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10 Attorneys for Receiver
11 THOMAS C. HEBRANK

12 UNITED STATES DISTRICT COURT
13 SOUTHERN DISTRICT OF CALIFORNIA

14
15 SECURITIES AND EXCHANGE
COMMISSION,

16 Plaintiff,

17 v.

18 LOUIS V. SCHOOLER and FIRST
19 FINANCIAL PLANNING
CORPORATION d/b/a WESTERN
20 FINANCIAL PLANNING
CORPORATION,

21 Defendants.
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Case No. 3:12-cv-2164-GPC-JMA

**REPLY TO OPPOSITION OF JOHN
AND MARY JENKINS TO
RECEIVER'S MOTION FOR
ORDER:**

- (A) **RESOLVING DISPUTED CLAIMS;**
- (B) **APPROVING PROPOSED ALLOWED CLAIM AMOUNTS; AND**
- (C) **AUTHORIZING DISSOLUTION OF GENERAL PARTNERSHIPS AND RELATED ENTITIES**

Date: December 15, 2017
Time: 1:30 p.m.
Ctrm.: 2D
Judge: Hon. Gonzalo P. Curiel

1 Thomas C. Hebrank ("Receiver"), the Court-appointed receiver for First
2 Financial Planning Corporation d/b/a Western Financial Planning Corporation
3 ("Western"), its subsidiaries and the General Partnerships listed in Schedule 1 to the
4 Preliminary Injunction Order entered on March 13, 2013 (collectively,
5 "Receivership Entities"), hereby submits his reply to the opposition filed by John
6 and Mary Jenkins to his motion for an order (a) resolving disputed claims;
7 (b) approving proposed allowed claim amounts; and (c) authorizing dissolution of
8 general partnerships and related entities ("Motion").

9 The dispute concerning the claim of John and Mary Jenkins is discussed in
10 detail in the Memorandum of Points and Authorities in Support of the Motion (see
11 pp. 7-10) and the corresponding portions of the Declaration of Thomas Hebrank in
12 Support of the Motion (see ¶¶ 17-24).

13 On December 4, 2017, the Jenkins filed a response to the Motion. The
14 Jenkins apparently no longer dispute that they sold 18,793 units in Park Vegas
15 Partners to Western in exchange for \$73,095. Instead, they now argue that \$70,000
16 of the \$73,095 they received was reinvested into two other General Partnerships
17 (\$40,000 in Lahontan Partners and \$30,000 in Cactus Ridge Partners).

18 The Receiver does not dispute that the Jenkins invested \$40,000 in Lahontan
19 Partners and \$30,000 in Cactus Ridge Partners. However, the Jenkins have already
20 been given credit for these investments in the proposed allowed amount of their
21 claim. As stated in the Motion, the Jenkins invested a total of \$213,102 (\$187,950
22 in total initial investments and \$25,152 in total subsequent capital contributions).
23 Their \$187,950 in total initial investments includes their \$40,000 investment in
24 Lahontan Partners and their \$30,000 investment in Cactus Ridge Partners. As
25 reflected in the documents attached to their opposition (pp. 10-11), the Jenkins'
26 initial investments are as follows:

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General Partnership	Initial Investment
Bratton View	\$10,200
Cactus Ridge Partners	\$30,000
Checkered Flag Partners	\$16,200
Lahontan Partners	\$40,000
Lyons Valley Partners	\$14,000
Lyons Valley Partners	\$6,000
Park Vegas Partners	\$30,000
Reno Partners	\$15,750
Via 188 Partners	\$14,300
Via 188 Partners	\$11,500
Total	\$187,950

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Therefore, the Jenkins have been given due credit for all of their investments. These investments have been added to their total subsequent capital contributions (\$187,950 + \$25,152 = \$213,102) and the correct total amount they received (\$133,747) has been deducted therefrom to arrive at the proper allowed amount of their claim (\$79,355). Accordingly, the Receiver's proposed allowed amount of their claim should be approved.

I. CONCLUSION

Based on the foregoing, the Receiver requests an order (a) resolving the claim disputes described in the Motion and supporting papers, (b) approving the proposed allowed claim amounts reflected on Exhibit A to the Hebrank Declaration, and (c) authorizing the Receiver to transfer the properties held by the GPs to Western, prepare and file final tax returns for the GPs, and formally dissolve and close the GPs and related entities.

Dated: December 8, 2017

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: /s/ Edward Fates
EDWARD G. FATES
Attorneys for Receiver
THOMAS C. HEBRANK

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PROOF OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of eighteen (18) and am not a party to this action. My business address is 600 West Broadway, 27th Floor, San Diego, California 92101-0903.

On December 8, 2017, I served the within document(s) described as:

- **REPLY TO OPPOSITION OF JOHN AND MARY JENKINS TO RECEIVER'S MOTION FOR ORDER: (A) RESOLVING DISPUTED CLAIMS; (B) APPROVING PROPOSED ALLOWED CLAIM AMOUNTS; AND (C) AUTHORIZING DISSOLUTION OF GENERAL PARTNERSHIPS AND RELATED ENTITIES**

on the interested parties in this action by:

BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF"): the foregoing document(s) will be served by the court via NEF and hyperlink to the document. On December 8, 2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email addressed indicated below:

- Gary J. Aguirre - gary@aguirrelawapc.com; maria@aguirrelawapc.com
- John Willis Berry - berryj@sec.gov; LAROFiling@sec.gov
- Lynn M. Dean - deanl@sec.gov; longoa@sec.gov; larofiling@sec.gov; berryj@sec.gov; irwinma@sec.gov; cavallones@sec.gov
- Timothy P. Dillon - tdillon@dghmalaw.com; ksauer@dghmalaw.com; sahuja@dghmalaw.com
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- Bryan Charles Vess - annamforsberg@gmail.com
- David R. Zaro - dzaro@allenmatkins.com; mdiaz@allenmatkins.com

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

Executed on December 8, 2017, at San Diego, California.

Edward G. Fates

(Type or print name)

/s/ Edward Fates

(Signature of Declarant)