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18 Attorneys for Defendants

19 **UNITED STATES DISTRICT COURT**  
20 **SOUTHERN DISTRICT OF CALIFORNIA**

21 **SECURITIES AND EXCHANGE**  
22 **COMMISSION,**

23 Plaintiff,

24 v.

25 **LOUIS V. SCHOOLER and**  
26 **FIRST FINANCIAL PLANNING**  
27 **CORPORATION d/b/a WESTERN**  
28 **FINANCIAL PLANNING**  
**CORPORATION,**

Defendants.

) Case No. 12 CV 2164 GPC JMA

) **DECLARATION OF LOUIS V.**  
) **SCHOOLER IN SUPPORT OF**  
) **DEFENDANTS' RESPONSE TO**  
) **SEVENTH INTERIM**  
) **APPLICATIONS FOR APPROVAL**  
) **AND PAYMENT OF FEES AND**  
) **COSTS (RECEIVER AND COUNSEL)**

) Date: August 8, 2014

) Time: 1:30 p.m.

) Ctrm: 2D

) Judge: Hon. Gonzalo P. Curiel

1 I, LOUIS V. SCHOOLER, hereby declare, pursuant to 28 U.S.C. § 1746, as  
2 follows:

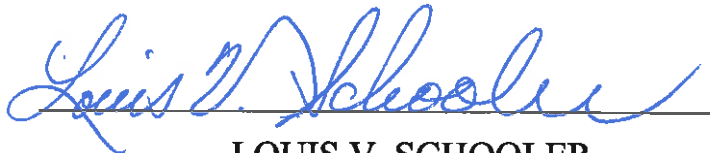
3 1. I am a Defendant in the above entitled action. I have personal  
4 knowledge of the matters set forth herein and, if called as a witness, I could and  
5 would testify competently hereto under oath.

6 2. At all times described herein, I was the President and sole owner of  
7 First Financial Planning Corporation d/b/a Western Financial Planning Corporation  
8 (“Western”).

9 3. On February 15, 2014, I received an email from Robert M. Schafer of  
10 Schafer Pacific Properties, holders of junior carryback notes from Western for  
11 several of the parcels now owned by the general partnerships (the Underlying  
12 Notes), that he had not received the payments for December 2013, January 2014, or  
13 February 2014. A true and correct copy of Mr. Schafer’s email, redacted to remove  
14 confidential and privileged communication with my counsel to whom I forwarded  
15 the email, is attached hereto as Exhibit 1.

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

18 Executed this 24<sup>th</sup> day of July, 2014, in San Diego, California.

19  
20   
21

LOUIS V. SCHOOLER

# **EXHIBIT 1**

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## Fwd: Tardy Payments to me by Receiver

From: **Louis Schooler** (louisschooler@gmail.com)

Sent: Sun 2/16/14 1:30 PM

To: Hougen Eric (eric@hougenlaw.com); Dyson Phil (phildysonlaw@gmail.com); david@phildysonlaw.com; Bieter Mark (mark@markbieter.com); Swan Pat (pswan@jonesday.com)

**From:** Robb Schafer <[robb@schaferpacific.com](mailto:robb@schaferpacific.com)>

**Date:** February 15, 2014 at 11:41:17 AM PST

**To:** [louisschooler@gmail.com](mailto:louisschooler@gmail.com)

**Subject:** Tardy Payments to me by Receiver

As per our conversation this is to inform you that the receiver has not made any note payments to me for December, January or February.

Hopefully they will take care of this very soon.

Robb Schafer