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15 **UNITED STATES DISTRICT COURT**  
 16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 SECURITIES AND EXCHANGE  
 18 COMMISSION,

19 Plaintiff,

20 v.

21 LOUIS V. SCHOOLER and FIRST  
 22 FINANCIAL PLANNING  
 23 CORPORATION d/b/a WESTERN  
 24 FINANCIAL PLANNING  
 25 CORPORATION,

26 Defendants.

Case No. 3:12-cv-02164-GPC-JMA

**DECLARATION OF THOMAS C.  
 HEBRANK IN SUPPORT OF EX  
 PARTE APPLICATION FOR  
 AUTHORITY TO (A) SELL OFFICE  
 FURNITURE AND EQUIPMENT,  
 AND (B) ESTABLISH A NEW WORK  
 PLACE FOR REMAINING  
 EMPLOYEES**

1 I, Thomas C. Hebrank, declare:

2 1. I am the Court-appointed receiver for First Financial Planning  
3 Corporation d/b/a Western Financial Planning Corporation ("Western"), and its  
4 subsidiaries and affiliates (collectively, "Receivership Entities"). I have personal  
5 knowledge of the facts stated herein, and if called upon to do so, I could and would  
6 personally and competently testify to them.

7 2. I propose to engage McCormack Auction Company, a very experienced  
8 auctioneer located in San Diego, to conduct an onsite and online auction of the office  
9 furniture and equipment owned by Western. Having viewed the furniture and  
10 equipment, McCormack estimates that the auction will generate about \$30,000 in  
11 sale proceeds. McCormack will charge its standard commission for sales of this  
12 nature, which is 10% of gross sale proceeds. McCormack also estimates expenses of  
13 \$3,000 for marketing, set up, public preview, and removal. The sale process, from  
14 the beginning of work to removal of all furniture and equipment, will take a little  
15 over a month.

16 3. I am familiar with rates charged by auctioneers in Southern California.  
17 I believe that the proposed 10% commission is reasonable and consistent with  
18 industry standards for sales of this nature.

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20 I declare under penalty of perjury under the laws of the United States that the  
21 foregoing is true and correct.

22 Executed this 23<sup>rd</sup> day of July, 2013, at San Diego, California.

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THOMAS C. HEBRANK

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