receiver's Law Firm and Baird Kurtz & Dobson, LLP's Responses to Discovery Requests – August 12, 2005;
23. Journal Entry of Judgment – October 17, 2005;
24. Transcript of Hearing – August 11, 2005;
25. Transcript of Hearing– August 12, 2005; and
26. Plaintiff's Motion to Amend Order Appointing Receiver – November 9, 2005.

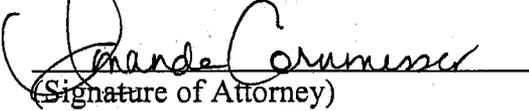
D. TRANSCRIPT PAYMENT STATEMENT BY COURT REPORTER

Not applicable

E. DATE, SIGNATURE, AND SERVICE BY COUNSEL OR PARTY

November 23, 2005.

Signature: 
(Signature of Attorney)
Attorney for Appellee

Verified by: 
(Signature of Attorney)

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the Oklahoma Department of Securities' Counter Designation of Record mailed this 28th day of November, 2005, by depositing it in the U.S. Mails, postage prepaid, to:

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