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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO

15 SECURITIES AND EXCHANGE
16 COMMISSION,

17 Plaintiff,

18 vs.

19 ALEXANDER JAMES TRABULSE,

20 Defendant.

21 and

22 FAHEY FUND, L.P., FAHEY FINANCIAL
23 GROUP, INC., INTERNATIONAL TRADE &
24 DATA, and ITD TRADING,

25 Relief Defendants.

Case No. C 07-4975 (WHA)

**DECLARATION OF GEOFF WINKLER IN
SUPPORT OF MOTION TO APPROVE
SALE OF MOBILE HOMES FREE AND
CLEAR OF LIENS**

Date: October 15, 2009

Time: 8:00 a.m.

Place: Courtroom 9, 19th Floor
United States District Court
Northern District of California-
San Francisco Division
450 Golden Gate Avenue
San Francisco, CA 94102

26 I, Geoff Winkler, declare:

27 1. I am the Director of Case Management for the duly appointed monitor Michael A.
28 Grassmueck for Fahey Fund, L.P.; Fahey Financial Group, Inc.; International Trade & Data; and
ITD Trading, and their subsidiaries and affiliates and any entities controlled by them (collectively
referred to as the "Relief Defendants"). I submit this declaration (the "Declaration") in support of
the Motion To Approve Sale Of Mobile Homes Free And Clear Of Liens (the "Motion"). I have

1 personal knowledge of the facts stated in this Declaration as to which I could and would
2 personally and competently testify if called upon to do so.

3 2. On December 17, 2007, this Court entered the Order Appointing Monitor And
4 Other Ancillary Relief ("Monitor Order"), which authorized the appointment of Michael A.
5 Grassmueck, as corporate monitor (the "Monitor") with regard to the Fahey Fund, L.P.; Fahey
6 Financial Group, Inc.; International Trade & Data; and ITD Trading (collectively, the "Relief
7 Defendants") and Alexander James Trabulse ("Trabulse"). Pursuant to the Monitor Order, the
8 Monitor was empowered and directed to, among other things, conduct such investigation as would
9 be necessary to locate and account for the Relief Defendants' assets, and review the overall
10 operation of the Relief Defendants in accordance with the Monitor Order.

11 3. On February 13, 2008, the Court entered an Order implementing certain
12 recommendations of the Monitor, and which also incorporated the terms of the Monitor Order (the
13 "Modified Order"). The Modified Order authorized the Monitor to, among other things,
14 undertake the review and analysis of claims, and determine the allowance of claims, through a
15 claims review process, and *assist in the sale and liquidation of assets*.

16 4. In connection with his duties under the Modified Order, the Monitor, by the
17 Motion, seeks approval of the sale of four (4) mobile homes ("Mobile Homes") that are property
18 of the Relief Defendants' estate ("Estate"), free and clear of liens, claims and encumbrances, to
19 proposed buyer, Salel Enterprises, Inc. ("Buyer"), or to the buyer with the highest offer for the
20 purchase of the Mobile Homes.

21 5. The Mobile Homes are identified by the following reference labels: (1) Mobile
22 Home #1 (Space #38, CA decal # AAJ7548, Built Approximately 1959), (2) Mobile Home #2
23 (Space #40, CA decal # AAN7849, Built Approximately 1959), (3) Mobile Home #3 (Space #45,
24 CA decal # AAT8217), Built Approximately 1961), and (4) Mobile Home #4 (Space #59, CA
25 decal # LAD4425), Built Approximately 1978). These Mobile Homes are currently located at
26 Salel's Mobilehome Park, at 747 Lewelling Blvd., Spc 65, San Leandro, California. Mobile Home
27 #'s 2 and 3 are unoccupied and have no tenants. Mobile Home #'s 1 and 4 are occupied by tenants,
28 subject to rental agreements with tenants ("Rental Agreements").

1 6. The Monitor has received an offer to purchase the Mobile Homes from the Estate,
 2 with an assignment of the Rental Agreements, for the amount of \$42,000. Prior to receipt of this
 3 offer, the Monitor had ascribed no value to these assets above the cost to market and sell the same.
 4 Accordingly, the Monitor has agreed to sell the Mobile Homes and assign the Rental Agreements
 5 (collectively, the "Mobile Home Assets") to the Buyer, subject to receipt of any higher offers for
 6 the Mobile Home Assets. The Monitor has prepared a Bill of Sale document for transfer of the
 7 Mobile Home Assets to Buyer, which is attached to the Motion in substantially its final form as
 8 Exhibit "A". The Mobile Home Assets shall be sold on an "as-is" basis, without any
 9 representations and warranties, and free and clear of any liens, claims and encumbrances.

10 7. The Monitor also requests that the Court waive the provisions of 28 U.S.C. §§
 11 2001(a) and 2002, which generally call for the Monitor to sell personal property assets such as the
 12 Mobile Home Assets pursuant to a foreclosure-type or public auction process. The Monitor
 13 further seeks waiver of the private sale provisions of 28 U.S.C. § 2001(b), which call for
 14 appraisals, newspaper publications, and the Court's confirmation of the private sale.

15 I declare under penalty of perjury under the laws of the United States of America that the
 16 foregoing is true and correct. Executed this 10th day of September, 2009, at Portland, Oregon:

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 GEOFF WINKLER