

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

**FILED**  
IN DISTRICT COURT

FEB 03 2004

POTTAWATOMIE COUNTY, OK  
CECIL DUNLAP, COURT CLERK  
BY Melissa [Signature] DEPUTY

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

Plaintiff, )

v. )

Case No. C-03-1239

The Hickman Agency, Inc., an Oklahoma )  
corporation; Merl William Hickman, Sr., )  
an individual; Sarah L. Hickman, )  
an individual; and Merl William )  
Hickman, Jr., an individual, )

Defendants, )

and )

Stephanie Hickman Matthews, an individual;) )  
Angela Friguletto, an individual; Peter )  
Friguletto, an individual; Sandra Friguletto, )  
an individual; and Christy Hickman, )  
an individual, )

Defendants Solely For )  
Purposes of Equitable Relief. )

**ORDER GRANTING EQUITABLE RELIEF**

This matter came on for hearing this 3 day of February, 2004, before the undersigned Judge of the District Court in and for Pottawatomie County, State of Oklahoma, upon the verified Petition for Permanent Injunction and Other Equitable Relief of the Plaintiff ("Petition"), the First Amendment to the Petition for Permanent Injunction and Other Equitable Relief ("First Amendment"), and the Application for Equitable Relief against Stephanie Hickman Matthews, Angela Friguletto, Peter Friguletto, Sandra Friguletto, and Christy Hickman

(collectively, "Relief Defendants"), pursuant to Section 406.1 of the Oklahoma Securities Act ("Act"), Okla. Stat. Ann. tit. 71, §§ 1-413, 501, 701-703 (West 2004).

It appears to this Court from the facts alleged in the Petition, the First Amendment, and the Application for Equitable Relief, that Plaintiff is entitled to the relief prayed for. It further appears that the public will suffer irreparable damage and injury unless the cash and other property that are the proceeds, or are traceable to the proceeds, of the unlawful activities of Defendants, as alleged in paragraphs 1 and 2 of the First Amendment and in Paragraphs 1 through 29 of the Petition (collectively, "Investor Assets"), received and held by Relief Defendants, are preserved. A danger exists that such Investor Assets will be lost, removed or transferred if the issuance of this order is delayed until notice is given to the opposing parties. An order to issue *instanter* against Relief Defendants is necessary to preserve the Investor Assets, and the records relating thereto, and to prevent further violations of the Act.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Relief Defendants, and all those persons, directly or indirectly, acting on their behalf, under their direction and control, and/or in active concert or participation with them, who receive actual notice of the order, by personal service, facsimile or otherwise, and each of them from tampering with, mutilating, altering, erasing, concealing, removing, destroying or otherwise disposing of any and all books, records, documents, files, correspondence, computer disks, tapes or other data recordings of any type, pertaining to or referring to Investor Assets.

IT IS FURTHER ORDERED that the Investor Assets received or held by Relief Defendants are hereby frozen. The freeze shall include, but not be limited to, those Investor Assets located in any bank, depository institution or securities brokerage account. It shall also apply to accounts in the name of any individuals or entities controlled by Relief Defendants or

over which Relief Defendants have signatory or other designated authority, if the funds are derived to any extent from the activities alleged in the Petition or in the First Amendment. All banks or other financial institutions served with a copy of this order shall cooperate with the Department relating to implementation of this order, including imposing a freeze on all Investor Assets, including accounts and funds, and producing records relating thereto. Facsimile transmission shall constitute service on the banks or other depository and financial institutions or securities brokerage firms.

IT IS FURTHER ORDERED that the Receiver, Stephen J. Moriarty, is empowered to marshal and take possession of Investor Assets received or held by Relief Defendants; to undertake whatever manner of legal or equitable action is required to preserve or maintain the Investor Assets received or held by Relief Defendants; and to operate or liquidate the Investor Assets received or held by Relief Defendants, as equity may require.

IT IS FURTHER ORDERED that all persons and entities, including Relief Defendants, and all persons acting on their behalf, under their direction and control, and/or in active concert or participation with them, and further including any banks or financial institutions, wherever chartered or located, life insurance companies, federal and state agencies, viators, viatical settlement providers, and viatical settlement brokers who receive actual notice of this order, by personal service, facsimile transmission or otherwise, shall promptly deliver and surrender to the Receiver:

1. all Investor Assets received or held by the Relief Defendants; and
2. all documents received or held by the Relief Defendants that relate to the activities of the Defendants as described in the Petition and First Amendment including, but not limited to books, records, tapes, discs,

accounting data, checks, correspondence, forms, advertisements, brochures, manuals, electronically stored data, bank records, customer and investor lists, customer and investor files, telephone records, ledgers, payroll records, to include such information stored in computer maintained form.

IT IS FURTHER ORDERED that Relief Defendants, and all persons acting on their behalf, under their direction and control, and/or in active concert or participation with them refrain from interfering with said Receiver taking such custody, control or possession and from interfering in any manner, directly or indirectly, with such custody, possession and control of said Receiver.

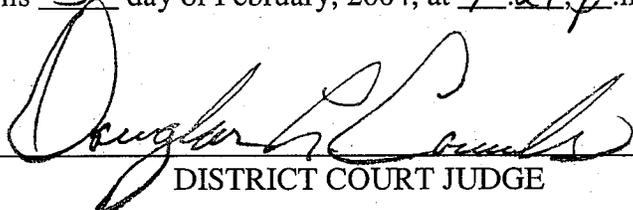
IT IS FURTHER ORDERED that Relief Defendants and Receiver allow representatives of the Oklahoma Department of Securities access to any and all documents relating to the Investor Assets including, but not limited to, books, records, tapes, discs, accounting data, checks, correspondence, forms, advertisements, brochures, manuals, electronically stored data, bank records, customer and investor lists, customer and investor files, telephone records, ledgers, payroll records, to include such information stored in computer maintained form.

IT IS FURTHER ORDERED that Relief Defendants file with this Court and serve on Plaintiff, within ten (10) days from the date of this order, an accounting, under oath, detailing all Investor Assets received or held by Relief Defendants, and detailing the disposition and/or use of those Investor Assets.

IT IS FURTHER ORDERED that a hearing is hereby set at 1:30 p.m. on the 24 day of February, 2004, before the Honorable Douglas Combs of the Pottawatomie County District Court, Pottawatomie County Courthouse, Shawnee, Oklahoma, at which time the Defendants

may seek the dissolution of this Temporary Restraining Order and the Plaintiff may seek a temporary injunction and other equitable relief.

THIS ORDER IS ENTERED this 3 day of February, 2004, at 1:24 p.m.

  
DISTRICT COURT JUDGE

**CERTIFICATE OF TRUE COPY**

State of Oklahoma) SS. in the Dist. Court  
Pottawatomie County)

I, Cecil Dunlap, Court Clerk, Within and for the State and County aforesaid do hereby certify that the above foregoing is a full, true, correct and complete copy of Order

In the above cause as fully as the same appears on record and on file in my office.

WITNESS my hand as Clerk and official seal this 3 day of Feb, 20 04

By Melissa Trout **CECIL DUNLAP** Court Clerk Deputy