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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.
22

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

**NOTICE OF NON-RECEIPT OF
QUALIFIED OVERBIDS
REGARDING RECEIVER'S
MOTION FOR APPROVAL OF
SALE OF INTERNATIONAL
PROPERTY**

Date: May 25, 2018

Time: 1:30 p.m.

Ctrm.: 2D

Judge: Hon. Gonzalo P. Curiel

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR**
2 **COUNSEL OF RECORD:**

3 **PLEASE TAKE NOTICE** that Thomas C. Hebrank ("Receiver"), Court-
4 appointed receiver for First Financial Planning Corporation d/b/a Western Financial
5 Planning Corporation ("Western"), its subsidiaries and the General Partnerships
6 listed in Schedule 1 to the Preliminary Injunction Order entered on March 13, 2013
7 (collectively, "Receivership Entities"), submits this Notice of Non-Receipt of
8 Qualified Overbids Regarding Receiver's Motion for Approval of Sale of
9 International Property ("Motion").

10 In his Motion, the Receiver proposed a deadline for submission of qualified
11 overbids for the International property of no later than April 24, 2018. The Receiver
12 posted the sale motion on the receivership website www.ethreadvisors.com (see the
13 "SEC Case Docs" tab) and published notice of the sale in the San Diego Union-
14 Tribune as required by 28 U.S.C. § 2002. Despite these efforts, there have been no
15 qualified overbids submitted.

16 In addition, pursuant to this Court's Order Setting Briefing Schedule (Dkt.
17 No. 1602), the last day to file and serve an opposition to the Motion, if any, was
18 April 27, 2018. As of the date of this filing, no such opposition has been filed or
19 served. In accordance with the Civil Local Rule 7.1(f)(3)(c), the failure to file an
20 opposition to a motion may be deemed consent to its granting.

21 Based on the above, and for the reasons set forth in the Motion, the Receiver
22 respectfully requests the Court grant the Motion and approve and authorize the relief
23 requested therein.

24
25 Dated: May 18, 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 One America Plaza, 600 West Broadway, 27th Floor, San Diego, California 92101-3541.

On May 18, 2018, I served the within document(s) described as:

- **NOTICE OF NON-RECEIPT OF QUALIFIED OVERBIDS REGARDING RECEIVER'S MOTION FOR APPROVAL OF SALE OF INTERNATIONAL PROPERTY**

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 May 18, 2018, I checked the CM/ECF docket for this case 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; larofiling@sec.gov; berryj@sec.gov; irwinma@sec.gov; cavallones@sec.gov
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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 18, 2018, at San Diego, California.

Edward G. Fates

(Type or print name)

/s/ Edward Fates

(Signature of Declarant)