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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
 MOTION FOR AUTHORITY TO
 SELL AUTOMOBILES AND GOLD
 COINS OWNED BY FIRST
 FINANCIAL PLANNING
 CORPORATION**

Date: May 10, 2013
 Time: 1:30 p.m.
 Ctrm.: 9D
 Judge: Hon. Gonzalo P. Curiel

**NO ORAL ARGUMENT UNLESS
 REQUESTED BY THE COURT**

27
28

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, the "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 **Automobiles**

8 2. Western owns two automobiles – a 1999 Lexus LX 470 and a 2008
9 Lexus LX 570. I inquired with Mr. Schooler as to the location of these vehicles and
10 was told that the 1999 Lexus is located in Tahoe, California and the 2008 Lexus is
11 located in San Diego. I checked the Kelley Blue Book value of the 1999 Lexus,
12 which Mr. Schooler has stated has approximately 120,000 miles on it. Attached
13 hereto as Exhibit A is the Kelley Blue Book report for a 1999 Lexus LX 470 with
14 120,000 miles on it. Mr. Schooler has stated that the vehicle is in good condition,
15 but has some scrapes and visible wear and tear.

16 3. Mr. Schooler and I discussed a sale of the automobiles and it was
17 agreed, subject to Court approval, that Mr. Schooler would purchase the 1999 Lexus
18 located in Tahoe for \$12,000.00. I believe that this sale will produce the best
19 recovery from the vehicle for the receivership estate, and therefore request that it be
20 approved.

21 4. The 2008 Lexus was delivered to me on February 19, 2013. It has
22 approximately 43,000 on it and, from my initial inspection, appears to be in
23 reasonably good condition. Attached hereto as Exhibit B is the Kelley Blue Book
24 report for a 2008 Lexus LX 570 with 43,000 miles. I propose to sell the vehicle
25 through McCormack Auction Company ("McCormack"). McCormack is a licensed
26 auctioneer located in San Diego with more than 35 years experience (more
27 information is available at <http://mccormackauction.com>). I propose to pay
28 McCormack its standard commission for selling an automobile, which is ten (10%)

1 percent. Selling the vehicle through McCormack will maximize the recovery and
2 minimize expenses associated with the sale.

3 **Gold Coins**

4 5. As noted in my Second and Third Reports, Western owns gold coins. I
5 contacted a local jeweler/appraiser and, based on that investigation, believe the gold
6 coins are worth approximately \$50,000 to \$55,000. I propose to contact licensed
7 jewelers/dealers in the San Diego area and obtain at least three offers for the coins,
8 which offers must be all cash. I will then select the highest and best offer and
9 complete the sale. This relatively simple sale process will maximize the recovery
10 from the coins and minimize expenses associated with the sale.

11
12 I declare under penalty of perjury under the laws of the United States that the
13 foregoing is true and correct.

14 Executed this 20 day of February, 2013, at San Diego, California.

15
16 
17 THOMAS C. HEBRANK

EXHIBIT INDEX

Exhibit A	Kelly Blue Book Report for a 1999 Lexus LX 470	1-3
Exhibit B	Kelly Blue Book Report for a 2008 Lexus LX 570	4-6

EXHIBIT A

EXHIBIT A

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1999 Lexus LX

1998 1999 2000 New 2013 Style: LX 470 Sport Utility 4D



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Good \$13,339	Know Your Credit Score? <input type="button" value="get yours now"/> <small>freecreditscore.com</small>
Fair \$12,064	

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1999 Lexus LX 470 Sport Utility 4D Used Car Prices - Kelley Blue Book

1999 Lexus LX



Engine: V8, 4.7 Liter
Transmission: Automatic
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MPG: City 27 / Hwy 32
 Engine: 4-Cyl, Turbo, 1.6 L
 Consumer Rating: **8.3**

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2011 GMC Terrain



MPG: City 22 / Hwy 32
 Engine: 4-Cyl, 2.4 L
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MPG: City 22 / Hwy 32
 Engine: 4-Cyl, 2.4 L
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EXHIBIT B

EXHIBIT B

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2008 Lexus LX

Style: LX 570 Sport Utility 4D

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when trading in at a dealership

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MPG: City 78 / Hwy 74
 Engine: AC Electric Motor
 Consumer Rating: N/A

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MPG: City 26 / Hwy 35
 Engine: 4-Cyl, SKYACTIV-G, 2.0 L
 Consumer Rating: 9.4

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MPG: City 24 / Hwy 34
 Engine: 4-Cyl, Twin Turbo, 2.0 L
 Consumer Rating: N/A

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