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9 Attorneys for Receiver
THOMAS C. HEBRANK

11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13
14 SECURITIES AND EXCHANGE
COMMISSION,

15 Plaintiff,

16 v.

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

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

**RECEIVER'S NOTICE OF NON-
OPPOSITION AND NON-RECEIPT
OF QUALIFIED OVERBIDS FOR
MOTION FOR APPROVAL OF
SALE OF JAMUL VALLEY
PROPERTY**

Date: July 15, 2016
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 this Receiver's Notice of Non-Opposition
6 and Non-Receipt of Qualified Overbids for Motion for Approval of Sale of Jamul
7 Valley Property ("Motion").

8 Pursuant to the Court's Order Approving Receiver's Recommendations
9 Regarding: (1) Letters of Intent to Purchase Dayton I, Dayton IV, Fernley I,
10 Las Vegas 2, and Stead Properties and (2) Engagement of Real Estate Brokers for
11 Las Vegas 1, Las Vegas 2, and Tecate Properties [ECF Nos. 1169, 1203, 1281];
12 Denying Receiver's Ex Parte Application for Order Confirming Sale of Jamul
13 Valley Property [ECF No. 1191]; and Granting Receiver's Motion to File Under
14 Seal [ECF No. 1280], the deadline for opposition to the Motion was June 17, 2016.
15 Dkt. No. 1305. No opposition to the Motion has been filed.

16 In the Motion, the Receiver proposed June 27, 2016, as the deadline for
17 interested parties to submit qualified overbids. The Receiver posted the sale motion
18 on the receivership website, and, in compliance with 28 U.S.C. §§ 2001(a) and
19 2002, published notice of the sale (in the form contained on page 7 of the
20 Memorandum of Points and Authorities in Support of the Motion) once a week for
21 four consecutive weeks in the San Diego Union Tribune, a newspaper of general
22 circulation in San Diego. The sale notice stated that overbids must be submitted to
23 the Receiver by June 27, 2016, in order to participate in the public auction.

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1 To date, no overbids have been received. Accordingly, an auction is not
2 necessary and the Receiver asks that the Court sign the proposed order approving
3 the sale to The Nature Conservancy.

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5 Dated: June 29, 2016

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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7 By: /s/ Edward Fates

8 EDWARD G. FATES
9 Attorneys for Receiver
10 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 501 West Broadway, 15th Floor, San Diego, California 92101-3541.

On June 29, 2016, I served the within document(s) described as:

- **RECEIVER'S NOTICE OF NON-OPPOSITION AND NON-RECEIPT OF QUALIFIED OVERBIDS FOR MOTION FOR APPROVAL OF SALE OF JAMUL VALLEY PROPERTY**

on 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 June 29, 2016, 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; larofiling@sec.gov; berryj@sec.gov; irwinma@sec.gov; cavallones@sec.gov
- Timothy P. Dillon - tdillon@dghmalaw.com; cbeal@dghmalaw.com; kramirez@dghmalaw.com; smiller@dghmalaw.com; sahuja@dghmalaw.com
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- 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 June 29, 2016, at San Diego, California.

Edward G. Fates

(Type or print name)

/s/ Edward Fates

(Signature of Declarant)