

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

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

v. )

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. )

**FILED**  
IN DISTRICT COURT

JUL 01 2004

POTTAWATOMIE COUNTY, OK  
CECIL DUNLAP, COURT CLERK

BY Ally R... DEPUTY  
Case No. C-03-1239

**ORDER OF PERMANENT INJUNCTION AND**  
**ORDER OF RESTITUTION**

This matter came on for hearing this 1 day of July, 2004,  
before the undersigned Judge of the District Court in and for Pottawatomie County, State of  
Oklahoma, upon motion of Plaintiff, Oklahoma Department of Securities *ex rel.* Irving L.  
Faught, Administrator ("Plaintiff"), for default judgment against Defendants The Hickman  
Agency, Inc., Merl William Hickman, Sr., Sarah L. Hickman and Merl William Hickman, Jr.  
(collectively, "Defendants"). The Court, finding that it has jurisdiction of the parties and the  
subject matter of this action and the issues having been heard, finds that Plaintiff's motion for

default judgment against The Hickman Agency, Inc., Merl William Hickman, Sr., Sarah L. Hickman and Merl William Hickman, Jr. should be, and hereby is, granted.

The Court finds that Defendants were validly served with a Summons and the Petition in this case and that the date by which Defendants were required to appear and defend this action has passed. No motion or responsive pleading has been filed by or on behalf of Defendants.

Defendants have thus admitted the allegations in the Petition. The Court, having reviewed the evidence presented, and being fully advised in the premises, and on consideration thereof, finds that the allegations in Plaintiff's Petition are deemed true as set forth therein, and that the basis for an injunction and other equitable relief has been established by Plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment be, and hereby is, entered against Defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a permanent injunction be and is hereby entered, forever enjoining and restraining Defendants from:

- a. offering and selling any security in this state;
- b. transacting business in this state as a broker-dealer, agent, investment adviser and/or investment adviser representative;
- c. making untrue statements of material facts in connection with the offer, sale, and/or purchase of securities in and/or from this state;
- d. omitting to state material facts necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading, in connection with the offer, sale, and/or purchase of securities in and/or from this state; and
- e. engaging in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person, in

connection with the offer, sale, and/or purchase of securities in  
and/or from this state.

IT IS FURTHER ORDERED that Defendants pay restitution to any and all investors who  
purchased securities from Defendants or who transferred money to Defendants for the purpose of  
making securities investments on their behalf in the sum of Eight Million Four Hundred Sixty-  
Five Thousand Seventy-Eight Dollars (\$8,465,078.00).

IT IS FURTHER ORDERED that each Defendant pay to the Oklahoma Department of  
Securities a civil penalty of Fifty Thousand Dollars (\$50,000.00).

IT IS FURTHER ORDERED that this Court will retain jurisdiction of this matter for the  
purpose of enforcement of this Order of Permanent Injunction and Order of Restitution.

IT IS SO ORDERED.

Dated this 1 day of July, 2004.



DISTRICT COURT JUDGE

Approved as to form and substance:



Patricia A. Labarthe OBA #10391  
Oklahoma Department of Securities  
120 North Robinson, Suite 860  
Oklahoma City, Oklahoma 73102  
(405) 280-7700  
Attorney for Plaintiff



Stephen J. Moriarty  
Andrew, Davis, Legg, Bixler, Milsten & Price  
500 West Main, Suite 500  
Oklahoma City, Oklahoma 73102  
(405) 272-9241  
Receiver

**CERTIFICATE OF TRUE COPY**  
State of Oklahoma )  
Pottawatomie County ) ss. in the Dist. Court  
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  
Asch  
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  
day of July, 2004  
CECIL DUNLAP, Court Clerk  
By [Signature] Deputy