

STATE OF OKLAHOMA } 55.
GARVIN COUNTY }
FILED
OCT 25 2024
AT 9:09 O'CLOCK _____ M.
LAURIE E. Court Clerk
BY _____ DEPUTY

**IN THE DISTRICT COURT OF GARVIN COUNTY
STATE OF OKLAHOMA**

JACK JUSTICE,
Plaintiff,

v.

DANNY WAYNE SEIBEL, Individually,

and,

DEBRA GAY SEIBEL A/K/A DEBBIE
SIEBEL, Individually,

Defendants.

Case No. CJ 2024 274

PETITION

NOW COMES the Plaintiff, Jack Justice, for his causes of action against the Defendants, Danny Seibel and/or Debra Seibel, and alleges and states as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff, Jack Justice ("Plaintiff"), is an individual that resides in Garvin County, Oklahoma.
2. Defendant, Danny Seibel ("Danny") is an individual that, upon information and belief, resides in Garvin County, Oklahoma.
3. Defendant, Debra Seibel ("Debra" and, collectively with Danny, referred to herein as "Defendants") is an individual that, upon information and belief, resides in Garvin County, Oklahoma.
4. This is an action involving fraud, misrepresentation and civil conspiracy to defraud. All relevant actions took place in Garvin County, Oklahoma.

5. This Court therefore has jurisdiction over the parties and the subject matter of this action, and venue before this Court is proper pursuant to Oklahoma law.

GENERAL FACTS

6. Justice was the majority shareholder of the holding company that owned First National Bank of Lindsay, Oklahoma (the "Bank").

7. Justice was also a director of the Bank.

8. Justice (and others) acquired the Bank approximately seventeen (17) years ago.

9. Danny was a long-term employee of the Bank.

10. Danny was the President and CEO of the Bank, having such position since the time the Bank was acquired by Justice and others.

11. Danny was also a director of the Bank.

12. Debra is the spouse of Danny.

13. Recently, in the fall of 2024, it was discovered by Justice that Danny and others have been providing false reports to Justice and others, creating and promoting outright lies and inaccurate information (and documentation) to Justice and others with the intent to be deceptive and vindictive.

14. These actions by Danny and others include, without limitation, orchestrating, manipulating and creating false records at the Bank, as well as taking cash and property of the Bank.

15. These actions were done for the benefit of Danny and others, all without the knowledge or consent of Justice or other directors and shareholders at the Bank.

16. It has also been discovered recently, in the fall of 2024, that Danny, Debra and potentially others have been working together and in concert to conceal facts from Justice and other directors and shareholders at the Bank.

17. Danny and Debra, together with potentially others, conspired to conceal, hide, steal and dispose of property of the Bank, and create false and deceptive documents, to the detriment of Justice.

18. It has also recently been discovered, in the fall of 2024, that Danny routinely would not show up for work and would spend significant amounts of time at various casinos and bars with his spouse (Debra), in the company of convicted felons; activities that were concealed by Danny and others from Justice and the other directors and shareholders of the Bank.

19. It has been recently discovered, in the fall of 2024, that Danny did not (and would not) abide by various banking rules and regulations, again all facts and actions that were hid from Justice and other directors and shareholders at the Bank.

20. All of these recent discoveries by Justice were intentionally hid from Justice and other directors and shareholders with the actual intent to defraud and conspire to defraud Justice and other directors and shareholders at the Bank.

21. The Defendants, and each of them, have instructed one or more people “not to tell Jack” what was going on with the Bank and the numerous fraudulent actions committed by Danny.

22. The result of Danny and/or Debra’s actions including, without limitation, the numerous fraudulent actions described, resulted in the Bank failing after being in business for more than 100 years.

FIRST CAUSE OF ACTION
(Fraud, Deceit & Misrepresentation)

23. Justice incorporates all of the allegations set forth herein and further alleges and states as follows:

24. Danny's and Debra's actions and inactions defrauded Justice through their misrepresentation and their omissions to tell the truth.

25. The methods used by Danny and Debra constitute actionable fraud.

26. Throughout the course of their actions, Danny and Debra engaged in numerous instances of fraud, including knowingly and repeatedly making material misrepresentations (both in documentation and in communications) regarding the Bank, its assets, and its overall business including, without limitation, deposits, loans, and further, as well as numerous omissions and requests for others to "not tell" Justice about the misdeeds and fraud.

27. The fraud and misrepresentations by Danny and Debra was done with the intention of intentionally misleading Justice and other directors and shareholders of the Bank.

28. Danny owed a fiduciary duty to not only the Bank but to Justice as a shareholder of the Bank.

29. Justice relied to his detriment upon the material and affirmative misrepresentations, assurances and nondisclosures of Danny and Debra.

30. Such material and affirmative misrepresentations, assurances and nondisclosures of Danny and Debra were made throughout the course of Danny's employment with the Bank, all of which were recently discovered in the fall of 2024.

31. Justice reasonably relied upon the representations of Danny.

32. The material and affirmative misrepresentations, assurances and nondisclosures of Danny and Debra were made to Justice with knowledge or recklessness as to their falsity in order to induce Justice to rely upon such representations.

33. Justice relied upon the trust and accuracy of such affirmative representations and would not have maintained the employment and trust of Danny but for such representations.

34. By engaging in the deceitful conduct described herein, the actions of Danny and Debra constitute actual or constructive fraud. But for the fraud perpetrated upon Justice by Danny and Debra, Justice would not have employed Danny or, at a minimum, would not have continued to employ Danny and place his trust and confidence in Danny.

35. As a result of the fraud and misrepresentations by Danny and Debra, Justice has suffered actual and consequential losses as a direct result of the misrepresentations, assurances and nondisclosures of Danny and Debra in an amount in excess of \$10,000,000.00.

36. The actions by Danny and Debra were so egregious, and performed with intentional malice, Justice should be awarded punitive damages, in an amount to be proved at trial.

37. Danny and Debra, jointly and severally, are liable to Justice for compensatory and punitive damages, as Danny's and Debra's actions were intentional, reckless and wanton, and also for costs, attorneys' fees, and such other relief as the court finds just and proper.

**SECOND CAUSE OF ACTION
(Civil Conspiracy)**

38. Justice incorporates all of the allegations set forth herein and further alleges and states as follows:

39. Defendants combined together to execute a plan to wrongfully and illegally conceal facts, information, documentation and property (cash and otherwise) to the detriment of Justice.

40. The circumstances described herein evidence that Defendants knowingly conspired to commit fraud.

41. Both Defendants conspired to conceal facts, information and documentation from Justice.

42. Both Defendants instructed one or more people to not tell Justice what was going on with Danny and the Bank and the fraud Danny was committing (at the time) and has since committed.

43. Both Defendants conspired to continue to misrepresent and conceal facts, information and documentation from Justice.

44. Both Defendants engaged in theft from the Bank and have used Bank monies and/or property for their benefit.

45. Defendants acted in concert to wrongfully deprive Justice and Justice has been damages as a result of the actions done pursuant to the scheme and/or plan to wrongfully and illegally conceal facts, information, documentation and property (cash and otherwise).

46. Justice has been damaged, in an amount in excess of \$10,000,000.00, by the willful, reckless, malicious and intentional actions of the Defendants.

47. The actions by the Defendants are so egregious, and performed with intentional malice, Justice should be awarded punitive damages, in an amount to be proved at trial.

PRAYER FOR RELIEF

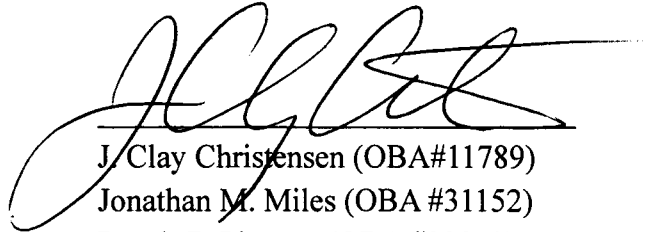
WHEREFORE, Plaintiff, Jack Justice, prays for:

- (i) judgment, jointly and severally, against each of the Defendants, Danny Seibel and Debra Seibel, on its First and Second Causes of Action for fraud and civil

conspiracy in an amount in excess of \$10,000,000.00 and in an amount as the proof will show;

- (ii) punitive damages, jointly and severally, against each of the Defendants, Danny Seibel and Debra Seibel, to punish them for their intentional, willful and malicious acts; and
- (iii) an award to Plaintiff its costs, attorney fees, together with prejudgment and post judgment interest on the full judgment amount, until paid in full, together with such other relief as this Court deems just and equitable.

Respectfully submitted,



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