

Case No. 81220

In the Supreme Court of Nevada

EDWARD N. DETWILER,

Petitioner,

vs.

THE HONORABLE RICHARD SCOTTI, DISTRICT JUDGE; AND THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK,

Respondents,

and

BAKER BOYER NATIONAL BANK,

Real Party in Interest.

Electronically Filed
Aug 26 2020 03:00 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

District Court Case Nos.
A549111 & A772220

**BAKER BOYER NATIONAL BANK'S APPENDIX
VOLUME 2
PAGES 251-500**

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CERTIFICATE OF SERVICE

I certify that on August 26, 2020, I submitted the foregoing APPENDIX for filing *via* the Court's eFlex electronic filing system. Electronic notification will be sent to the following:

Mark A. Hutchison
Michael K. Wall
Brenoch Wirthlin
HUTCHISON & STEFFEN
10080 W. Alta Drive, Suite 200
Las Vegas, Nevada 89145

Attorneys for Petitioner

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, at Las Vegas, Nevada, addressed as follows:

The Honorable Richard Scotti
DISTRICT COURT JUDGE – DEPT. 2
200 Lewis Avenue
Las Vegas, Nevada 89155

Respondent

/s/Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP

Debtor HARRY HILDBRAND, LLC
Name

Case number (if known)

16. Estimated liabilities

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

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

Executed on

6/19/2018
Edward Detwiler
MM/DD/YYYY

Signature of authorized representative of debtor

Title MANAGER

EDWARD DETWILER

Printed name

18. Signature of attorney

Signature of attorney for debtor

Date

07 27 2018
MM / DD / YYYY

Printed name

James P. Lerie

Firm name

Attorney at Law

Number

Street

2512 Artesia Blvd.

City

Redondo Beach

State

ZIP Code

CA 90278

Contact phone

310-608-4419

Email address

jimlerie@gmail.com

Bar number

84558

State

California

Fill in this information to identify the case:

Debtor name HARRY HILDBRAND LLC
United States Bankruptcy Court for the: CENTRAL District of CALIF.
Case number (if known): 18-18727-NB (State)

☒ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.
				Total claim, if partially secured Deduction for value of collateral or setoff Unsecured claim

1 STARDUST CLASSIC LLC DETWILER
7854 W. SAHARA 702-871-9500
LAS VEGAS NV 89117

0 0 500,405

Debtor HARRY HILDIBRAND LLC

Case number (if known)

Name of creditor and complete
mailing address, including zip code

Name, telephone number, and
email address of creditor
contact

Nature of the claim
(for example, trade
debts, bank loans,
professional
services, and
government
contracts)

Indicate if
claim is:
contingent,
unliquidated,
or disputed

Amount of unsecured claim
If the claim is fully unsecured, fill in only unsecured
claim amount. If claim is partially secured, fill in
total claim amount and deduction for value of
collateral or setoff to calculate unsecured claim.

Total claim, if
partially
secured

Deduction for
value of
collateral or
setoff

Unsecured
claim

9

10

11

12

13

14

15

16

17

18

19

20

Fill in this information to identify the case:

Debtor name HARRY MILDIBRAND LLC
United States Bankruptcy Court for the: CENTRAL District of CALIF
Case number (if known): 2:18-BK-18727-NB (State)

☒ Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

04/16

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income

1. Gross revenue from business

☐ None

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue
Check all that apply

Gross revenue
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From 01/01/2018 to 12/31/2017
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 222,912

For prior year:

From 01/01/2017 to 12/31/2016
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

For the year before that:

From 01/01/2016 to 12/31/2015
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None

Description of sources of revenue

Gross revenue from each source
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For prior year:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For the year before that:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

Debtor

Name

HARRY MILDIBRAND LLC

Case number (if known)

Part 2: List Certain Transfers Made Before Filing for Bankruptcy**3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☒ None

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer Check all that apply
3.1. Creditor's name _____ Street _____ City _____ State _____ ZIP Code _____	_____	\$ _____	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other _____
3.2. Creditor's name _____ Street _____ City _____ State _____ ZIP Code _____	_____	\$ _____	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other _____

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☐ None

Insider's name and address	Dates	Total amount or value	Reasons for payment or transfer
4.1. Insider's name <u>STARDUST CLASSIC LLC</u> Street <u>7854 W SAHARA #100</u> <u>LAS VEGAS NV 89117</u> City _____ State _____ ZIP Code _____	<u>2018</u>	<u>\$ 225000</u>	<u>PURCHASE MONEY</u> <u>NOTE PAYABLE</u>
Relationship to debtor <u>MEMBER</u>			
4.2. Insider's name _____ Street _____ City _____ State _____ ZIP Code _____		\$ _____	
Relationship to debtor _____			

Debtor

HARRY HILDBRAND LLC

Case number (if known)

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

Creditor's name and address

Description of the property

Date

Value of property

5.1.

Creditor's name

Street

City

State

ZIP Code

5.2.

Creditor's name

Street

City

State

ZIP Code

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address

Description of the action creditor took

Date action was taken

Amount

Creditor's name

Street

City

State

ZIP Code

Last 4 digits of account number: XXXX-

Part 3: Legal Actions or Assignments

7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☒ None

Case title

Nature of case

Court or agency's name and address

Status of case

7.1.

Case number

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Case title

Court or agency's name and address

7.2.

Case number

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Debtor HARRY HILDBRAND LLC

Case number (if known) _____

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

Custodian's name and address

Description of the property

Value

Custodian's name

\$ _____

Street

Case title

Court name and address

City

State

ZIP Code

Case number

Name

Street

Date of order or assignment

City

State

ZIP Code

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

☒ None

Recipient's name and address

Description of the gifts or contributions

Dates given

Value

9.1 Recipient's name

Street

City

State

ZIP Code

Recipient's relationship to debtor

9.2 Recipient's name

Street

City

State

ZIP Code

Recipient's relationship to debtor

\$ _____

\$ _____

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Description of the property lost and how the loss occurred

Amount of payments received for the loss

Date of loss

Value of property lost

If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.

List unpaid claims on Official Form 106A/B (Schedule A/B: Assets - Real and Personal Property).

\$ _____

Debtor HARRY MILDIBRAAD LLC Case number (if known) _____

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring seeking bankruptcy relief, or filing a bankruptcy case.

☐ None

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
<u>SANTANDER CONSUMER USA</u>		<u>1ST OF EACH MONTH</u>	<u>\$2050</u>
Address _____			
<u>PO BOX 660633</u>			
Street _____			
City _____ State _____ ZIP Code _____			
Email or website address _____			
Who made the payment, if not debtor? _____			

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
11.2. _____	_____	_____	\$ _____
Address _____			
Street _____			
City _____ State _____ ZIP Code _____			
Email or website address _____			
Who made the payment, if not debtor? _____			

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
_____	_____	_____	\$ _____
Trustee _____	_____		

Debtor HARRY MILD BRAND LLC

Case number (if known)

13. Transfers not already listed on this statement

List any transfers of money or other property—by sale, trade, or any other means—made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None

Who received transfer?

Description of property transferred or payments received or debts paid in exchange

Date transfer was made

Total amount or value

13.1.

\$ _____

Address

Street

City

State

ZIP Code

Relationship to debtor

Who received transfer?

13.2.

\$ _____

Address

Street

City

State

ZIP Code

Relationship to debtor

Part 7: Previous Locations

14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Address

Dates of occupancy

14.1.

Street

From

To

City

State

ZIP Code

14.2.

Street

From

To

City

State

ZIP Code

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

Part 8: Health Care Bankruptcies

15. Health Care bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

- ☒ No. Go to Part 9.
☐ Yes. Fill in the information below.

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.1.

Facility name

Street

City

State

ZIP Code

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

Check all that apply:

- ☐ Electronically
☐ Paper

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.2.

Facility name

Street

City

State

ZIP Code

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

Check all that apply:

- ☐ Electronically
☐ Paper

Part 9: Personally Identifiable Information

16. Does the debtor collect and retain personally identifiable information of customers?

- ☒ No.
☐ Yes. State the nature of the information collected and retained. _____
Does the debtor have a privacy policy about that information?
☐ No
☐ Yes

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?

- ☐ No. Go to Part 10.
Yes. Does the debtor serve as plan administrator?
☐ No. Go to Part 10.
☐ Yes. Fill in below:
Name of plan

Employer identification number of the plan

EIN: _____

Has the plan been terminated?

- ☐ No
☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known) _____

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units

18. Closed financial accounts

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved or transferred? Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☒ None

Financial institution name and address

Last 4 digits of account number

Type of account

Date account was closed, sold, moved, or transferred

Last balance before closing or transfer

18.1

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

18.2

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☒ None

Depository institution name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☒ None

Facility name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known)

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another.

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☒ None

Owner's name and address	Location of the property	Description of the property	Value
Name			\$
Street			
City State ZIP Code			

Part 12: Details About Environmental Information

For the purpose of Part 12, the following definitions apply:

- Environmental law means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).
- Site means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.
- Hazardous material means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

☒ No
☐ Yes. Provide details below.

Case title	Court or agency name and address	Nature of the case	Status of case
Case number	Name		<input type="checkbox"/> Pending
	Street		<input type="checkbox"/> On appeal
	City State ZIP Code		<input type="checkbox"/> Concluded

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name	Name		
Street	Street		
City State ZIP Code	City State ZIP Code		

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name _____	Name _____	_____	_____
Street _____	Street _____	_____	_____
City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____		

Part 13: Details About the Debtor's Business or Connections to Any Business**25. Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

☒ None

	Business name and address	Describe the nature of the business	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.1	Name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	_____ _____ _____
25.2	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.3	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____

Debtor

HARRY HIL DIBRAZ LLC

Case number (if known)

28. Books, records, and financial statements

28a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☒ None

Name and address

Dates of service

From _____ To _____

28a.1

Name

Street

City

State

ZIP Code

Name and address

Dates of service

From _____ To _____

28a.2

Name

Street

City

State

ZIP Code

28b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

Name and address

Dates of service

From 2008 To 2018

28b.1

Name

Street

City

State

ZIP Code

Name and address

Dates of service

From _____ To _____

28b.2

Name

Street

City

State

ZIP Code

28c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

Name and address

If any books of account and records are unavailable, explain why

28c.1

Name

Street

City

State

ZIP Code

Debtor

HARRY NIEDIBRAND LLC

Case number (if known)

Name and address

If any books of account and records are
unavailable, explain why.

26c.2.

Name

Street

City

State

ZIP Code

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

Name and address

26d.1

Name

Street

City

State

ZIP Code

Name and address

26d.2.

Name

Street

City

State

ZIP Code

27. Inventories

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No

☐ Yes. Give the details about the two most recent inventories.

Name of the person who supervised the taking of the inventory

Date of
inventory

The dollar amount and basis (cost, market, or
other basis) of each inventory

\$

Name and address of the person who has possession of inventory records

27.1

Name

Street

City

State

ZIP Code

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known) _____

Name of the person who supervised the taking of the inventory

Date of
InventoryThe dollar amount and basis (cost, market, or
other basis) of each inventory

\$ _____

Name and address of the person who has possession of inventory records

27.2.

Name

Street

City

State

ZIP Code

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name

Address

Position and nature of any
interest

% of interest, if any

ED DETWILER7854 W SAHARA #100MANAGER0LAS VEGAS NV 89117STARDUST CLASSIC LLC7854 W SAHARA #100MEMBER100LAS VEGAS NV 89117

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

☒ No☐ Yes. Identify below.

Name

Address

Position and nature of
any interestPeriod during which
position or interest was
held

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

☒ No☐ Yes. Identify below.

Name and address of recipient

Amount of money or
description and value of
property

Dates

Reason for
providing the value

30.1.

Name

Street

City

State

ZIP Code

Relationship to debtor

Debtor

Name

HARRY MYK DIBRAND LLC

Case number (if known)

Name and address of recipient

30.2

Name

Street

City

State

ZIP Code

Relationship to debtor

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

☒ No☐ Yes. Identify below.

Name of the parent corporation

Employer identification number of the parent corporation

EIN: _____

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

☒ No☐ Yes. Identify below.

Name of the pension fund

Employer identification number of the pension fund

EIN: _____

Part 14: Signature and Declaration

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both.
18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

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

Executed on

08 03 2018
MM / DD / YYYY

x

Printed name EDWARD DETWILER

Signature of individual signing on behalf of the debtor

Position or relationship to debtor MANAGERAre additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?☒ No☐ Yes

Master Mailing list of Creditors - Supplement

Edward Detwiler.
7854 W Sahara Ave
Las Vegas NV 89117

Stardust Classic LLC
7854 W Sahara Ave
Las Vegas NV 89117



**MINUTES OF SPECIAL MEETING
OF
HARRY HILDIBRAND, LLC
A MONTANA LIMITED LIABILITY COMPANY IN GOOD STANDING**

Dated July 25, 2018

A special meeting of the Company, was duly noticed and called, and thereafter held by teleconference this day July 25, 2018; there being present Ronald Vega the managing member of Stardust Classics, LLC, the sole member of Harry Hildibrand LLC, and Edward Detwiler, the Manager of Harry Hildibrand, LLC, to consider the following matters and authorize actions on behalf of the Company through the adoption of respective resolutions:

A discussion was held wherein the Manager, Ed Detwiler, explained the current circumstance regarding the Monarch Coach, a major asset of the Company. This coach is located in the State of Nevada, and has been broken into and towed to a storage yard in the Las Vegas area by a Constable of the State of Nevada. The Constable was acting on a Writ of Execution provided to him by an attorney for a Plaintiff that holds a judgment against a prior member of Company; and not a Writ of Execution against the Company. Said attorney negligently failed to establish that the coach was not currently owned by the judgment debtor, but was sold to Company for the sum of \$5,000 and the assumption of the liability on the original purchase money loan. The current amount owed on this loan approximately equals the value of the coach.

In a Nevada court hearing, held subsequent to the Constable's actions, and wherein counsel for the Company appeared, the Nevada judge stated he intended to issue an order re-titling the coach in the name of the prior Company member, in order for the sale of the asset to be accomplished in partial satisfaction of the judgment against said prior Company Member. This re-titling would effectively abrogate the lien placed on the vehicle by the original purchase-money lender, and clearly, according to Company legal counsel, be in clear violation of the Contracts Clause of the U.S. Constitution. Such an order would potentially leave the Company with more debt than asset value. The hearing on this matter is scheduled for 9:00 A.M. on July 31, 2018, just days from today.

Accordingly, rather than risk the costs of an appeal from such an improper order, the Company should consider the filing of a Chapter 11 reorganization bankruptcy, thus removing the matter from the jurisdiction of the Nevada court, and specifically, this particular judge. This Chapter 11 filing would also allow a suit to be filed against said attorney, and his represented plaintiff, and possibly a negligent or conspiring Constable, for the recovery of the coach and all damages caused thereto, and provide for an orderly liquidation process of the Company, as it has not been a going concern for a number of years due to a lack of capital to restore the vehicles it owns.

After a discussion of the various alternatives and related costs, it was determined:

Whereas, the Company has insufficient liquid resources to continue opposing said judges unconstitutional intentions of re-titling the coach, nor the resources to potentially be required to pursue an appeal from such an improper order; and acknowledging that such an order would place the

Company in a position where its liabilities would exceed its assets; including the potential loss of a major asset against which a purchase money loan exists; it was,

Resolved: The company, through its manager, Ed Detwiler, is directed to prepare and file a Chapter 11 petition with the U.S. Bankruptcy Court prior to the scheduled hearing on July 31, 2018, and that he is authorized to hire counsel to assist in this effort, with said counsel to be paid from the proceeds of liquidated assets.

Further Resolved: The Company should obtain bankruptcy court authority and assistance to pursue the return/conversion damages and/or general damages related to the improper taking and damaging of said coach. The company should also receive authority to begin an orderly liquidation by selling its vehicles and/or exchanging them for total or partial debt relief.

IN WITNESS WHEREOF, the undersigned has hereto affixed his hand this 25th day of July 2018, by approval of:



Edward Detwiler, Manager

(6)

Master Mailing list Equity Security Holders

StarDust Classic, LLC
7854 W Sahara Ave
Las Vegas NV 89117

December 2017

Page1 Chapter 11 Petition Package (Non-Individual Debtors)

BAKER000272

STATEMENT OF RELATED CASES
INFORMATION REQUIRED BY LBR 1015-2
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA

1. A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, his/her spouse, his or her current or former domestic partner, an affiliate of the debtor, any copartnership or joint venture of which debtor is or formerly was a general or limited partner, or member, or any corporation of which the debtor is a director, officer, or person in control, as follows: (Set forth the complete number and title of each such of prior proceeding, date filed, nature thereof, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
2. (If petitioner is a partnership or joint venture) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor or an affiliate of the debtor, or a general partner in the debtor, a relative of the general partner, general partner of, or person in control of the debtor, partnership in which the debtor is a general partner, general partner of the debtor, or person in control of the debtor as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of the proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
3. (If petitioner is a corporation) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, or any of its affiliates or subsidiaries, a director of the debtor, an officer of the debtor, a person in control of the debtor, a partnership in which the debtor is general partner, a general partner of the debtor, a relative of the general partner, director, officer, or person in control of the debtor, or any persons, firms or corporations owning 20% or more of its voting stock as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
4. (If petitioner is an individual) A petition under the Bankruptcy Reform Act of 1978, including amendments thereof, has been filed by or against the debtor within the last 180 days: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed at LOS ANGELES, California

Edward H. Delich
 Signature of Debtor

Date: 7/29/2018

 Signature of Joint Debtor

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

B2030 (Form 2030) (12/15)

(M)

United States Bankruptcy Court

CENTRAL District Of CALIFORNIA

In re

Case No. 2:18-BK-18727-NB

Debtor

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ 275/hour

Prior to the filing of this statement I have received \$ 0

Balance Due \$ 3987.50

2. The source of the compensation paid to me was: N/A

☐ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

BAKER000274

000273

000273

000273

B2030 (Form 2030) (12/15)

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION	
I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.	
<u>3 AUG 18</u> Date	 Signature of Attorney
	<u>James P. Lee atty at law</u> Name of law firm

(N)

HARRY HILDIBRAND LLC 18-18727-NB

LBR 1007-1 Verification of completeness and Accuracy

The Master mailing list of creditors, supplement to the Master mailing List and the Equity Holders mailing list has been examined for completeness and accuracy.



Edward Detwiler

Re: **HARRY HILDIBRAND LLC; 18-18727-NB**

Chapter 11 Required Filings

Forms

- A. Form 201** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- B. Form 204** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- C. Form 201a** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- D. Mailing list Creditors** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- E. Corporate Resolution** - Attached
- F. Form LBR 1007-4** - Submitted , Form 207 page 13 #28, Petition 11 Filing
- G. Equity Security Holder** - Attached
- H. Form LBR F 1015-2.1** - Attached
- I. Form 206sum** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- J. Various schedules:** Submitted , 7/30/2018 3:41, Petition 11 Filing
 - Schedule 206 A/B
 - Schedule 206D
 - Schedule 206E/F
 - Schedule 206G
 - Schedule 206H
- K. Form 202** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- L. Form 207** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- M. FORM 2030 - Compensation Attorney** – Attached
- N. Form LBR 1007-1.1** - Attached

Fill in this information to identify the case:

United States Bankruptcy Court for the:

CENTRAL District of CALIFORNIA
(State)

Case number (if known): 2:18-BK-18727-NB Chapter 11

Original



☒ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

HARRY HILDBRAND LLC

2. All other names debtor used in the last 8 years

NONE

Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN)

82-5251939

4. Debtor's address

Principal place of business

3011 AMERICAN WAY
Number Street

MISSOULA MT 59808
City State ZIP Code

MISSOULA
County

Mailing address, if different from principal place of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor

HARRY HILDBRAND, LLC

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.naics.com/search/>

7532

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes.

District

When

MM / DD / YYYY

Case number

If more than 2 cases, attach a separate list.

District

When

MM / DD / YYYY

Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes.

Debtor

Relationship

District

When

MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known

Debtor

HARRY HILDBRAND, LLC Main Document

Page 3 of 29

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options)

☐ Other

Where is the property?

901 W ALONDRA

Number

Street

COMPTON

City

CA

State

90220

Zip Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5,001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated assets

☐ \$0-\$50,000

☐ \$50,001-\$100,000

☐ \$100,001-\$500,000

☒ \$500,001-\$1 million

☐ \$1,000,001-\$10 million

☐ \$10,000,001-\$50 million

☐ \$50,000,001-\$100 million

☐ \$100,000,001-\$500 million

☐ \$500,000,001-\$1 billion

☐ \$1,000,000,001-\$10 billion

☐ \$10,000,000,001-\$50 billion

☐ More than \$50 billion

Debtor HARRY HILDBRAND, LLC
Name

Case number (if known)

16. Estimated liabilities

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

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

Executed on

6/19/2018
MM/DD/YYYY

Signature of authorized representative of debtor

Title MANAGER

EDWARD DETWILER

Printed name

18. Signature of attorney

Signature of attorney for debtor

Date

07 27 2018
MM / DD / YYYY

Printed name

James P. Lerie

Firm name

Attorney at Law

Number

Street

2512 Artesia Blvd.

City

Redondo Beach

State

ZIP Code

CA 90278

Contact phone

310-608-4419

Email address

jimlerie@gmail.com

Bar number

84558

State

California

Fill in this information to identify the case:

Debtor name HARRY HILDBRAND LLC
United States Bankruptcy Court for the: CENTRAL District of CALIF.
Case number (if known): 18-18727-NB (State)

☒ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.
				Total claim, if partially secured Deduction for value of collateral or setoff Unsecured claim

1 STARDUST CLASSIC LLC DETWILER
7854 W. SAHARA 702-871-9500
LAS VEGAS NV 89117

0 0 500,405

Debtor HARRY HILDBRAND LLC

Case number (if known)

Name of creditor and complete
mailing address, including zip code

Name, telephone number, and
email address of creditor
contact

Nature of the claim
(for example, trade
debts, bank loans,
professional
services, and
government
contracts)

Indicate if
claim is:
contingent,
unliquidated,
or disputed

Amount of unsecured claim
If the claim is fully unsecured, fill in only unsecured
claim amount. If claim is partially secured, fill in
total claim amount and deduction for value of
collateral or setoff to calculate unsecured claim.

Total claim, if
partially
secured

Deduction for
value of
collateral or
setoff

Unsecured
claim

9

10

11

12

13

14

15

16

17

18

19

20

Fill in this information to identify the case:

Debtor name HARRY MILDIBRAND LLC

United States Bankruptcy Court for the: CENTRAL District of CALIF
(State)

Case number (if known): 2:18-BK-18727-NB

☒ Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

04/16

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income

1. Gross revenue from business

☐ None

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue
Check all that apply

Gross revenue
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From 01/01/2018 to 12/31/2017
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 222,912

For prior year:

From 01/01/2017 to 12/31/2016
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

For the year before that:

From 01/01/2016 to 12/31/2015
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None

Description of sources of revenue

Gross revenue from each source
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For prior year:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For the year before that:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

Debtor

Name

HARRY MILDIBRAND LLC

Case number (if known)

Part 2: List Certain Transfers Made Before Filing for Bankruptcy**3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☒ None

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer Check all that apply
3.1. Creditor's name _____ Street _____ City _____ State _____ ZIP Code _____	_____	\$ _____	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other _____
3.2. Creditor's name _____ Street _____ City _____ State _____ ZIP Code _____	_____	\$ _____	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other _____

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☐ None

Insider's name and address	Dates	Total amount or value	Reasons for payment or transfer
4.1. Insider's name <u>STARDUST CLASSIC LLC</u> Street <u>7854 W SAHARA #100</u> <u>LAS VEGAS NV 89117</u> City _____ State _____ ZIP Code _____	<u>2018</u>	<u>\$ 225000</u>	<u>PURCHASE MONEY</u> <u>NOTE PAYABLE</u>
Relationship to debtor <u>MEMBER</u>			
4.2. Insider's name _____ Street _____ City _____ State _____ ZIP Code _____	_____	\$ _____	
Relationship to debtor _____			

Debtor

HARRY HILDBRAND LLC

Case number (if known)

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

Creditor's name and address	Description of the property	Date	Value of property
-----------------------------	-----------------------------	------	-------------------

5.1.

Creditor's name

Street

City

State

ZIP Code

5.2.

Creditor's name

Street

City

State

ZIP Code

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address

Description of the action creditor took

Date action was taken

Amount

Creditor's name

Street

City

State

ZIP Code

Last 4 digits of account number: XXXX-

Part 3: Legal Actions or Assignments

7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☒ None

Case title	Nature of case	Court or agency's name and address	Status of case
------------	----------------	------------------------------------	----------------

7.1.

Case title

Case number

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Case title

7.2.

Case number

Court or agency's name and address

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known)

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

Custodian's name and address

Description of the property

Value

Custodian's name

\$

Street

Case title

Court name and address

City

State

ZIP Code

Case number

Name

Street

Date of order or assignment

City

State

ZIP Code

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

☒ None

Recipient's name and address

Description of the gifts or contributions

Dates given

Value

9.1

Recipient's name

Street

City

State

ZIP Code

Recipient's relationship to debtor

9.2

Recipient's name

Street

City

State

ZIP Code

Recipient's relationship to debtor

\$

\$

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Description of the property lost and how the loss occurred

Amount of payments received for the loss

Date of loss

Value of property lost

If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.

List unpaid claims on Official Form 106A/B (Schedule A/B: Assets - Real and Personal Property).

\$

Debtor HARRY MILDIBRAAD LLC Case number (if known) _____

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring seeking bankruptcy relief, or filing a bankruptcy case.

☐ None

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
<u>SANTANDER CONSUMER USA</u>		<u>1st OF</u>	
Address		<u>EACH</u>	<u>\$ 2050</u>
<u>PO BOX 660633</u>		<u>MONTH</u>	
Street			
City	State	ZIP Code	
Email or website address			
Who made the payment, if not debtor?			

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
			\$ _____
Address			
Street			
City	State	ZIP Code	
Email or website address			
Who made the payment, if not debtor?			

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
			\$ _____
Trustee			

Debtor HARRY MILD BRAND LLC

Case number (if known)

13. Transfers not already listed on this statement

List any transfers of money or other property—by sale, trade, or any other means—made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None

Who received transfer?

Description of property transferred or payments received or debts paid in exchange

Date transfer was made

Total amount or value

13.1.

\$ _____

Address

Street

City

State

ZIP Code

Relationship to debtor

Who received transfer?

\$ _____

13.2.

Address

Street

City

State

ZIP Code

Relationship to debtor

Part 7: Previous Locations

14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Address

Dates of occupancy

14.1.

Street

From

To

City

State

ZIP Code

14.2.

Street

From

To

City

State

ZIP Code

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

Part 8: Health Care Bankruptcies

15. Health Care bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

- ☒ No. Go to Part 9.
☐ Yes. Fill in the information below.

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.1.

Facility name

Street

City

State

ZIP Code

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

Check all that apply:

- ☐ Electronically
☐ Paper

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.2.

Facility name

Street

City

State

ZIP Code

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

Check all that apply:

- ☐ Electronically
☐ Paper

Part 9: Personally Identifiable Information

16. Does the debtor collect and retain personally identifiable information of customers?

- ☒ No.
☐ Yes. State the nature of the information collected and retained. _____
Does the debtor have a privacy policy about that information?
☐ No
☐ Yes

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?

- ☐ No. Go to Part 10.
Yes. Does the debtor serve as plan administrator?
☐ No. Go to Part 10.
☐ Yes. Fill in below:
Name of plan

Employer identification number of the plan

EIN: _____

Has the plan been terminated?

- ☐ No
☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known) _____

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units

18. Closed financial accounts

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved or transferred? Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☒ None

Financial institution name and address

Last 4 digits of account number

Type of account

Date account was closed, sold, moved, or transferred

Last balance before closing or transfer

18.1

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

18.2

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☒ None

Depository institution name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☒ None

Facility name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known)

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another.

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☒ None

Owner's name and address	Location of the property	Description of the property	Value
Name			\$
Street			
City State ZIP Code			

Part 12: Details About Environmental Information

For the purpose of Part 12, the following definitions apply:

- **Environmental law** means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).
- **Site** means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.
- **Hazardous material** means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

☒ No
☐ Yes. Provide details below.

Case title	Court or agency name and address	Nature of the case	Status of case
Case number	Name		<input type="checkbox"/> Pending
	Street		<input type="checkbox"/> On appeal
	City State ZIP Code		<input type="checkbox"/> Concluded

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name	Name		
Street	Street		
City State ZIP Code	City State ZIP Code		

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name _____	Name _____	_____	_____
Street _____	Street _____	_____	_____
City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____		

Part 13: Details About the Debtor's Business or Connections to Any Business**25. Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

- ☒ None

	Business name and address	Describe the nature of the business	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.1	Name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	_____ _____ _____
25.2	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.3	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____

Debtor

HARRY HIL DIBRAZ LLC

Case number (if known)

28. Books, records, and financial statements

28a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☒ None

Name and address

Dates of service

From _____ To _____

28a.1

Name

Street

City

State

ZIP Code

Name and address

Dates of service

From _____ To _____

28a.2

Name

Street

City

State

ZIP Code

28b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

Name and address

Dates of service

From 2008 To 2018

28b.1

Name

Street

City

State

ZIP Code

Name and address

Dates of service

From _____ To _____

28b.2

Name

Street

City

State

ZIP Code

28c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

Name and address

If any books of account and records are unavailable, explain why

28c.1

Name

Street

City

State

ZIP Code

Debtor

HARRY NIEDIBRAND LLC

Case number (if known)

Name and address

If any books of account and records are
unavailable, explain why.

26c.2.

Name

Street

City

State

ZIP Code

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

Name and address

26d.1

Name

Street

City

State

ZIP Code

Name and address

26d.2.

Name

Street

City

State

ZIP Code

27. Inventories

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No

☐ Yes. Give the details about the two most recent inventories.

Name of the person who supervised the taking of the inventory

Date of
inventory

The dollar amount and basis (cost, market, or
other basis) of each inventory

\$

Name and address of the person who has possession of inventory records

27.1

Name

Street

City

State

ZIP Code

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known) _____

Name of the person who supervised the taking of the inventory

Date of
InventoryThe dollar amount and basis (cost, market, or
other basis) of each inventory

\$ _____

Name and address of the person who has possession of inventory records

27.2.

Name

Street

City

State

ZIP Code

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name

Address

Position and nature of any
interest

% of interest, if any

ED DETWILER7854 W SAHARA #100MANAGER0LAS VEGAS NV 89117STARDUST CLASSIC LLC7854 W SAHARA #100MEMBER100LAS VEGAS NV 89117

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

☒ No☐ Yes. Identify below.

Name

Address

Position and nature of
any interestPeriod during which
position or interest was
held

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

☒ No☐ Yes. Identify below.

Name and address of recipient

Amount of money or
description and value of
property

Dates

Reason for
providing the value

30.1.

Name

Street

City

State

ZIP Code

Relationship to debtor

Debtor HARRY MILDIBRAND LLC Case number (if known) _____

Name and address of recipient

30.2

Name

Street

City

State

ZIP Code

Relationship to debtor

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

☒ No

☐ Yes. Identify below.

Name of the parent corporation

Employer identification number of the parent corporation

EIN: _____

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

☒ No

☐ Yes. Identify below.

Name of the pension fund

Employer identification number of the pension fund

EIN: _____

Part 14: Signature and Declaration

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both.
18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

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

Executed on

08 03 2018
MM / DD / YYYY

x

Edward H. Detwiler

Printed name EDWARD DETWILER

Signature of individual signing on behalf of the debtor

Position or relationship to debtor MANAGER

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

☒ No

☐ Yes

Master Mailing list of Creditors - Supplement

Edward Detwiler.
7854 W Sahara Ave
Las Vegas NV 89117

Stardust Classic LLC
7854 W Sahara Ave
Las Vegas NV 89117

**MINUTES OF SPECIAL MEETING
OF
HARRY HILDIBRAND, LLC
A MONTANA LIMITED LIABILITY COMPANY IN GOOD STANDING**

Dated July 25, 2018

A special meeting of the Company, was duly noticed and called, and thereafter held by teleconference this day July 25, 2018; there being present Ronald Vega the managing member of Stardust Classics, LLC, the sole member of Harry Hildibrand LLC, and Edward Detwiler, the Manager of Harry Hildibrand, LLC, to consider the following matters and authorize actions on behalf of the Company through the adoption of respective resolutions:

A discussion was held wherein the Manager, Ed Detwiler, explained the current circumstance regarding the Monarch Coach, a major asset of the Company. This coach is located in the State of Nevada, and has been broken into and towed to a storage yard in the Las Vegas area by a Constable of the State of Nevada. The Constable was acting on a Writ of Execution provided to him by an attorney for a Plaintiff that holds a judgment against a prior member of Company; and not a Writ of Execution against the Company. Said attorney negligently failed to establish that the coach was not currently owned by the judgment debtor, but was sold to Company for the sum of \$5,000 and the assumption of the liability on the original purchase money loan. The current amount owed on this loan approximately equals the value of the coach.

In a Nevada court hearing, held subsequent to the Constable's actions, and wherein counsel for the Company appeared, the Nevada judge stated he intended to issue an order re-titling the coach in the name of the prior Company member, in order for the sale of the asset to be accomplished in partial satisfaction of the judgment against said prior Company Member. This re-titling would effectively abrogate the lien placed on the vehicle by the original purchase-money lender, and clearly, according to Company legal counsel, be in clear violation of the Contracts Clause of the U.S. Constitution. Such an order would potentially leave the Company with more debt than asset value. The hearing on this matter is scheduled for 9:00 A.M. on July 31, 2018, just days from today.

Accordingly, rather than risk the costs of an appeal from such an improper order, the Company should consider the filing of a Chapter 11 reorganization bankruptcy, thus removing the matter from the jurisdiction of the Nevada court, and specifically, this particular judge. This Chapter 11 filing would also allow a suit to be filed against said attorney, and his represented plaintiff, and possibly a negligent or conspiring Constable, for the recovery of the coach and all damages caused thereto, and provide for an orderly liquidation process of the Company, as it has not been a going concern for a number of years due to a lack of capital to restore the vehicles it owns.

After a discussion of the various alternatives and related costs, it was determined:

Whereas, the Company has insufficient liquid resources to continue opposing said judges unconstitutional intentions of re-titling the coach, nor the resources to potentially be required to pursue an appeal from such an improper order; and acknowledging that such an order would place the

Company in a position where its liabilities would exceed its assets; including the potential loss of a major asset against which a purchase money loan exists; it was,

Resolved: The company, through its manager, Ed Detwiler, is directed to prepare and file a Chapter 11 petition with the U.S. Bankruptcy Court prior to the scheduled hearing on July 31, 2018, and that he is authorized to hire counsel to assist in this effort, with said counsel to be paid from the proceeds of liquidated assets.

Further Resolved: The Company should obtain bankruptcy court authority and assistance to pursue the return/conversion damages and/or general damages related to the improper taking and damaging of said coach. The company should also receive authority to begin an orderly liquidation by selling its vehicles and/or exchanging them for total or partial debt relief.

IN WITNESS WHEREOF, the undersigned has hereto affixed his hand this 25th day of July 2018, by approval of:



Edward Detwiler, Manager



Master Mailing list Equity Security Holders

StarDust Classic, LLC
7854 W Sahara Ave
Las Vegas NV 89117

December 2017

Page1 Chapter 11 Petition Package (Non-Individual Debtors)

BAKER000301

**STATEMENT OF RELATED CASES
INFORMATION REQUIRED BY LBR 1015-2
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA**

1. A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, his/her spouse, his or her current or former domestic partner, an affiliate of the debtor, any copartnership or joint venture of which debtor is or formerly was a general or limited partner, or member, or any corporation of which the debtor is a director, officer, or person in control, as follows: (Set forth the complete number and title of each such of prior proceeding, date filed, nature thereof, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
NONE
2. (If petitioner is a partnership or joint venture) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor or an affiliate of the debtor, or a general partner in the debtor, a relative of the general partner, general partner of, or person in control of the debtor, partnership in which the debtor is a general partner, general partner of the debtor, or person in control of the debtor as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of the proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
NONE
3. (If petitioner is a corporation) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, or any of its affiliates or subsidiaries, a director of the debtor, an officer of the debtor, a person in control of the debtor, a partnership in which the debtor is general partner, a general partner of the debtor, a relative of the general partner, director, officer, or person in control of the debtor, or any persons, firms or corporations owning 20% or more of its voting stock as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
NONE
4. (If petitioner is an individual) A petition under the Bankruptcy Reform Act of 1978, including amendments thereof, has been filed by or against the debtor within the last 180 days: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
NONE

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed at LOS ANGELES, California

Edward H. Delich
Signature of Debtor

Date: 7/29/2018

Signature of Joint Debtor

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

B2030 (Form 2030) (12/15)

(M)

United States Bankruptcy Court

CENTRAL District Of CALIFORNIA

In re

Case No. 2:18-BK-18727-NB

Debtor

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ 275/hour

Prior to the filing of this statement I have received \$ 0

Balance Due \$ 3987.50

2. The source of the compensation paid to me was: N/A

☐ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

BAKER000303

B2030 (Form 2030) (12/15)

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION	
<p>I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.</p>	
<p><u>3 AUG 18</u></p> <p><small>Date</small></p>	<p></p> <p><small>Signature of Attorney</small></p> <p><u>James P. Lee atty at law</u></p> <p><small>Name of law firm</small></p>

(N)

HARRY HILDIBRAND LLC 18-18727-NB

LBR 1007-1 Verification of completeness and Accuracy

The Master mailing list of creditors, supplement to the Master mailing List and the Equity Holders mailing list has been examined for completeness and accuracy.



Edward Detwiler

Re: **HARRY HILDIBRAND LLC; 18-18727-NB**

Chapter 11 Required Filings

Forms

- A. Form 201** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- B. Form 204** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- C. Form 201a** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- D. Mailing list Creditors** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- E. Corporate Resolution** - Attached
- F. Form LBR 1007-4** - Submitted , Form 207 page 13 #28, Petition 11 Filing
- G. Equity Security Holder** - Attached
- H. Form LBR F 1015-2.1** - Attached
- I. Form 206sum** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- J. Various schedules:** Submitted , 7/30/2018 3:41, Petition 11 Filing
 - Schedule 206 A/B
 - Schedule 206D
 - Schedule 206E/F
 - Schedule 206G
 - Schedule 206H
- K. Form 202** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- L. Form 207** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- M. FORM 2030 - Compensation Attorney** – Attached
- N. Form LBR 1007-1.1** - Attached

Fill in this information to identify the case:

United States Bankruptcy Court for the:

CENTRAL District of CALIFORNIA
(State)

Case number (if known): 2:18-BK-18727-NB Chapter 11

Original



☒ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

HARRY HILDBRAND LLC

2. All other names debtor used in the last 8 years

NONE

Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN)

82-5251939

4. Debtor's address

Principal place of business

3011 AMERICAN WAY

Number Street

MISSOULA MT 59808

City State ZIP Code

MISSOULA

County

Mailing address, if different from principal place of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor HARRY HILDBRAND, LLC

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.naics.com/search/>

7532

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes.

District _____

When _____

MM / DD / YYYY

Case number _____

If more than 2 cases, attach a separate list.

District _____

When _____

MM / DD / YYYY

Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes.

Debtor _____

Relationship _____

District _____

When _____

MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known _____

Debtor

HARRY HILDBRAND, LLC Main Document

Page 3 of 29

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options)

☐ Other

Where is the property?

901 W ALONDRA

Number

Street

COMPTON

City

CA

State

90220

Zip Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5,001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated assets

☐ \$0-\$50,000☐ \$50,001-\$100,000☐ \$100,001-\$500,000☒ \$500,001-\$1 million☐ \$1,000,001-\$10 million☐ \$10,000,001-\$50 million☐ \$50,000,001-\$100 million☐ \$100,000,001-\$500 million☐ \$500,000,001-\$1 billion☐ \$1,000,000,001-\$10 billion☐ \$10,000,000,001-\$50 billion☐ More than \$50 billion

Debtor HARRY HILDBRAND, LLC
Name

Case number (if known)

16. Estimated liabilities

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

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

Executed on

6/19/2018
MM/DD/YYYY

Signature of authorized representative of debtor

Title MANAGER

EDWARD DETWILER

Printed name

18. Signature of attorney

Signature of attorney for debtor

Date 07 27 2018
MM / DD / YYYY

Printed name

Firm name

Number

Street

City

Contact phone

Bar number

State

ZIP Code

Email address

State

Fill in this information to identify the case:

Debtor name HARRY HILDBRAND LLC
United States Bankruptcy Court for the: CENTRAL District of CALIF.
Case number (if known): 18-18727-NB (State)

☒ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.
				Total claim, if partially secured Deduction for value of collateral or setoff Unsecured claim

1 STARDUST CLASSIC LLC DETWILER
7854 W. SAHARA 702-871-9500
LAS VEGAS NV 89117

0 0 500,405

Debtor HARRY HILDIBRAND LLC

Case number (if known)

Name of creditor and complete
mailing address, including zip code

Name, telephone number, and
email address of creditor
contact

Nature of the claim
(for example, trade
debts, bank loans,
professional
services, and
government
contracts)

Indicate if
claim is:
contingent,
unliquidated,
or disputed

Amount of unsecured claim
If the claim is fully unsecured, fill in only unsecured
claim amount. If claim is partially secured, fill in
total claim amount and deduction for value of
collateral or setoff to calculate unsecured claim.

Total claim, if
partially
secured

Deduction for
value of
collateral or
setoff

Unsecured
claim

9

10

11

12

13

14

15

16

17

18

19

20

Fill in this information to identify the case:

Debtor name HARRY MILDIBRAND LLC
United States Bankruptcy Court for the: CENTRAL District of CALIF
Case number (if known): 2:18-BK-18727-NB (State)

☒ Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

04/16

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income

1. Gross revenue from business

☐ None

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue
Check all that apply

Gross revenue
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From 01/01/2018 to 12/31/2017
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 222,912

For prior year:

From 01/01/2017 to 12/31/2016
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

For the year before that:

From 01/01/2016 to 12/31/2015
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None

Description of sources of revenue

Gross revenue from each source
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For prior year:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For the year before that:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

Debtor

Name

HARRY MILDIBRAND LLC

Case number (if known)

Part 2: List Certain Transfers Made Before Filing for Bankruptcy**3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☒ None

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer Check all that apply
3.1. Creditor's name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	\$ _____	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other _____
3.2. Creditor's name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	\$ _____	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other _____

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☐ None

Insider's name and address	Dates	Total amount or value	Reasons for payment or transfer
4.1. Insider's name <u>STARDUST CLASSIC LLC</u> Street <u>7854 W SAHARA #100</u> <u>LAS VEGAS NV 89117</u> City _____ State _____ ZIP Code _____	<u>2018</u> _____ _____	<u>\$ 225000</u> _____ _____	<u>PURCHASE MONEY</u> <u>NOTE PAYABLE</u> _____ _____
Relationship to debtor <u>MEMBER</u>			
4.2. Insider's name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	\$ _____	_____ _____ _____
Relationship to debtor _____			

Debtor

HARRY HILDBRAND LLC

Case number (if known)

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

Creditor's name and address	Description of the property	Date	Value of property
-----------------------------	-----------------------------	------	-------------------

5.1.

Creditor's name

Street

City

State

ZIP Code

5.2.

Creditor's name

Street

City

State

ZIP Code

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address

Description of the action creditor took

Date action was taken

Amount

Creditor's name

Street

City

State

ZIP Code

Last 4 digits of account number: XXXX-

Part 3: Legal Actions or Assignments

7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☒ None

Case title	Nature of case	Court or agency's name and address	Status of case
------------	----------------	------------------------------------	----------------

7.1.

Case title

Case number

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Case title

7.2.

Case number

Court or agency's name and address

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known)

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

Custodian's name and address

Description of the property

Value

Custodian's name

\$

Street

Case title

Court name and address

City

State

ZIP Code

Case number

Name

Street

Date of order or assignment

City

State

ZIP Code

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

☒ None

Recipient's name and address

Description of the gifts or contributions

Dates given

Value

9.1 Recipient's name

Street

City

State

ZIP Code

Recipient's relationship to debtor

9.2 Recipient's name

Street

City

State

ZIP Code

Recipient's relationship to debtor

\$

\$

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Description of the property lost and how the loss occurred

Amount of payments received for the loss

Date of loss

Value of property lost

If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.

List unpaid claims on Official Form 106A/B (Schedule A/B: Assets - Real and Personal Property).

\$

Debtor HARRY MILDIBRAAD LLC Case number (if known) _____

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring seeking bankruptcy relief, or filing a bankruptcy case.

☐ None

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
<u>SANTANDER CONSUMER USA</u>		<u>1ST OF</u>	
Address		<u>EACH</u>	<u>\$ 2050</u>
<u>PO BOX 660633</u>		<u>MONTH</u>	
Street			
City	State	ZIP Code	
Email or website address			
Who made the payment, if not debtor?			

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
			\$
Address			
Street			
City	State	ZIP Code	
Email or website address			
Who made the payment, if not debtor?			

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
			\$
Trustee			

Debtor HARRY MILD BRAND LLC

Case number (if known)

13. Transfers not already listed on this statement

List any transfers of money or other property—by sale, trade, or any other means—made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None

Who received transfer?

Description of property transferred or payments received or debts paid in exchange

Date transfer was made

Total amount or value

13.1.

\$ _____

Address

Street

City

State

ZIP Code

Relationship to debtor

Who received transfer?

\$ _____

13.2.

Address

Street

City

State

ZIP Code

Relationship to debtor

Part 7: Previous Locations

14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Address

Dates of occupancy

14.1.

Street

From

To

City

State

ZIP Code

From

To

14.2.

Street

City

State

ZIP Code

Debtor

HARRY HILDEBRAND LLC
Name

Case number (if known) _____

Part 8: Health Care Bankruptcies

15. Health Care bankruptcies

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

- ☒ No. Go to Part 9.
☐ Yes. Fill in the information below.

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.1.

Facility name

Street

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

City State ZIP Code

Check all that apply:

- ☐ Electronically
☐ Paper

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.2.

Facility name

Street

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

City State ZIP Code

Check all that apply:

- ☐ Electronically
☐ Paper

Part 9: Personally Identifiable Information

16. Does the debtor collect and retain personally identifiable information of customers?

- ☒ No.
☐ Yes. State the nature of the information collected and retained. _____
Does the debtor have a privacy policy about that information?
☐ No
☐ Yes

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?

- ☐ No. Go to Part 10.
Yes. Does the debtor serve as plan administrator?
☐ No. Go to Part 10.
☐ Yes. Fill in below:
Name of plan

Employer identification number of the plan

EIN: _____

Has the plan been terminated?

- ☐ No
☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known) _____

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units

18. Closed financial accounts

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved or transferred? Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☒ None

Financial institution name and address

Last 4 digits of account number

Type of account

Date account was closed, sold, moved, or transferred

Last balance before closing or transfer

18.1

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

18.2

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☒ None

Depository institution name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☒ None

Facility name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known)

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another.

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☒ None

Owner's name and address	Location of the property	Description of the property	Value
Name			\$
Street			
City State ZIP Code			

Part 12: Details About Environmental Information

For the purpose of Part 12, the following definitions apply:

- ☒ **Environmental law** means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).
- ☒ **Site** means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.
- ☒ **Hazardous material** means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

☒ No
☐ Yes. Provide details below.

Case title	Court or agency name and address	Nature of the case	Status of case
Case number	Name		<input type="checkbox"/> Pending
	Street		<input type="checkbox"/> On appeal
	City State ZIP Code		<input type="checkbox"/> Concluded

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name	Name		
Street	Street		
City State ZIP Code	City State ZIP Code		

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name _____	Name _____	_____	_____
Street _____	Street _____	_____	_____
City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____	_____	_____

Part 13: Details About the Debtor's Business or Connections to Any Business

25. Other businesses in which the debtor has or has had an interest

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

- ☒ None

	Business name and address	Describe the nature of the business	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.1	Name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	_____ _____ _____
25.2	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.3	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____

Debtor

HARRY HIL DIBRAZ LLC

Case number (if known)

28. Books, records, and financial statements

28a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☒ None

Name and address

Dates of service

From _____ To _____

28a.1

Name

Street

City

State

ZIP Code

Name and address

Dates of service

From _____ To _____

28a.2

Name

Street

City

State

ZIP Code

28b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

Name and address

Dates of service

From 2008 To 2018

28b.1

Name

Street

City

State

ZIP Code

Name and address

Dates of service

From _____ To _____

28b.2

Name

Street

City

State

ZIP Code

28c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

Name and address

If any books of account and records are unavailable, explain why

28c.1

Name

Street

City

State

ZIP Code

Debtor

HARRY NIEDIBRAND LLC

Case number (if known)

Name and address

If any books of account and records are
unavailable, explain why.

26c.2.

Name

Street

City

State

ZIP Code

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

Name and address

26d.1

Name

Street

City

State

ZIP Code

Name and address

26d.2.

Name

Street

City

State

ZIP Code

27. Inventories

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No

☐ Yes. Give the details about the two most recent inventories.

Name of the person who supervised the taking of the inventory

Date of
inventory

The dollar amount and basis (cost, market, or
other basis) of each inventory

\$

Name and address of the person who has possession of inventory records

27.1

Name

Street

City

State

ZIP Code

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known) _____

Name of the person who supervised the taking of the inventory

Date of
InventoryThe dollar amount and basis (cost, market, or
other basis) of each inventory

\$ _____

Name and address of the person who has possession of inventory records

27.2.

Name

Street

City

State

ZIP Code

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name

Address

Position and nature of any
interest

% of interest, if any

ED DETWILER7854 W SAHARA #100MANAGER0LAS VEGAS NV 89117STARDUST CLASSIC LLC7854 W SAHARA #100MEMBER100LAS VEGAS NV 89117

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

☒ No☐ Yes. Identify below.

Name

Address

Position and nature of
any interestPeriod during which
position or interest was
held

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

☒ No☐ Yes. Identify below.

Name and address of recipient

Amount of money or
description and value of
property

Dates

Reason for
providing the value

30.1.

Name

Street

City

State

ZIP Code

Relationship to debtor

Debtor

Name

HARRY MILDIBRAND LLC

Case number (if known)

Name and address of recipient

30.2

Name

Street

City

State

ZIP Code

Relationship to debtor

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

☒ No☐ Yes. Identify below.

Name of the parent corporation

Employer identification number of the parent corporation

EIN: _____

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

☒ No☐ Yes. Identify below.

Name of the pension fund

Employer identification number of the pension fund

EIN: _____

Part 14: Signature and Declaration

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both.
18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

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

Executed on

08 03 2018
MM / DD / YYYY

x

Printed name EDWARD DETWILER

Signature of individual signing on behalf of the debtor

Position or relationship to debtor MANAGERAre additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?☒ No☐ Yes

Master Mailing list of Creditors - Supplement

Edward Detwiler.
7854 W Sahara Ave
Las Vegas NV 89117

Stardust Classic LLC
7854 W Sahara Ave
Las Vegas NV 89117

**MINUTES OF SPECIAL MEETING
OF
HARRY HILDIBRAND, LLC
A MONTANA LIMITED LIABILITY COMPANY IN GOOD STANDING**

Dated July 25, 2018

A special meeting of the Company, was duly noticed and called, and thereafter held by teleconference this day July 25, 2018; there being present Ronald Vega the managing member of Stardust Classics, LLC, the sole member of Harry Hildibrand LLC, and Edward Detwiler, the Manager of Harry Hildibrand, LLC, to consider the following matters and authorize actions on behalf of the Company through the adoption of respective resolutions:

A discussion was held wherein the Manager, Ed Detwiler, explained the current circumstance regarding the Monarch Coach, a major asset of the Company. This coach is located in the State of Nevada, and has been broken into and towed to a storage yard in the Las Vegas area by a Constable of the State of Nevada. The Constable was acting on a Writ of Execution provided to him by an attorney for a Plaintiff that holds a judgment against a prior member of Company; and not a Writ of Execution against the Company. Said attorney negligently failed to establish that the coach was not currently owned by the judgment debtor, but was sold to Company for the sum of \$5,000 and the assumption of the liability on the original purchase money loan. The current amount owed on this loan approximately equals the value of the coach.

In a Nevada court hearing, held subsequent to the Constable's actions, and wherein counsel for the Company appeared, the Nevada judge stated he intended to issue an order re-titling the coach in the name of the prior Company member, in order for the sale of the asset to be accomplished in partial satisfaction of the judgment against said prior Company Member. This re-titling would effectively abrogate the lien placed on the vehicle by the original purchase-money lender, and clearly, according to Company legal counsel, be in clear violation of the Contracts Clause of the U.S. Constitution. Such an order would potentially leave the Company with more debt than asset value. The hearing on this matter is scheduled for 9:00 A.M. on July 31, 2018, just days from today.

Accordingly, rather than risk the costs of an appeal from such an improper order, the Company should consider the filing of a Chapter 11 reorganization bankruptcy, thus removing the matter from the jurisdiction of the Nevada court, and specifically, this particular judge. This Chapter 11 filing would also allow a suit to be filed against said attorney, and his represented plaintiff, and possibly a negligent or conspiring Constable, for the recovery of the coach and all damages caused thereto, and provide for an orderly liquidation process of the Company, as it has not been a going concern for a number of years due to a lack of capital to restore the vehicles it owns.

After a discussion of the various alternatives and related costs, it was determined:

Whereas, the Company has insufficient liquid resources to continue opposing said judges unconstitutional intentions of re-titling the coach, nor the resources to potentially be required to pursue an appeal from such an improper order; and acknowledging that such an order would place the

Company in a position where its liabilities would exceed its assets; including the potential loss of a major asset against which a purchase money loan exists; it was,

Resolved: The company, through its manager, Ed Detwiler, is directed to prepare and file a Chapter 11 petition with the U.S. Bankruptcy Court prior to the scheduled hearing on July 31, 2018, and that he is authorized to hire counsel to assist in this effort, with said counsel to be paid from the proceeds of liquidated assets.

Further Resolved: The Company should obtain bankruptcy court authority and assistance to pursue the return/conversion damages and/or general damages related to the improper taking and damaging of said coach. The company should also receive authority to begin an orderly liquidation by selling its vehicles and/or exchanging them for total or partial debt relief.

IN WITNESS WHEREOF, the undersigned has hereto affixed his hand this 25th day of July 2018, by approval of:



Edward Detwiler, Manager

(6)

Master Mailing list Equity Security Holders

StarDust Classic, LLC
7854 W Sahara Ave
Las Vegas NV 89117

December 2017

Page1 Chapter 11 Petition Package (Non-Individual Debtors)

BAKER000330

**STATEMENT OF RELATED CASES
INFORMATION REQUIRED BY LBR 1015-2
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA**

1. A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, his/her spouse, his or her current or former domestic partner, an affiliate of the debtor, any copartnership or joint venture of which debtor is or formerly was a general or limited partner, or member, or any corporation of which the debtor is a director, officer, or person in control, as follows: (Set forth the complete number and title of each such of prior proceeding, date filed, nature thereof, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
2. (If petitioner is a partnership or joint venture) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor or an affiliate of the debtor, or a general partner in the debtor, a relative of the general partner, general partner of, or person in control of the debtor, partnership in which the debtor is a general partner, general partner of the debtor, or person in control of the debtor as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of the proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
3. (If petitioner is a corporation) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, or any of its affiliates or subsidiaries, a director of the debtor, an officer of the debtor, a person in control of the debtor, a partnership in which the debtor is general partner, a general partner of the debtor, a relative of the general partner, director, officer, or person in control of the debtor, or any persons, firms or corporations owning 20% or more of its voting stock as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
4. (If petitioner is an individual) A petition under the Bankruptcy Reform Act of 1978, including amendments thereof, has been filed by or against the debtor within the last 180 days: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed at LOS ANGELES, California

Date: 7/29/2018

Edward H. Delich
Signature of Debtor

Signature of Joint Debtor

B2030 (Form 2030) (12/15)

(M)

United States Bankruptcy Court

CENTRAL District Of CALIFORNIA

In re

Case No. 2:18-BK-18727-NB

Debtor

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ 275/hour

Prior to the filing of this statement I have received \$ 0

Balance Due \$ 3987.50

2. The source of the compensation paid to me was: N/A

☐ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

BAKER000332

B2030 (Form 2030) (12/15)

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION	
I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.	
<u>3 AUG 18</u> Date	 Signature of Attorney
	<u>James P. Lee atty at law</u> Name of law firm

(N)

HARRY HILDIBRAND LLC 18-18727-NB

LBR 1007-1 Verification of completeness and Accuracy

The Master mailing list of creditors, supplement to the Master mailing List and the Equity Holders mailing list has been examined for completeness and accuracy.



Edward Detwiler

Re: **HARRY HILDIBRAND LLC; 18-18727-NB**

Chapter 11 Required Filings

Forms

- A. Form 201** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- B. Form 204** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- C. Form 201a** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- D. Mailing list Creditors** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- E. Corporate Resolution** - Attached
- F. Form LBR 1007-4** - Submitted , Form 207 page 13 #28, Petition 11 Filing
- G. Equity Security Holder** - Attached
- H. Form LBR F 1015-2.1** - Attached
- I. Form 206sum** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- J. Various schedules:** Submitted , 7/30/2018 3:41, Petition 11 Filing
 - Schedule 206 A/B
 - Schedule 206D
 - Schedule 206E/F
 - Schedule 206G
 - Schedule 206H
- K. Form 202** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- L. Form 207** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- M. FORM 2030 - Compensation Attorney** – Attached
- N. Form LBR 1007-1.1** - Attached

Fill in this information to identify the case:

United States Bankruptcy Court for the:

CENTRAL District of CALIFORNIA
(State)

Case number (if known): 2:18-BK-18727-NB Chapter 11

Original



☒ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

HARRY HILDBRAND LLC

2. All other names debtor used in the last 8 years

NONE

Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN)

82-5251939

4. Debtor's address

Principal place of business

3011 AMERICAN WAY

Number Street

MISSOULA MT 59808

City State ZIP Code

MISSOULA

County

Mailing address, if different from principal place of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor HARRY HILDBRAND, LLC

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.naics.com/search/>

7532

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes.

District

When

MM / DD / YYYY

Case number

If more than 2 cases, attach a separate list.

District

When

MM / DD / YYYY

Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes.

Debtor

Relationship

District

When

MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known

Debtor

HARRY HILDBRAND, LLC Main Document

Page 3 of 29

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options)

☐ Other

Where is the property?

901 W ALONDRA

Number

Street

COMPTON

City

CA

State

90220

Zip Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5,001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated assets

☐ \$0-\$50,000☐ \$50,001-\$100,000☐ \$100,001-\$500,000☒ \$500,001-\$1 million☐ \$1,000,001-\$10 million☐ \$10,000,001-\$50 million☐ \$50,000,001-\$100 million☐ \$100,000,001-\$500 million☐ \$500,000,001-\$1 billion☐ \$1,000,000,001-\$10 billion☐ \$10,000,000,001-\$50 billion☐ More than \$50 billion

Debtor HARRY HILDBRAND, LLC
Name

Case number (if known)

16. Estimated liabilities

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

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

Executed on

6/19/2018
MM/DD/YYYY

Signature of authorized representative of debtor

Title MANAGER

EDWARD DETWILER

Printed name

18. Signature of attorney

Signature of attorney for debtor

Date

07 27 2018
MM / DD / YYYY

Printed name

Firm name

Number

Street

City

Contact phone

Bar number

State

ZIP Code

Email address

State

Fill in this information to identify the case:

Debtor name HARRY HILDBRAND LLC
United States Bankruptcy Court for the: CENTRAL District of CALIF.
Case number (if known): 18-18727-NB (State)

☒ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.
				Total claim, if partially secured Deduction for value of collateral or setoff Unsecured claim

1 STARDUST CLASSIC LLC DETWILER
7854 W. SAHARA 702-871-9500
LAS VEGAS NV 89117

0 0 500,405

Debtor HARRY HILDIBRAND LLC

Case number (if known)

Name of creditor and complete
mailing address, including zip code

Name, telephone number, and
email address of creditor
contact

Nature of the claim
(for example, trade
debts, bank loans,
professional
services, and
government
contracts)

Indicate if
claim is:
contingent,
unliquidated,
or disputed

Amount of unsecured claim
If the claim is fully unsecured, fill in only unsecured
claim amount. If claim is partially secured, fill in
total claim amount and deduction for value of
collateral or setoff to calculate unsecured claim.

Total claim, if
partially
secured

Deduction for
value of
collateral or
setoff

Unsecured
claim

9

10

11

12

13

14

15

16

17

18

19

20

Fill in this information to identify the case:

Debtor name HARRY MILDIBRAND LLC

United States Bankruptcy Court for the: CENTRAL District of CALIF
(State)

Case number (if known): 2:18-BK-18727-NB

☒ Check if this is an amended filing

Official Form 207

Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy

04/16

The debtor must answer every question. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known).

Part 1: Income

1. Gross revenue from business

☐ None

Identify the beginning and ending dates of the debtor's fiscal year, which may be a calendar year

Sources of revenue
Check all that apply

Gross revenue
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From 01/01/2018 to 12/31/2017
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 222,912

For prior year:

From 01/01/2017 to 12/31/2016
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

For the year before that:

From 01/01/2016 to 12/31/2015
MM/DD/YYYY

Filing date

☐ Operating a business
☐ Other

\$ 0

2. Non-business revenue

Include revenue regardless of whether that revenue is taxable. *Non-business income* may include interest, dividends, money collected from lawsuits, and royalties. List each source and the gross revenue for each separately. Do not include revenue listed in line 1.

☒ None

Description of sources of revenue

Gross revenue from each source
(before deductions and exclusions)

From the beginning of the fiscal year to filing date:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For prior year:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

For the year before that:

From _____ to _____
MM/DD/YYYY

Filing date

\$ _____

Debtor

Name

HARRY MILDIBRAND LLC

Case number (if known)

Part 2: List Certain Transfers Made Before Filing for Bankruptcy**3. Certain payments or transfers to creditors within 90 days before filing this case**

List payments or transfers—including expense reimbursements—to any creditor, other than regular employee compensation, within 90 days before filing this case unless the aggregate value of all property transferred to that creditor is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.)

☒ None

Creditor's name and address	Dates	Total amount or value	Reasons for payment or transfer Check all that apply
3.1. Creditor's name Street City State ZIP Code		\$	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other
3.2. Creditor's name Street City State ZIP Code		\$	<input type="checkbox"/> Secured debt <input type="checkbox"/> Unsecured loan repayments <input type="checkbox"/> Suppliers or vendors <input type="checkbox"/> Services <input type="checkbox"/> Other

4. Payments or other transfers of property made within 1 year before filing this case that benefited any insider

List payments or transfers, including expense reimbursements, made within 1 year before filing this case on debts owed to an insider or guaranteed or cosigned by an insider unless the aggregate value of all property transferred to or for the benefit of the insider is less than \$6,425. (This amount may be adjusted on 4/01/19 and every 3 years after that with respect to cases filed on or after the date of adjustment.) Do not include any payments listed in line 3. *Insiders* include officers, directors, and anyone in control of a corporate debtor and their relatives; general partners of a partnership debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(31).

☐ None

Insider's name and address	Dates	Total amount or value	Reasons for payment or transfer
4.1. Insider's name 7854 W SAHARA #100 Street LAS VEGAS NV 89117 City State ZIP Code	2018	\$ 225000	PURCHASE MONEY NOTE PAYABLE
Relationship to debtor MEMBER			
4.2. Insider's name Street City State ZIP Code		\$	
Relationship to debtor			

Debtor

HARRY HILDBRAND LLC

Case number (if known)

5. Repossessions, foreclosures, and returns

List all property of the debtor that was obtained by a creditor within 1 year before filing this case, including property repossessed by a creditor, sold at a foreclosure sale, transferred by a deed in lieu of foreclosure, or returned to the seller. Do not include property listed in line 6.

☒ None

Creditor's name and address	Description of the property	Date	Value of property
-----------------------------	-----------------------------	------	-------------------

5.1.

Creditor's name

Street

City

State

ZIP Code

5.2.

Creditor's name

Street

City

State

ZIP Code

6. Setoffs

List any creditor, including a bank or financial institution, that within 90 days before filing this case set off or otherwise took anything from an account of the debtor without permission or refused to make a payment at the debtor's direction from an account of the debtor because the debtor owed a debt.

☒ None

Creditor's name and address

Description of the action creditor took

Date action was taken

Amount

Creditor's name

Street

City

State

ZIP Code

Last 4 digits of account number: XXXX-

Part 3: Legal Actions or Assignments

7. Legal actions, administrative proceedings, court actions, executions, attachments, or governmental audits

List the legal actions, proceedings, investigations, arbitrations, mediations, and audits by federal or state agencies in which the debtor was involved in any capacity—within 1 year before filing this case.

☒ None

Case title	Nature of case	Court or agency's name and address	Status of case
------------	----------------	------------------------------------	----------------

7.1.

Case title

Case number

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Case title

7.2.

Case number

Court or agency's name and address

Name

Street

City

State

ZIP Code

☐ Pending

☐ On appeal

☐ Concluded

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known)

8. Assignments and receivership

List any property in the hands of an assignee for the benefit of creditors during the 120 days before filing this case and any property in the hands of a receiver, custodian, or other court-appointed officer within 1 year before filing this case.

☒ None

Custodian's name and address

Description of the property

Value

Custodian's name

\$

Case title

Court name and address

Street

Name

City

State

ZIP Code

Case number

Street

Date of order or assignment

City

State

ZIP Code

Part 4: Certain Gifts and Charitable Contributions

9. List all gifts or charitable contributions the debtor gave to a recipient within 2 years before filing this case unless the aggregate value of the gifts to that recipient is less than \$1,000

☒ None

Recipient's name and address

Description of the gifts or contributions

Dates given

Value

9.1 Recipient's name

\$

Street

City

State

ZIP Code

Recipient's relationship to debtor

9.2 Recipient's name

\$

Street

City

State

ZIP Code

Recipient's relationship to debtor

Part 5: Certain Losses

10. All losses from fire, theft, or other casualty within 1 year before filing this case.

☒ None

Description of the property lost and how the loss occurred

Amount of payments received for the loss

Date of loss

Value of property lost

If you have received payments to cover the loss, for example, from insurance, government compensation, or tort liability, list the total received.

List unpaid claims on Official Form 106A/B (Schedule A/B: Assets - Real and Personal Property).

\$

Debtor HARRY MILDIBRAAD LLC Case number (if known) _____

Part 6: Certain Payments or Transfers

11. Payments related to bankruptcy

List any payments of money or other transfers of property made by the debtor or person acting on behalf of the debtor within 1 year before the filing of this case to another person or entity, including attorneys, that the debtor consulted about debt consolidation or restructuring seeking bankruptcy relief, or filing a bankruptcy case.

☐ None

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
<u>SANTANDER CONSUMER USA</u>		<u>1st OF</u>	
Address		<u>EACH</u>	<u>\$ 2050</u>
<u>PO BOX 660633</u>		<u>MONTH</u>	
Street			
City	State	ZIP Code	
Email or website address			
Who made the payment, if not debtor?			

Who was paid or who received the transfer?	If not money, describe any property transferred	Dates	Total amount or value
			\$ _____
Address			
Street			
City	State	ZIP Code	
Email or website address			
Who made the payment, if not debtor?			

12. Self-settled trusts of which the debtor is a beneficiary

List any payments or transfers of property made by the debtor or a person acting on behalf of the debtor within 10 years before the filing of this case to a self-settled trust or similar device.

Do not include transfers already listed on this statement.

☒ None

Name of trust or device	Describe any property transferred	Dates transfers were made	Total amount or value
			\$ _____
Trustee			

Debtor HARRY MILD BRAND LLC

Case number (if known)

13. Transfers not already listed on this statement

List any transfers of money or other property—by sale, trade, or any other means—made by the debtor or a person acting on behalf of the debtor within 2 years before the filing of this case to another person, other than property transferred in the ordinary course of business or financial affairs. Include both outright transfers and transfers made as security. Do not include gifts or transfers previously listed on this statement.

☒ None

Who received transfer?

Description of property transferred or payments received or debts paid in exchange

Date transfer was made

Total amount or value

13.1.

\$ _____

Address

Street

City

State

ZIP Code

Relationship to debtor

Who received transfer?

13.2.

\$ _____

Address

Street

City

State

ZIP Code

Relationship to debtor

Part 7: Previous Locations

14. Previous addresses

List all previous addresses used by the debtor within 3 years before filing this case and the dates the addresses were used.

☒ Does not apply

Address

Dates of occupancy

14.1.

Street

From

To

City

State

ZIP Code

14.2.

Street

From

To

City

State

ZIP Code

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

Part 8: Health Care Bankruptcies**15. Health Care bankruptcies**

Is the debtor primarily engaged in offering services and facilities for:

- diagnosing or treating injury, deformity, or disease, or
- providing any surgical, psychiatric, drug treatment, or obstetric care?

- ☒ No. Go to Part 9.
- ☐ Yes. Fill in the information below.

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.1.

Facility name

Street

City

State

ZIP Code

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

Check all that apply:

- ☐ Electronically
- ☐ Paper

Facility name and address

Nature of the business operation, including type of services the debtor provides

If debtor provides meals and housing, number of patients in debtor's care

15.2.

Facility name

Street

City

State

ZIP Code

Location where patient records are maintained (if different from facility address). If electronic, identify any service provider.

How are records kept?

Check all that apply:

- ☐ Electronically
- ☐ Paper

Part 9: Personally Identifiable Information**16. Does the debtor collect and retain personally identifiable information of customers?**

- ☒ No.
- ☐ Yes. State the nature of the information collected and retained. _____
- Does the debtor have a privacy policy about that information?
- ☐ No
- ☐ Yes

17. Within 6 years before filing this case, have any employees of the debtor been participants in any ERISA, 401(k), 403(b), or other pension or profit-sharing plan made available by the debtor as an employee benefit?

- ☐ No. Go to Part 10.
- Yes. Does the debtor serve as plan administrator?
- ☐ No. Go to Part 10.
- ☐ Yes. Fill in below:

Name of plan

Employer identification number of the plan

EIN: _____

Has the plan been terminated?

- ☐ No
- ☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known) _____

Part 10: Certain Financial Accounts, Safe Deposit Boxes, and Storage Units

18. Closed financial accounts

Within 1 year before filing this case, were any financial accounts or instruments held in the debtor's name, or for the debtor's benefit, closed, sold, moved or transferred? Include checking, savings, money market, or other financial accounts; certificates of deposit; and shares in banks, credit unions, brokerage houses, cooperatives, associations, and other financial institutions.

☒ None

Financial institution name and address

Last 4 digits of account number

Type of account

Date account was closed, sold, moved, or transferred

Last balance before closing or transfer

18.1

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

18.2

Name _____

XXXX- _____

☐ Checking

Street _____

☐ Savings

City _____

State _____

ZIP Code _____

☐ Money market

☐ Brokerage

☐ Other _____

19. Safe deposit boxes

List any safe deposit box or other depository for securities, cash, or other valuables the debtor now has or did have within 1 year before filing this case.

☒ None

Depository institution name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

20. Off-premises storage

List any property kept in storage units or warehouses within 1 year before filing this case. Do not include facilities that are in a part of a building in which the debtor does business.

☒ None

Facility name and address

Names of anyone with access to it

Description of the contents

Does debtor still have it?

Name _____

Street _____

City _____

State _____

ZIP Code _____

Address _____

☐ No

☐ Yes

Debtor

HARRY HILDBRAND LLC

Case number (if known)

Part 11: Property the Debtor Holds or Controls That the Debtor Does Not Own

21. Property held for another.

List any property that the debtor holds or controls that another entity owns. Include any property borrowed from, being stored for, or held in trust. Do not list leased or rented property.

☒ None

Owner's name and address	Location of the property	Description of the property	Value
Name			\$
Street			
City State ZIP Code			

Part 12: Details About Environmental Information

For the purpose of Part 12, the following definitions apply:

- ☒ **Environmental law** means any statute or governmental regulation that concerns pollution, contamination, or hazardous material, regardless of the medium affected (air, land, water, or any other medium).
- ☒ **Site** means any location, facility, or property, including disposal sites, that the debtor now owns, operates, or utilizes or that the debtor formerly owned, operated, or utilized.
- ☒ **Hazardous material** means anything that an environmental law defines as hazardous or toxic, or describes as a pollutant, contaminant, or a similarly harmful substance.

Report all notices, releases, and proceedings known, regardless of when they occurred.

22. Has the debtor been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

☒ No
☐ Yes. Provide details below.

Case title	Court or agency name and address	Nature of the case	Status of case
Case number	Name		<input type="checkbox"/> Pending
	Street		<input type="checkbox"/> On appeal
	City State ZIP Code		<input type="checkbox"/> Concluded

23. Has any governmental unit otherwise notified the debtor that the debtor may be liable or potentially liable under or in violation of an environmental law?

☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name	Name		
Street	Street		
City State ZIP Code	City State ZIP Code		

Debtor

HARRY HILDI BRAND LLC
Name

Case number (if known) _____

24. Has the debtor notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Provide details below.

Site name and address	Governmental unit name and address	Environmental law, if known	Date of notice
Name _____	Name _____	_____	_____
Street _____	Street _____	_____	_____
City _____ State _____ ZIP Code _____	City _____ State _____ ZIP Code _____		

Part 13: Details About the Debtor's Business or Connections to Any Business**25. Other businesses in which the debtor has or has had an interest**

List any business for which the debtor was an owner, partner, member, or otherwise a person in control within 6 years before filing this case. Include this information even if already listed in the Schedules.

☒ None

	Business name and address	Describe the nature of the business	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.1	Name _____ Street _____ City _____ State _____ ZIP Code _____	_____ _____ _____	_____ _____ _____
25.2	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____
25.3	Business name and address Name _____ Street _____ City _____ State _____ ZIP Code _____	Describe the nature of the business _____ _____ _____	Employer identification number Do not include Social Security number or ITIN. EIN: _____ Dates business existed From _____ To _____

Debtor

Name HARRY HIL DIBRAZ LLC

Case number (if known)

28. Books, records, and financial statements

28a. List all accountants and bookkeepers who maintained the debtor's books and records within 2 years before filing this case.

☒ None

Name and address

Dates of service

28a.1

From _____ To _____

Name

Street

City

State

ZIP Code

Name and address

Dates of service

28a.2

From _____ To _____

Name

Street

City

State

ZIP Code

28b. List all firms or individuals who have audited, compiled, or reviewed debtor's books of account and records or prepared a financial statement within 2 years before filing this case.

☐ None

Name and address

Dates of service

28b.1

From 2008 To 2018

Name

Street

City

State

ZIP Code

Name and address

Dates of service

28b.2

From _____ To _____

Name

Street

City

State

ZIP Code

28c. List all firms or individuals who were in possession of the debtor's books of account and records when this case is filed.

☐ None

Name and address

If any books of account and records are unavailable, explain why

28c.1

Name

Street

City

State

ZIP Code

Debtor

HARRY NILDIBRAND LLC

Case number (if known)

Name and address

If any books of account and records are
unavailable, explain why.

26c.2.

Name

Street

City

State

ZIP Code

26d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom the debtor issued a financial statement within 2 years before filing this case.

☒ None

Name and address

26d.1

Name

Street

City

State

ZIP Code

Name and address

26d.2.

Name

Street

City

State

ZIP Code

27. Inventories

Have any inventories of the debtor's property been taken within 2 years before filing this case?

☒ No

☐ Yes. Give the details about the two most recent inventories.

Name of the person who supervised the taking of the inventory

Date of
inventory

The dollar amount and basis (cost, market, or
other basis) of each inventory

\$

Name and address of the person who has possession of inventory records

27.1

Name

Street

City

State

ZIP Code

Debtor

Name

HARRY HILDBRAND LLC

Case number (if known) _____

Name of the person who supervised the taking of the inventory

Date of
InventoryThe dollar amount and basis (cost, market, or
other basis) of each inventory

\$ _____

Name and address of the person who has possession of inventory records

27.2.

Name

Street

City

State

ZIP Code

28. List the debtor's officers, directors, managing members, general partners, members in control, controlling shareholders, or other people in control of the debtor at the time of the filing of this case.

Name

Address

Position and nature of any
interest

% of interest, if any

ED DETWILER7854 W SAHARA #100MANAGER0LAS VEGAS NV 89117STARDUST CLASSIC LLC7854 W SAHARA #100MEMBER100LAS VEGAS NV 89117

29. Within 1 year before the filing of this case, did the debtor have officers, directors, managing members, general partners, members in control of the debtor, or shareholders in control of the debtor who no longer hold these positions?

☒ No☐ Yes. Identify below.

Name

Address

Position and nature of
any interestPeriod during which
position or interest was
held

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

30. Payments, distributions, or withdrawals credited or given to insiders

Within 1 year before filing this case, did the debtor provide an insider with value in any form, including salary, other compensation, draws, bonuses, loans, credits on loans, stock redemptions, and options exercised?

☒ No☐ Yes. Identify below.

Name and address of recipient

Amount of money or
description and value of
property

Dates

Reason for
providing the value

30.1.

Name

Street

City

State

ZIP Code

Relationship to debtor

Debtor HARRY MYK DIBRAND LLC Case number (if known) _____

Name and address of recipient

30.2

Name

Street

City

State

ZIP Code

Relationship to debtor

31. Within 6 years before filing this case, has the debtor been a member of any consolidated group for tax purposes?

☒ No

☐ Yes. Identify below.

Name of the parent corporation

Employer identification number of the parent corporation

EIN: _____

32. Within 6 years before filing this case, has the debtor as an employer been responsible for contributing to a pension fund?

☒ No

☐ Yes. Identify below.

Name of the pension fund

Employer identification number of the pension fund

EIN: _____

Part 14: Signature and Declaration

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both.
18 U.S.C. §§ 152, 1341, 1519, and 3571.

I have examined the information in this *Statement of Financial Affairs* and any attachments and have a reasonable belief that the information is true and correct.

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

Executed on

08 03 2018
MM / DD / YYYY

x

Edward H. Detwiler

Printed name EDWARD DETWILER

Signature of individual signing on behalf of the debtor

Position or relationship to debtor MANAGER

Are additional pages to *Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy* (Official Form 207) attached?

☒ No

☐ Yes

Master Mailing list of Creditors - Supplement

Edward Detwiler.
7854 W Sahara Ave
Las Vegas NV 89117

Stardust Classic LLC
7854 W Sahara Ave
Las Vegas NV 89117

**MINUTES OF SPECIAL MEETING
OF
HARRY HILDIBRAND, LLC
A MONTANA LIMITED LIABILITY COMPANY IN GOOD STANDING**

Dated July 25, 2018

A special meeting of the Company, was duly noticed and called, and thereafter held by teleconference this day July 25, 2018; there being present Ronald Vega the managing member of Stardust Classics, LLC, the sole member of Harry Hildibrand LLC, and Edward Detwiler, the Manager of Harry Hildibrand, LLC, to consider the following matters and authorize actions on behalf of the Company through the adoption of respective resolutions:

A discussion was held wherein the Manager, Ed Detwiler, explained the current circumstance regarding the Monarch Coach, a major asset of the Company. This coach is located in the State of Nevada, and has been broken into and towed to a storage yard in the Las Vegas area by a Constable of the State of Nevada. The Constable was acting on a Writ of Execution provided to him by an attorney for a Plaintiff that holds a judgment against a prior member of Company; and not a Writ of Execution against the Company. Said attorney negligently failed to establish that the coach was not currently owned by the judgment debtor, but was sold to Company for the sum of \$5,000 and the assumption of the liability on the original purchase money loan. The current amount owed on this loan approximately equals the value of the coach.

In a Nevada court hearing, held subsequent to the Constable's actions, and wherein counsel for the Company appeared, the Nevada judge stated he intended to issue an order re-titling the coach in the name of the prior Company member, in order for the sale of the asset to be accomplished in partial satisfaction of the judgment against said prior Company Member. This re-titling would effectively abrogate the lien placed on the vehicle by the original purchase-money lender, and clearly, according to Company legal counsel, be in clear violation of the Contracts Clause of the U.S. Constitution. Such an order would potentially leave the Company with more debt than asset value. The hearing on this matter is scheduled for 9:00 A.M. on July 31, 2018, just days from today.

Accordingly, rather than risk the costs of an appeal from such an improper order, the Company should consider the filing of a Chapter 11 reorganization bankruptcy, thus removing the matter from the jurisdiction of the Nevada court, and specifically, this particular judge. This Chapter 11 filing would also allow a suit to be filed against said attorney, and his represented plaintiff, and possibly a negligent or conspiring Constable, for the recovery of the coach and all damages caused thereto, and provide for an orderly liquidation process of the Company, as it has not been a going concern for a number of years due to a lack of capital to restore the vehicles it owns.

After a discussion of the various alternatives and related costs, it was determined:

Whereas, the Company has insufficient liquid resources to continue opposing said judges unconstitutional intentions of re-titling the coach, nor the resources to potentially be required to pursue an appeal from such an improper order; and acknowledging that such an order would place the

Company in a position where its liabilities would exceed its assets; including the potential loss of a major asset against which a purchase money loan exists; it was,

Resolved: The company, through its manager, Ed Detwiler, is directed to prepare and file a Chapter 11 petition with the U.S. Bankruptcy Court prior to the scheduled hearing on July 31, 2018, and that he is authorized to hire counsel to assist in this effort, with said counsel to be paid from the proceeds of liquidated assets.

Further Resolved: The Company should obtain bankruptcy court authority and assistance to pursue the return/conversion damages and/or general damages related to the improper taking and damaging of said coach. The company should also receive authority to begin an orderly liquidation by selling its vehicles and/or exchanging them for total or partial debt relief.

IN WITNESS WHEREOF, the undersigned has hereto affixed his hand this 25th day of July 2018, by approval of:



Edward Detwiler, Manager

(6)

Master Mailing list Equity Security Holders

StarDust Classic, LLC
7854 W Sahara Ave
Las Vegas NV 89117

December 2017

Page1 Chapter 11 Petition Package (Non-Individual Debtors)

BAKER000359

STATEMENT OF RELATED CASES
INFORMATION REQUIRED BY LBR 1015-2
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA

1. A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, his/her spouse, his or her current or former domestic partner, an affiliate of the debtor, any copartnership or joint venture of which debtor is or formerly was a general or limited partner, or member, or any corporation of which the debtor is a director, officer, or person in control, as follows: (Set forth the complete number and title of each such of prior proceeding, date filed, nature thereof, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
2. (If petitioner is a partnership or joint venture) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor or an affiliate of the debtor, or a general partner in the debtor, a relative of the general partner, general partner of, or person in control of the debtor, partnership in which the debtor is a general partner, general partner of the debtor, or person in control of the debtor as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of the proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending and, if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
3. (If petitioner is a corporation) A petition under the Bankruptcy Act of 1898 or the Bankruptcy Reform Act of 1978 has previously been filed by or against the debtor, or any of its affiliates or subsidiaries, a director of the debtor, an officer of the debtor, a person in control of the debtor, a partnership in which the debtor is general partner, a general partner of the debtor, a relative of the general partner, director, officer, or person in control of the debtor, or any persons, firms or corporations owning 20% or more of its voting stock as follows: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-
4. (If petitioner is an individual) A petition under the Bankruptcy Reform Act of 1978, including amendments thereof, has been filed by or against the debtor within the last 180 days: (Set forth the complete number and title of each such prior proceeding, date filed, nature of proceeding, the Bankruptcy Judge and court to whom assigned, whether still pending, and if not, the disposition thereof. If none, so indicate. Also, list any real property included in Schedule A that was filed with any such prior proceeding(s).)
- NONE
-

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed at LOS ANGELES, California

Edward H. Delich
 Signature of Debtor

Date: 7/29/2018

 Signature of Joint Debtor

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

(M)

United States Bankruptcy Court

CENTRAL District Of CALIFORNIA

In re

Case No. 2:18-BK-18727-NB

Debtor

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ 275/hour

Prior to the filing of this statement I have received \$ 0

Balance Due \$ 3987.50

2. The source of the compensation paid to me was: N/A

☐ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

B2030 (Form 2030) (12/15)

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION	
I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.	
<u>3 AUG 18</u> Date	 Signature of Attorney
	<u>James P. Lee atty at law</u> Name of law firm

(N)

HARRY HILDIBRAND LLC 18-18727-NB

LBR 1007-1 Verification of completeness and Accuracy

The Master mailing list of creditors, supplement to the Master mailing List and the Equity Holders mailing list has been examined for completeness and accuracy.



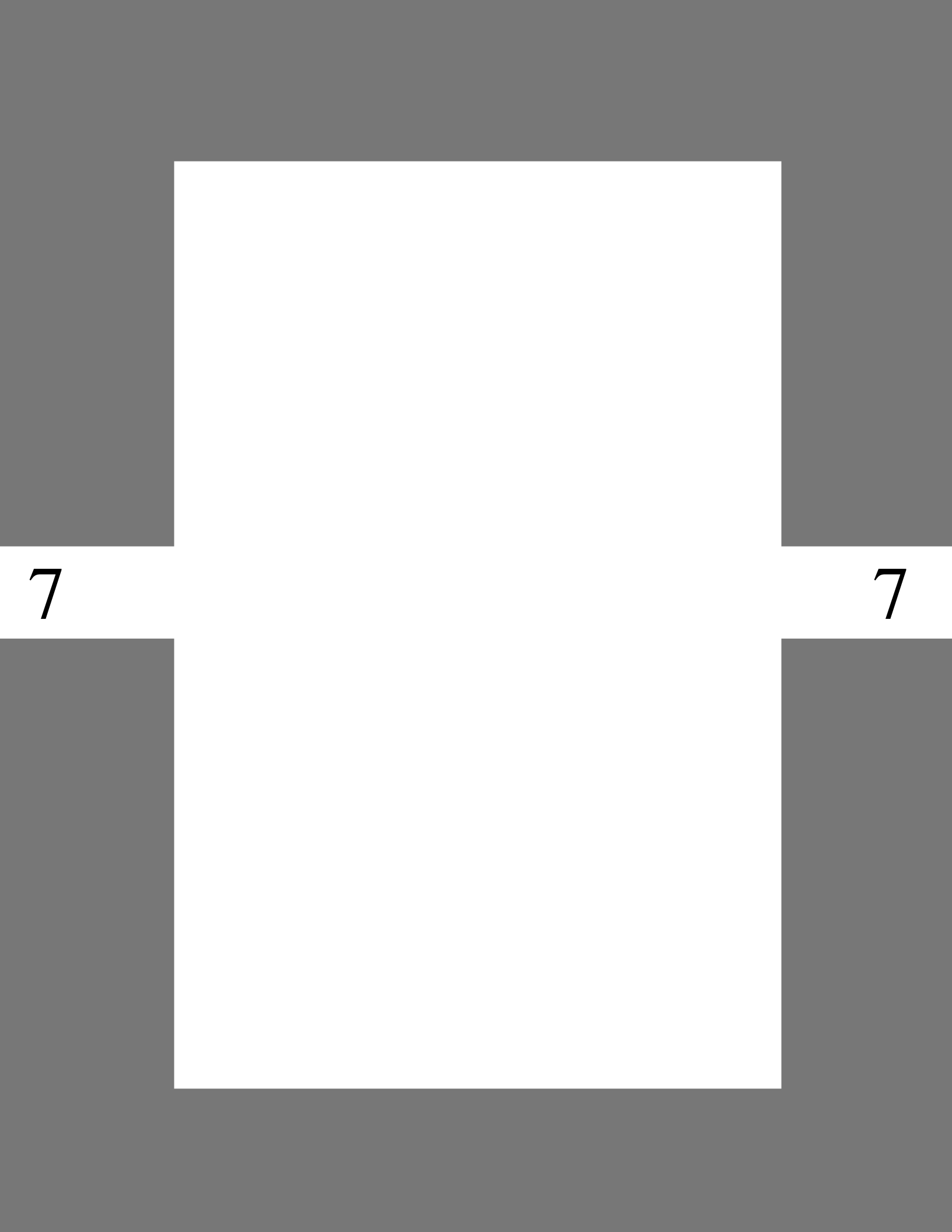
Edward Detwiler

Re: **HARRY HILDIBRAND LLC; 18-18727-NB**

Chapter 11 Required Filings

Forms

- A. Form 201** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- B. Form 204** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- C. Form 201a** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- D. Mailing list Creditors** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- E. Corporate Resolution** - Attached
- F. Form LBR 1007-4** - Submitted , Form 207 page 13 #28, Petition 11 Filing
- G. Equity Security Holder** - Attached
- H. Form LBR F 1015-2.1** - Attached
- I. Form 206sum** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- J. Various schedules:** Submitted , 7/30/2018 3:41, Petition 11 Filing
 - Schedule 206 A/B
 - Schedule 206D
 - Schedule 206E/F
 - Schedule 206G
 - Schedule 206H
- K. Form 202** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- L. Form 207** - Submitted , 7/30/2018 3:41, Petition 11 Filing
- M. FORM 2030 - Compensation Attorney** – Attached
- N. Form LBR 1007-1.1** - Attached



7

7



Ed Murray
Wyoming Secretary of State
 2020 Carey Avenue, Suite 700
 Cheyenne, WY 82002-0020
 Ph. 307.777.7311
 Fax 307.777.5339
 Email: Business@wyo.gov

Ed Murray, WY Secretary of State
FILED: 10/26/2016 12:55 PM
ID: 2016-000730778

Limited Liability Company Articles of Organization

1. Name of the limited liability company:

StarDust Classic, LLC

2. This entity elects to be a close limited liability company: ☐

(You may refer to the Close Limited Liability Supplement for more information W.S. 17-25-101-W.S 17-25-109.)

3. Name and physical address of its registered agent:

(The registered agent may be an individual resident in Wyoming or a domestic or foreign business entity authorized to transact business in Wyoming. The registered agent **must** have a physical address in Wyoming. If the registered office includes a suite number, it must be included in the registered office address. A Drop Box is not acceptable. A PO Box is acceptable if listed in addition to a physical address.)

Name: United States Corporation Agents, Inc.

Address: 1623 Central Avenue, Suite 18, Cheyenne, WY 82001

(If mail is received at a Post Office Box, please list above in addition to the physical address.)

4. Mailing address of the limited liability company:

7854 W. Sahara Ave. #100, Las Vegas, Nevada 89117

5. Principal office address:

7854 W. Sahara Ave. #100, Las Vegas, Nevada 89117

Signature: 

(Shall be executed by an organizer.)

Date: 10/19/2016

(mm/dd/yyyy)

Print Name: Cheyenne Moseley, Assist. Secretary, LegalZoom.com, Inc.

Contact Person: Cheyenne Moseley

Daytime Phone Number: (800) 773-0888 ext. 9724 Email: bizcorefilings@legalzoom.com

(Email provided will receive annual report reminders and filing evidence)
 *May list multiple email addresses

Received
 OCT 21 2016
 Secretary of State
 Wyoming





Ed Murray
 Wyoming Secretary of State
 2020 Carey Avenue, Suite 700
 Cheyenne, WY 82002-0020
 Ph. 307.777.7311
 Fax 307.777.5339
 Email: Business@wyo.gov

Consent to Appointment by Registered Agent

I, United States Corporation Agents, Inc., registered office located at
(name of registered agent)
1623 Central Avenue, Suite 18, Cheyenne, WY 82001 voluntarily consent to serve
(registered office physical address, city, state & zip)

as the registered agent for StarDust Classic, LLC
(name of business entity)

I hereby certify that I am in compliance with the requirements of W.S. 17-28-101 through W.S. 17-28-111.

Signature: 

(Shall be executed by the registered agent.)

Date:

10/19/2016

(mm/dd/yyyy)

Print Name: Cheyenne Moseley

Daytime Phone: (800) 773-0888 ext. 9724

Title: Asst. Secretary, United States Corporation Agents, Inc.

Email: bizcorefilings@legalzoom.com

Registered Agent Mailing Address
 (if different than above):

***If this is a current registered agent changing their registered address on file, complete the following:**

Previous Registered Office(s):

I hereby certify that:

- After the changes are made, the street address of my registered office and business office will be identical.
- This change affects every entity served by me and I have notified each entity of the registered office change.
- I certify that the above information is correct and I am in compliance with the requirements of W.S. 17-28-101 through W.S. 17-28-111.

Signature: _____

(Shall be executed by the registered agent.)

Date:

(mm/dd/yyyy)

STATE OF WYOMING
Office of the Secretary of State

I, ED MURRAY, SECRETARY OF STATE of the STATE OF WYOMING, do hereby certify that the filing requirements for the issuance of this certificate have been fulfilled.

CERTIFICATE OF ORGANIZATION

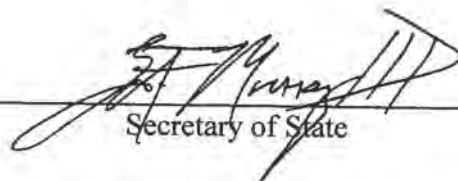
StarDust Classic, LLC

Accordingly, the undersigned, by virtue of the authority vested in me by law, hereby issues this Certificate.

I have affixed hereto the Great Seal of the State of Wyoming and duly executed this official certificate at Cheyenne, Wyoming on this **26th** day of **October, 2016**.



Filed Date: 10/26/2016


Secretary of State

By: Nicole Martinez

2017**Limited Liability Company Annual Report**

Due on or Before: October 1, 2017
 ID: 2016-000730778
 State of Formation: Wyoming
 License Tax Paid: \$50.00
 AR Number: 03036096

For Office Use Only

Wyoming Secretary of State
 2020 Carey Avenue, Cheyenne, WY 82002-0020
 307-777-7311
<https://wyobiz.wy.gov/Business/AnnualReport.aspx>

StarDust Classic, LLC**1: Mailing Address**

7 Avenida De Magnolia
 Rancho Palos Verdes, ca 90275

2: Principal Office Address

8175 Arville St. #172
 Las Vegas, NV 89139

Phone: (800) 773-0888

Email: bizcorefilings@legalzoom.com

Current Registered Agent:

United States Corporation Agents, Inc.
 1623 Central Ave Ste 18
 Cheyenne, WY 82001

• Please review the current Registered Agent information and, if it needs to be changed or updated, complete the appropriate Statement of Change form available from the Secretary of State's website at <http://soswy.state.wy.us>

I hereby certify under the penalty of perjury that the information I am submitting is true and correct to the best of my knowledge.

Jocelyn Foust
 Signature

Jocelyn Foust
 Printed Name

September 22, 2017
 Date

The fee is \$50 or two-tenths of one mill on the dollar (\$.0002), whichever is greater.

Instructions:

1. Complete the required worksheet.
2. Sign and date this form and return it to the Secretary of State at the address provided above.

2018**Limited Liability Company Annual Report**

Due on or Before: October 1, 2018
 ID: 2016-000730778
 State of Formation: Wyoming
 License Tax Paid: \$50.00
 AR Number: 03213430

For Office Use Only

Wyoming Secretary of State
 2020 Carey Avenue, Cheyenne, WY 82002-0020
 307-777-7311
<https://wyobiz.wy.gov/Business/AnnualReport.aspx>

StarDust Classic, LLC**1: Mailing Address**

7854 W Sahara Ave # 100
 Las Vegas, NV 89117

2: Principal Office Address

7854 W Sahara #100
 Las Vegas, NV 89117

Phone: (702) 290-0590

Email: bizcorefilings@legalzoom.com

Current Registered Agent:

United States Corporation Agents, Inc.
 1623 Central Ave Ste 18
 Cheyenne, WY 82001

• Please review the current Registered Agent information and, if it needs to be changed or updated, complete the appropriate Statement of Change form available from the Secretary of State's website at <http://soswy.state.wy.us>

I hereby certify under the penalty of perjury that the information I am submitting is true and correct to the best of my knowledge.

edward detwiler
 Signature

edward detwiler
 Printed Name

December 18, 2017
 Date

The fee is \$50 or two-tenths of one mill on the dollar (\$.0002), whichever is greater.

Instructions:

1. Complete the required worksheet.
2. Sign and date this form and return it to the Secretary of State at the address provided above.

2019**Limited Liability Company Annual Report**

Due on or Before: October 1, 2019
 ID: 2016-000730778
 State of Formation: Wyoming
 License Tax Paid: \$50.00
 AR Number: 03443144

For Office Use Only

Wyoming Secretary of State
 2020 Carey Avenue, Cheyenne, WY 82002-0020
 307-777-7311
<https://wyobiz.wy.gov/Business/AnnualReport.aspx>

StarDust Classic, LLC**1: Mailing Address**

7854 W Sahara Ave # 100
 Las Vegas, NV 89117

Current Registered Agent:

United States Corporation Agents, Inc.
 1623 Central Ave Ste 18
 Cheyenne, WY 82001

2: Principal Office Address

7854 W Sahara #100
 Las Vegas, NV 89117

Phone: (702) 290-0590

Email: bizcorefilings@legalzoom.com

• Please review the current Registered Agent information and, if it needs to be changed or updated, complete the appropriate Statement of Change form available from the Secretary of State's website at <http://soswy.state.wy.us>

I hereby certify under the penalty of perjury that the information I am submitting is true and correct to the best of my knowledge.

james p foust
 Signature

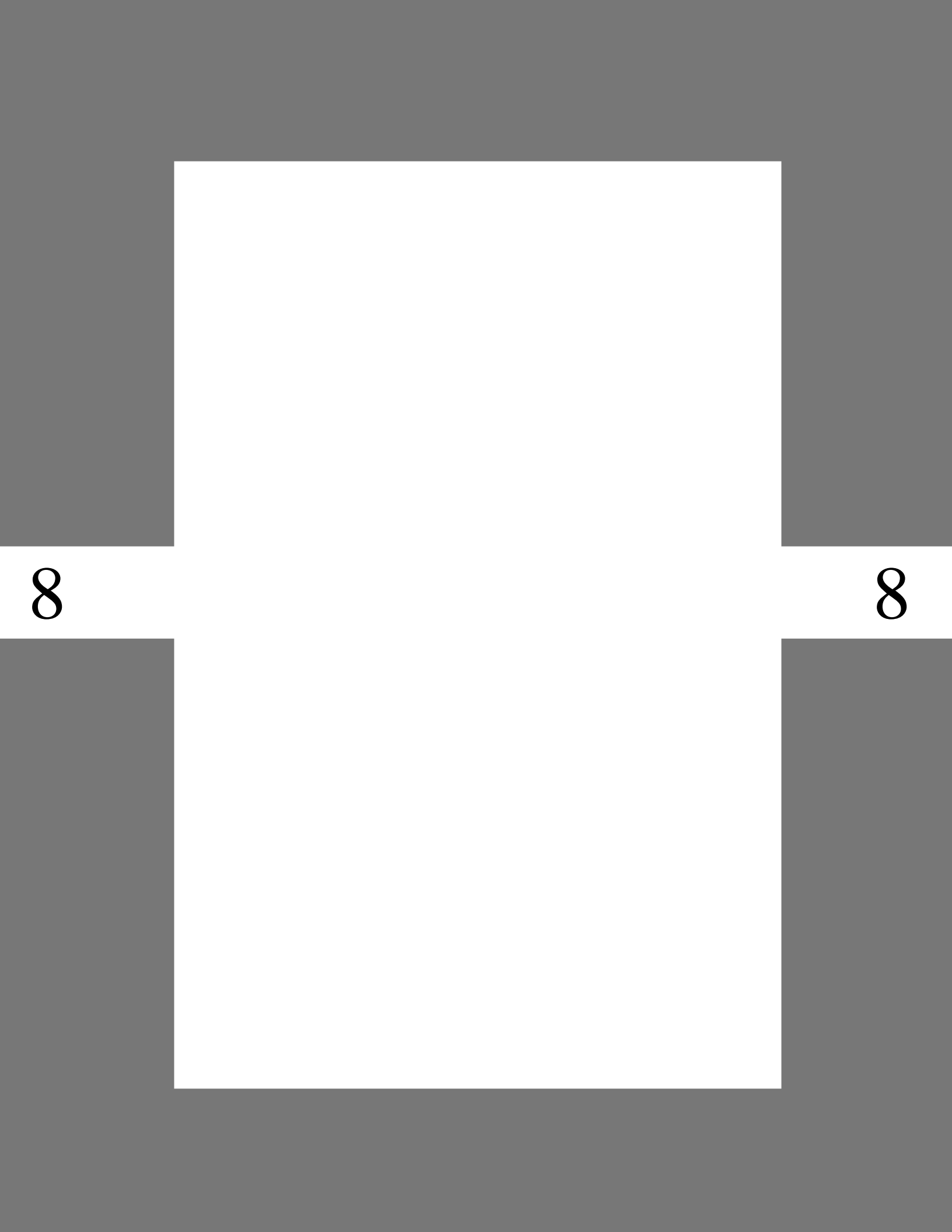
james p foust
 Printed Name

March 27, 2018
 Date

The fee is \$50 or two-tenths of one mill on the dollar (\$.0002), whichever is greater.

Instructions:

1. Complete the required worksheet.
2. Sign and date this form and return it to the Secretary of State at the address provided above.



8

8

Declaration of Russell S. Colombo

Russell S. Colombo, being duly sworn, deposes and says, I, Russell S. Colombo, hereby declare under penalty of perjury of the laws of the State of Nevada that the following statements are true to the best of my knowledge and belief:

1. I am over the age of eighteen.

2. I make this affidavit under penalty of perjury. I have personal knowledge of the facts and circumstances set forth in this affidavit, except where otherwise stated on information and belief, and could and would competently testify thereto in a court of law.

3. I am employed by Baker Boyer National Bank (hereinafter the "Bank") as its Vice President and Senior Credit Administrator. In carrying out these duties I have reviewed the Bank's loan files regarding the loan to JPF Enterprises and the personal guaranty given by the judgment debtor, James P. Foust, Jr.

4. Mr. Foust is a rich man. When Mr. Foust applied for the loan (that he refused to repay which ultimately led to the judgment the Bank is now seeking to enforce), he claimed to have a net worth of no less than \$9,493,574. (See Personal Financial Statement, Exhibit 1 hereto.) His liquid assets alone included \$716,854 in cash and \$129,332 in stocks and bonds. (*Id.*) Of particular import to this trial, the loan application stated that Judgment Debtor personally owned assets he identified "Classic Cars – Est. Value using Mkt. [market] Prices" with a value of \$5,120,130. (*Id.*) There is no doubt that Mr. Foust represented that he owned these vehicles in his personal capacity: the document is entitled a "personal" financial statement and Mr. Foust wrote "Foust"—his name—in the "Name(s) Registered In" field on the form.

5. Mr. Foust also provided an inventory of the cars which he entitled "Foust Classic Cars"—again emphasizing his personal ownership of these vehicles—that details each vehicle's make, model, year, vehicle identification number, and value. (See Exhibit 2 hereto.) Mr. Foust's collection comprises 59 vehicles that he valued at \$5,120,130. The value of the car collection on the personal financial statement (Exhibit 1) is the same as that given on the list of cars (Exhibit 2).



BAKER000001

6. After the loan proceeds were disbursed, Mr. Foust continued to represent to the bank that he owned valuable automobiles by way of financial statements submitted to the Bank.

7. For example, in a balance sheet prepared by Mr. Foust and submitted to the Bank and dated April 30, 2015, Mr. Foust gives the value of his "Automobiles – Classic" as \$3,242,930. (*See Exhibit 3 hereto.*)

8. In the most recent balance sheet the Bank has, which is dated December 31, 2015, Mr. Foust gave the value of his "Automobiles – Classic" as \$1,381,320. (*See Exhibit 4 hereto.*)

9. I understand that Mr. Foust claims that he no longer owns any vehicles at all, having sold all of them, including many to Harry Hildibrand, LLC.

10. That is not what Mr. Foust told the Bank when he applied for the loan and as he communicated with the Bank (through his financial statements) after he received the loan proceeds.

11. I understand that Mr. Foust claims that someone at the Bank understood that he no longer owed his car collection and that Mr. Foust alleges he was instructed to include the values of cars on documents submitted to the Bank nevertheless. The Bank would have no need of information on assets a borrower no longer owns. Based on my 30 years of experience at the Bank, I believe it is not true that someone at the Bank would give Mr. Foust these alleged instructions. Never before in my 30 years' experience has the Bank asked for information about assets that a borrower *used* to own. Such information is meaningless to determine creditworthiness.

12. I believe that the only reason Mr. Foust submitted information regarding the value of his car collection was to give the Bank the impression that he owned them—both before and after he received the loan proceeds.

13. Because of Mr. Foust's actions, the Bank is having difficulty locating the cars that Mr. Foust identified as collateral for his loan. However, I have compared information Mr. Foust gave to the Bank with information that Mr. Foust has given to the Court, and I find four vehicles still in Mr. Foust's possession and control, according to his own sworn statement.

14. In an affidavit given to this Court as part of an opposition to the original motion that gave rise to this trial, Mr. Foust swore under oath that he has “sold and have received a leaseback on the following vehicles: (a) 2000 GMC Yukon; (b) a 2007 Mercedes S550; (c) a 2007 Mercedes CLK 550; and (d) a 2007 Mercedes M50.” (*See* “Declaration of James Patterson Foust, Jr. in Support of Opposition to Motion for an Order Requiring Judgment Debtor to Deliver Possession of Classic Car Collection to Satisfy Nearly \$1 Million Judgment” submitted January 5, 2018 and on file in this Court’s docket.)

15. Two of these vehicles (the Mercedes S550 and the Mercedes M50 SUV) appear on the original list of cars submitted to the bank (Exhibit 2 to this declaration) and all four cars Mr. Foust claims to have sold to Harry Hildibrand, LLC and retained possession under what he calls “a leaseback.” Mr. Foust has produced no evidence of this alleged sale and leaseback, such as a sales contract or a lease contract or evidence of money changing hands.

16. Despite this alleged “leaseback,” the financial statements produced show that Mr. Foust personally spent his own money on these four cars, even though he claims they are owned by Harry Hildibrand, LLC. The “Expense” page of the 2014 Income Statement shows \$6,439.50 in expenses for a two year period for the three 2007 Mercedes cars (Exhibit 3). The Expense page of the April 25, 2015 Income Statement shows \$5,143.13 in expenses for two of the 2007 Mercedes (Exhibit 3). And the December 31, 2015 Income Statement shows \$8,361.03 in expenses for all four cars for 2015 and the first month of 2016 (Exhibit 4).

17. The Bank will continue to seek to locate all the cars mentioned on this list, but in the meantime the Bank asks that the Court order Mr. Foust to surrender these four vehicles to the Bank, especially because Mr. Foust has produced no evidence that these vehicles were actually sold to Harry Hildibrand, LLC.

18. I believe that if Harry Hildibrand, LLC really owned these cars, then Harry Hildibrand, LLC would be paying these costs, not Mr. Foust.

19. I noticed something else reviewing the financial statements: Mr. Foust is paying the attorney fees to the Montana attorney that acts as the registered agent for Harry Hildibrand,

LLC; Harry Hildibrand, LLC is a Montana limited liability company. The name of the law firm is the Heggen Law Office, P.C. It is located in Missoula, Montana. This law office is the place of business given for Harry Hildibrand, LLC in Montana. This is especially significant when it comes to the subject of the cars because this law firm specializes in vehicle registration; its webpage says:

Form your Limited Liability Company in Montana and our knowledgeable and experienced staff can help you to save thousands on automobile, motorhome & RV, boat and airplane registration. Montana has no sales or property tax on vehicles such as RVs and luxury high-performance cars. By establishing a Montana Limited Liability Company (LLC) or Corporation, you may title your vehicle in the name of the business and purchase the vehicle free of sales tax even if your purchase is outside the state of Montana. In addition to your savings on vehicle taxes, you will also be able to take advantage of Montana's low vehicle registration fees.¹

20. The financial statements show regular payments to this law office for fees and vehicle registration. The Income Statement for April 30, 2015 shows \$100 for "Heggen – Autos" and \$250 for "Heggen – Fee's" for the first months of 2015 and \$340 for registration fees in 2014 and \$300 in attorney fees for 2014. (*See Exhibit 3.*) Similarly, the Income Statement dated December 31, 2015 shows \$1,080 for registration fees and \$1,487.99 for attorney fees in 2016 and \$1,714.18 in registration fees and \$340 in attorney fees for 2015. (*See Exhibit 4 hereto.*)

21. Again, I believe that if Harry Hildibrand, LLC really owned these cars, then Harry Hildibrand, LLC would be paying the registration costs, not Mr. Foust.

22. To the best of my knowledge, the records, notes, data, and information contained in the financial statements discussed in this declaration (Exhibits 1, 2, 3, and 4) were made and recorded at or near the time that the information contained therein was received.

23. It is the Bank's practice to keep copies of such financial statements received from borrowers. These financial statements are kept in the regular course of the Bank's regularly conducted business activities and were, and are, duly relied upon by me and the Bank.

24. It is the Bank's regular practice to archive such financial statements.

¹ See Heggen Law Office, P.C. << <http://heggenlawoffice.com/> >> (last visited March 5, 2018).

25. I believe these financial statements are true and correct copies of the originals thereof.

26. I attest that the financial statements are accurate, complete, and trustworthy to the best of my knowledge.

27. I am making this declaration because I cannot attend the hearing; I am currently traveling. However, I am available to speak by telephone at [] if the Court would like.

28. Further your declarant saith naught.

DATED this 6th day of March, 2018.


RUSSELL S. COLOMBO

Exhibit 1

000375

000375

Exhibit 1

Exhibit No. 2
 Witness FOUST
 Date 3-10-17

MCD CCR # 710

Baker Boyer Bank
Building your to a brighter financial future.

Personal Financial Statement

APPLICANT		Social Security Number		Date of Birth		Phone Number		E-Mail Address	
Name JAMES P. FOUST		(64) 00 4101		05/19/60		310-492-4600		jfoust@bakerboyerbank.com	
Address 2 Appleton Dr. Magnolia		City Arlington		State VA		Zip Code 22204		69977	
Employment 20 Years		Employer Retired		Title Retired		Years Employed 20		Years Retired 0	
CO-APPLICANT		Social Security Number		Date of Birth		Phone Number		E-Mail Address	
Name None									
Address None		City Arlington		State VA		Zip Code 22204		69977	
Employment None		Employer None		Title None		Years Employed None		Years Retired None	

For the purpose of obtaining credit, I am providing the following information to Baker Boyer Bank, (we) understand that the following information is being used for credit purposes and may be shared with other financial institutions.

6-21-2013

FINANCIAL STATEMENT		Assets		Liabilities	
Category	Amount	Category	Amount	Category	Amount
Cash	\$ 100,000	Checking	\$ 100,000	Checking	\$ 100,000
Accounts Receivable	\$ 100,000	Accounts Payable	\$ 100,000	Accounts Payable	\$ 100,000
Inventory	\$ 100,000	Inventory	\$ 100,000	Inventory	\$ 100,000
Fixed Assets	\$ 100,000	Fixed Assets	\$ 100,000	Fixed Assets	\$ 100,000
Other Assets	\$ 100,000	Other Assets	\$ 100,000	Other Assets	\$ 100,000
Total Assets	\$ 400,000	Total Liabilities	\$ 400,000	Total Liabilities	\$ 400,000

GENERAL INFORMATION

1. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
7. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	8. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
9. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	10. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
11. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	12. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
13. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	14. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
15. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	16. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
17. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	18. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
19. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	20. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
21. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	22. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
23. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	24. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
25. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	26. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
27. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	28. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
29. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	30. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
31. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	32. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
33. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	34. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
35. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	36. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
37. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	38. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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41. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	42. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
43. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	44. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
45. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	46. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
47. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	48. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
49. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	50. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
51. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	52. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
53. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	54. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
55. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	56. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
57. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	58. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
59. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	60. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
61. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	62. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
63. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	64. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
65. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	66. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
67. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	68. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
69. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	70. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
71. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	72. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
73. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	74. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
75. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	76. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
77. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	78. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
79. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	80. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
81. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	82. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
83. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	84. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
85. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	86. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
87. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	88. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
89. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	90. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
91. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	92. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
93. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	94. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
95. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	96. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
97. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	98. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
99. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	100. Have you ever been declared bankrupt?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

000376

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Baker Boyer Bank

Guiding you to a brighter financial future

Personal Financial Statement

APPLICANT					
Name	Social Security Number	Date of Birth	Phone Number	# of Dependents	
James P. Foust	549-60-4161	5/8/1940	310-490-4499	3	
Street Address	Apt Number	City	State	Zip Code	
7 Avenida De Magnolia		Rancho Palos Verdes	CA	90275	
Time at Residence	<input checked="" type="checkbox"/> Own <input type="checkbox"/> Rent	Employer	Position	Time at Employer	Work Phone
20 Years					
CO-APPLICANT					
Name	Social Security Number	Date of Birth	Phone Number	# of Dependents	
Street Address	Apt Number	City	State	Zip Code	
Time at Residence	<input type="checkbox"/> Own <input type="checkbox"/> Rent	Employer	Position	Time at Employer	Work Phone
For the purpose of obtaining credit with Baker Boyer Bank from time to time, I (we) herewith submit the following as being a fair and accurate statement of my (our) financial condition as of:					
FINANCIAL STATEMENT (leave blank; data you add to the tables on the following pages will automatically be inserted)					
Assets of Borrower		Amount	Liabilities of Borrower		Amount
Cash In Bank Accounts* (schedule 1)	<input checked="" type="checkbox"/>	\$ 716,854	Total Revolving Credit (schedule A)		\$ -
Stocks/Bonds/Mutual Funds/Brokerage* (schedule 2)	<input checked="" type="checkbox"/>	\$ 129,332	Total Installment Loans (schedule B)		\$ 181,071
Accounts/Notes Receivable (schedule 3)	<input type="checkbox"/>	\$ 719,081	Total Accounts/Notes Payable (schedule C)		\$ -
Cash Value Life Insurance (schedule 4)	<input type="checkbox"/>	\$ -	Total Loans on Life Insurance (schedule 4)		\$ -
Retirement Accounts (schedule 5)	<input type="checkbox"/>	\$ -	Total Other Liabilities (schedule D)		\$ -
Vehicles and Other Assets (schedule 6)	<input type="checkbox"/>	\$ 5,703,495	Mortgage on Residence (RE schedule)		\$ 867,328
Residence Market Value (RE Schedule)	<input checked="" type="checkbox"/>	\$ 1,800,000	Mortgage(s) on Other Real Estate (RE schedule)		\$ -
Other Real Estate Market Value (RE schedule)	<input checked="" type="checkbox"/>	\$ 1,483,231			
Total Assets		\$ 10,551,973	Total Liabilities		\$ 1,058,399
Net Worth		\$ 9,493,574			

*Statements required when \$100,000 or more listed in cash and/or marketable securities held at other financial institutions.

GENERAL INFORMATION		Applicant	Co-Applicant
1. Have you ever filed for bankruptcy?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Have you ever been a principal or guarantor of a firm that declared bankruptcy?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Have you ever been convicted of a felony?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Are you a party to any claims or lawsuits?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Are you a co-signer or guarantor of any other debt?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Are you currently an executive officer or on the Board of Directors of any Bank, Thrift or S & L?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Are you currently employed with the Bank's external auditor?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Are any assets held in Trust?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Do you own 25% or more of another company? Company Name (if YES, attach tax returns for all):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Are you a citizen of the United States? If NO, what country?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11. Marital status? [Answer only if this financial statement is provided in connection one or more of the following: A request for secured credit; applicant is seeking a joint account with spouse; or applicant or co-applicant is a resident of a community property state.	<input checked="" type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried	<input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried	<input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Unmarried
(Unmarried: single, divorced, widowed)			
If YES to questions 1-7, please describe:			

BAKER000007

FINANCIAL STATEMENT SCHEDULES

Assets

Schedule 1: Cash in Bank Accounts

Name of Bank	Account Number	Account Description	Current Balance
Chase		Private	\$ 248,336
USB		checking	\$ 64,508
USB		Private	\$ 201,268
City		checking	\$ 25,243
Schwab		Personal	\$ 129,567
Schwab		Roll Over	\$ 47,942
			\$ -
Total:			\$ 716,854

Schedule 2: Stocks/Bonds/Mutual Funds/Brokerage Accounts

Shares/Amount	Description	Name(s) Registered In	Cost	Market Value	Listed/Unlisted
	Morgan Stanley	Managed account	\$ -	\$ 129,332	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
Total:			\$ -	\$ 129,332	

Schedule 3: Accounts/Notes Receivable

Due From	Collateral	Maturity	How Payable	Current	Deferred
Extreme Beverage	Stock		\$ - per		\$ 37,500
Sirous Communications	stock		\$ - per		\$ 125,000
Roatan development Group	5.596 acres land Roatan		\$ - per		\$ 556,561
			\$ - per		\$ -
			\$ - per		\$ -
			\$ - per		\$ -
			\$ - per		\$ -
			\$ - per		\$ -
Total:			\$ -	\$ -	\$ 719,061

Schedule 4: Life Insurance

Insured	Beneficiary	Name of Company	Face/Amount	Cash Value	Loan on Policy
James Foust	Miriam Foust	Lincoln Life	\$ 1,000,000	\$ -	\$ -
James Foust	Miriam Foust	Lincoln Life	\$ 1,000,000	\$ -	\$ -
James Foust	Miriam Foust	Lincoln Life	\$ 1,000,000	\$ -	\$ -
James Foust	Vanessa Foust	Lincoln Life	\$ 1,000,000	\$ -	\$ -
James Foust	Jocelyn Foust	Lincoln Life	\$ 1,000,000	\$ -	\$ -
			\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -
Total:			\$ 5,000,000	\$ -	\$ -

Schedule 5: Retirement Accounts

Shares/Amount	Description	Name(s) Registered In	Cost	Market Value	Listed/Unlisted
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
			\$ -	\$ -	
Total:			\$ -	\$ -	

Schedule 6: Vehicles & Other Assets

Property Description	Name(s) Registered In	Cost	Year Acquired	Market Value	Amount of Insurance
Classic Cars - Est Value using Mkt. Prices	Foust	\$ 3,012,031	various	\$ 5,120,130	\$ -
Gold Bullion .9999- 4 Kilos @ 1426		\$ -		\$ 183,384	\$ -
Aircraft - N8634P		\$ -		\$ 290,000	\$ -
Las Vegas Coach Resort - Lot #102		\$ -		\$ 101,202	\$ -
Auto Loan to Dettwiller		\$ -		\$ 8,779	\$ -
		\$ -		\$ -	\$ -
		\$ -		\$ -	\$ -
		\$ -		\$ -	\$ -
		\$ -		\$ -	\$ -
Total:				\$ 5,703,495	\$ -

24,720

To Whom Payable	Address	Secured By	How Payable	Unpaid Balance	Maturity Date
American Express			\$ - per Monthly	\$ -	
Bank America			\$ - per Monthly	\$ -	
Discover			\$ - per Monthly	\$ -	
			\$ - per	\$ -	
			\$ - per	\$ -	
			\$ - per	\$ -	
			\$ - per	\$ -	
			\$ - per	\$ -	

Total:	\$	-
--------	----	---

[illegible]

Total:	\$	191,071
--------	----	---------

[illegible]

Total:	\$	-
--------	----	---

[illegible]

Total:	\$		
--------	----	--	--

<u>Contingent Liabilities (guarantor, lawsuits, tax penalties etc.)</u>		
Description:	To Whom Payable:	Potential Liability:
None		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
Total:		\$ -

000379

FINANCIAL STATEMENT SCHEDULES

Real Estate

Property Type: ☒ SF ☐ MF ☐ C ☐ L ☐ U

Residence		Other Real Estate			
Property Type:	<input checked="" type="checkbox"/> SF <input type="checkbox"/> MF	<input type="checkbox"/> Vacation <input type="checkbox"/> Rental <input type="checkbox"/> SF <input type="checkbox"/> MF <input type="checkbox"/> C <input type="checkbox"/> L	<input type="checkbox"/> Vacation <input type="checkbox"/> Rental <input type="checkbox"/> SF <input type="checkbox"/> MF <input type="checkbox"/> C <input type="checkbox"/> L	<input type="checkbox"/> Vacation <input type="checkbox"/> Rental <input type="checkbox"/> SF <input type="checkbox"/> MF <input type="checkbox"/> C <input type="checkbox"/> L	<input type="checkbox"/> Vacation <input type="checkbox"/> Rental <input type="checkbox"/> SF <input type="checkbox"/> MF <input type="checkbox"/> C <input type="checkbox"/> L
Ownership %					
Co-Owned with Spouse	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Street Address	7 avenida de magnolia	1918 Bocale Ct	9425 San Laguna	1716 Comstock Rd	10821 woodstream ct
City	rancho palos verdes	Las Vegas	Las Vegas	Henderson rd	Las vegas
State	CA	NV	NV	NV	NV
Zip Code	90275	89123	89135	89015	89135
Purchase Date	May 1, 1993	about 1999	Late 2011	January 1, 2010	August 1, 2006
Purchase Price	\$ 800,000	\$ 475,000	\$ 215,000	\$ 90,000	\$ 638,231
Estimated Market Value	\$ 1,800,000	\$ 475,000	\$ 250,000	\$ 120,000	\$ 638,231
Balance - 1st Mortgage	\$ 867,328	\$ -	\$ -	\$ -	\$ -
Interest Rate	3.00%				
Maturity Date	300 Months				
Lender - 1st Mortgage	merrill lynch				
Payment - 1st Mortgage	\$ 2,168	\$ -	\$ -	\$ -	\$ -
Balance - Other Mortgages/Liens	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Rate					
Maturity Date					
Lender - Other Mortgages					
Payments - Other Mortgages	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax	\$ 14,000	\$ 1,938	\$ 3,131	\$ 2,180	\$ 4,200
Insurance	\$ 1,800	\$ 205	\$ 280	\$ 305	\$ 410
Gross Monthly Rent	\$ -	\$ 1,400	expected \$2200	\$ 1,100	\$ -

SIGNATURES

I (we) hereby authorize Baker Boyer Bank (the Lender) to make any investigation of my (our) credit or employment status either directly or through any agency employed by Lender for that purpose. The Lender may disclose to any other interested parties the Lender's experience with this account. I (we) agree statements in this application, including the information furnished by me (us) are true and complete and are made for the purpose of obtaining credit. I (we) agree to inform the Lender immediately of any matter which will cause any significant change in my (our) financial condition. I (we) understand that the Lender will retain this financial statement whether or not credit is granted.

X
Applicant's Signature _____ Date _____
James P. Foust

X
Co-Applicant's Signature _____ Date _____
0

Page 4

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Exhibit 2

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Exhibit 2

FOUST Classic Cars

Autos.xlsx

Foust Classic Cars

YEAR	MAKE	DESCRIPTION	Buy	COST	Est. Value	VIN	STATE	From
1935	CADILLAC	V-12 COUPE	1996	\$44,000.00	\$100,000.00	4100743	CAL	THOMAS CADILLAC
1989	CHAPARRAL	TRAILER	2000	\$25,000.00	\$25,000.00	1S9SC4532K1090654	ND	Shirley Muldowney
1956	CHEV	CORVETTE	1982	\$10,000.00	\$50,000.00	VE56S003290	NO, DAK	ROBERT HILTON
1957	CHEV	BEL AIR CONV. (FI)	1989	\$50,000.00	\$100,000.00	VC570141640	KENTUCKY	O.B. SMITH
1957	CHEV	CORVETTE	1988	\$45,000.00	\$50,000.00	E57S103094	KENTUCKY	SOUTHLAND INVEST.
1966	CHEV	TURBO CORVAIR	1990	\$5,000.00	\$5,000.00	107376L110678	CAL	R & S
2007	CHEV	Corvette Z06	2007	\$80,000.00	\$50,000.00	1G1YY26E375121069	Montana	Chevrolet
1957	CHRYSLER	300 C CONV.	1988	\$27,000.00	\$150,000.00	3N571810	Montana	Joe Bortz
2002	Crysler	PT Cruiser	2001	\$35,000.00	\$5,000.00	3C8FY68B52T216202	NV	Crysler
2005	Crysler	PT Cruiser	2006	\$20,000.00	\$5,000.00	3C3AY75S05T701409	Montana	Crysler
2009	Crysler	PT Cruiser	2009	\$13,000.00	\$5,000.00	3A8FY68899T510047	Montana	Crysler
1965	DODGE	SAVOY Acid dip car	1989	\$33,000.00	\$100,000.00	W0512245600	ILL.	JAMES JACKSON
1990	FERRARI	TESTAROSSA	1995	\$104,000.00	\$75,000.00	2FFSG17AGL0083464	ND	Jerry Buss
1937	FORD	Coupe	2006	\$75,000.00	\$75,000.00	3541190	Montana	R & S
1940	FORD	Coupe	2007	\$40,000.00	\$40,000.00	AZ152801	Montana	Spencer Shakstad
1955	FORD	T-BIRD (96 MILES)	1988	\$45,000.00	\$45,000.00	PSFH166138	CAL	PS Auction
1955	FORD	T-BIRD (CHEV)	1976	\$15,000.00	\$15,000.00	PSFH240647	CAL	DEDE
1957	FORD	T-BIRD (MATTOX)	1990	\$5,000.00	\$5,000.00	D7FH251424 *	CAL	BOB MATTAX
1957	FORD	FAIRLANE 500	1990	\$7,500.00	\$25,000.00	D7LV162233	Montana	DALE VALURE
1963	FORD	427 GALAXY (R-CAR)	1990	\$23,000.00	\$100,000.00	3W66R131679	KANSAS	RICHARD PETTY
1964	FORD	THUNDERBIRD - BLACK	1992	\$17,000.00	\$17,000.00	4Y85Z127518	GEORGIA	WILLIARD CARROLL
1966	FORD	THUNDERBIRD - RED	1990	\$19,000.00	\$19,000.00	6Y85Z104010	S. CAROLINA	TRANSOUTH
1967	FORD	MUSTANG Convertible	1990	\$5,500.00	\$40,000.00	7T03T118534 *	Montana	Barret Jackson
1968	FORD	COBRA JET MUSTANG	1990	\$20,000.00	\$50,000.00	BR02R1688059	MONTANA	ROBERT KWAPY
1970	FORD	BOSS 429 - Drew Alcazar	1990	\$90,000.00	\$200,000.00	0F02Z137925/KK2459	WISCONSIN	LIEN, MARK
1971	FORD	PANTERIA	1988	\$15,000.00	\$15,000.00	THPNLY01620	Montana	ORAN BERCH
1973	FORD	PANTERIA - \$300,000 Rest.	2003	\$63,000.00	\$100,000.00	THPNNU05291	Montana	IRS Auction
1988	FORD	#11 Budweiser NASCAR	2000	\$40,000.00	\$40,000.00	MRE #unknown	None	Bill Elliot
1991	FORD	#9 COORS LITE NASCAR	2000	\$54,060.00	\$54,060.00	MRE #21	BILL OF SALE	RON HUBER
2008	Harley-Davidson	Motor Cycle	2008	\$21,470.00	\$21,470.00	1HD 1KB 4398 Y 652 304	Cal	Golden Gate
2009	Harley-Davidson	Motor Cycle	2010	Trade 2008 H/D	Trade 2008 H/D	1HD1HPH349K810543	Montana	Golden Gate
1987	HONDA	SCOOTER	2000	\$800.00	\$100.00	JH2HF0316HS202130	CAL	Honda
1992	HONDA	SCOOTER	2000	\$800.00	\$100.00	3H1HF031OND700204	CAL	Honda
1991	INTERNATIONAL	4000 SERIES	2000	\$50,000.00	\$25,000.00	1HTSDNHL4MH321753	ND	Shirley Muldowney
1951	JAGUAR	XK 120 RACE CAR	2000	\$45,050.00	\$45,050.00	S671966	Montana	Dana Mecham auctions
1964	JAGUAR	XKE	1999	\$39,000.00	\$39,000.00	881364	CAL	WILLIAM LAZARIS
1985	KAWASAKA	NINJA 900	1985	\$1,500.00	\$1,500.00	JKAZX2A13FB505429/ZX90C	Montana	KAWASAKA
1967	LAMBORGHINI	MUJRA (3571)	1975	\$13,000.00	\$250,000.00	3571	CAL	Private Party ??

FOUST Classic Cars

1988	LAMBORGHINI	COUNTACH	1995	\$64,500.00	\$64,500.00	ZA9CA05A8JLA12269	Montana	Al Bertoni
1998	MARATHON	COACH	2003	\$420,000.00	\$200,000.00	2PCM3349XV1026183	DEALER	MARATHON
1956	Mercedes	300 SL - Scott Resto.	1978	\$50,000.00	\$750,000.00	198 980 650086	CAL	Stock Broker
1968	Mercedes	280 SL	2006	\$60,850.00	\$60,850.00	11304412000874	Virgina	R & S
1977	Mercedes	380 4 DR SEDAN	1977	\$35,000.00	\$35,000.00	10704412035568	ND	Mercedes
1987	Mercedes	450SL	2007	\$37,000.00	\$37,000.00	WDBBA48D5HA059358	Montana	Mercedes
2006	Mercedes	S500	2008	\$43,000.00	\$25,000.00	WDBNG75J76A482303	Montana	Mercedes
2007	Mercedes	M50 SUV	2007	\$65,000.00	\$25,000.00	4JGBB75E07A222537	Montana	Mercedes
1957	OLDSMOBILE	98 ROCKET	1990	\$30,000.00	\$30,000.00	579M27665	Montana	DUFFY SHAMBURGER
1957	PACKARD	CLIPPER	1982	\$8,000.00	\$8,000.00	57L1582	N.D.	Bowman Chev
1962	PLYMOUTH	Savoy w/413 - Ramchargers	1989	\$46,000.00	\$75,000.00	512 216 59 86	MICH.	TOM POLIDAN
1964	PLYMOUTH	HEMI (ALUMINUM BODY)	1990	\$25,000.00	\$50,000.00	RACE CAR - No Title	PLYMOUTH	Jim (Car Covers)
1966	PLYMOUTH	HEMI BELVADIRE	1989	\$45,000.00	\$45,000.00	RP23H67303290	Montana	JOHN KEROLA
2000	PLYMOUTH	PROWLER	2000	\$51,000.00	\$30,000.00	1P3EW65G1YV603597	Montana	Harry Hildibrand
1969	PONTIAC	JUDGE	1988	\$9,000.00	\$40,000.00	Get From Bob Wokel	ND	Bob Wokel
1958	PORSCHE	CABROLET	1990	\$20,000.00	\$20,000.00	NR150801	CAL	R & S
1983	PORSCHE	CARREA	1988	\$35,000.00	\$35,000.00	WPOEA0915DS170119	CAL	Santa Monica dealer
1980	ROLLS ROYCE	SILVER CLOUD II	1990	\$22,500.00	\$22,500.00	SRL41595C	CAL	DUDLEY HAINES
1965	SHELBY	427 Cobra - Org. Comp Car	2000	\$550,000.00	\$1,500,000.00	CSX3012	Not Titled	Original MSO
1968	SHELBY	GTS00	1991	\$21,500.00	\$75,000.00	8T02S14955001843	CAL	JIM SHIPLEY
1966	SHELBY	427 COBRA - Ford Cammer	1991	\$50,000.00	\$50,000.00	SP25692LA	CAL	kentucky Lawyer
				\$2,885,030	\$5,120,130			

Exhibit 3

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Exhibit 3

James P. Foust
Balance Sheet
April 30, 2014
Print Date April 30, 2014

LIABILITIES AND CAPITAL

	CURRENT YEAR	PREVIOUS YEAR
<u>Current Liabilities</u>		
Federal Income Tax Payabl	\$ 0.00	0.00
State Income Tax	0.00	0.00
Total Current Liabilities	0.00	0.00
<u>Long-Term Liabilities</u>		
Loan - RPV	867,327.50	867,327.50
Loan - Coach	178,036.17	187,826.97
Total Long-Term Liabilities	1,045,363.67	1,055,154.47
Total Liabilities	1,045,363.67	1,055,154.47
<u>Net Worth</u>		
Asset Value	6,031,913.16	6,031,913.16
JPF Individual Net worth	2,101,551.76	1,909,929.42
Net Worth	505,807.20	726,547.85
Current Earnings	252,754.48	(48,193.11)
Total Capital	8,892,026.60	8,620,197.32
Total Liabilities & Capital	\$ 9,937,390.27	9,675,351.79

Unaudited - For Management Purposes Only

Exhibit No. 24Witness FolustDate 3-10-17

Page: 1

JPF Enterprises
Income Statement
For the Four Months Ending April 30, 2015

MCD CCR# 710

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
<u>Ordinary Income</u>				
Williston	\$ 0.00	\$ 8,935.00	\$ 6,637.60	\$ 57,265.00
Watford City	0.00	20,476.00	17,717.40	64,633.39
C/D Interest - North Dakota	0.00	25.30	0.00	25.30
Total Income	0.00	29,436.30	24,355.00	121,923.69
<u>Expenses</u>				
Bank Charges - BBB	156.37	0.00	156.37	20.00
BBB Loan Interest	10,231.00	5,071.87	21,833.16	20,287.48
Web & Domain Development	0.00	0.00	0.00	678.63
Operating General Expense	0.00	0.00	0.00	363.78
Total Expenses	10,387.37	5,071.87	21,989.53	21,349.89
Net Income	\$ (10,387.37)	\$ 24,364.43	\$ 2,365.47	\$ 100,573.80

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For JPF Internal Accounting Purposes Only

BAKER000015

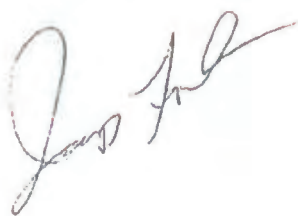
JPF Enterprises
Balance Sheet
April 30, 2015
Print Date April 19, 2015

Exhibit No. 25 Page: 1
Witness Foust
Date 3-10-17

MCD CCR# 710

ASSETS

	Current Year	Last year
<u>Current Assets</u>		
Checking - 123300153 26111013	\$ 5,806.52	142,346.67
Checking USB	6,542.21	0.00
C/D 123300153 14243042	0.00	422.13
Accounts Receivable	67,626.12	64,051.12
Total Current Assets	79,974.85	206,819.92
<u>Property and Equipment</u>		
Warford 13,15,16,18	175,000.00	175,000.00
Jason 30 Units	1,251,349.03	1,251,349.03
Williston - 7023 7024	100,000.00	100,000.00
Williston 7017 7026	76,000.00	0.00
Williston Unit - 7030	39,000.00	0.00
Total Property and Equipment	1,641,349.03	1,526,349.03
<u>Other Assets</u>		
Total Other Assets	0.00	0.00
Total Assets	\$ 1,721,323.88	1,733,168.95



Unaudited For JPF Internal Accounting Purposes Only

BAKER000016

JPF Enterprises
Balance Sheet
April 30, 2015
Print Date April 19, 2015

LIABILITIES AND CAPITAL

Current Liabilities

Accounts Payable

Accounts Payable	\$ 1,042.41	1,042.41
Total Accounts payable	1,042.41	1,042.41

Payable to JPF

Baker Boyer Bank C/D	94,375.02	94,375.02
Expenses Paid By JPF	21,242.41	1,042.41
AMEX Expenses	9,566.27	6,187.43
Jason 30 Units	250,215.57	250,215.57
Units - 70 13 15 16 18	135,060.00	135,060.00
Williston Units - 7023 7024	100,000.00	100,000.00
Williston Units - 7017 7026	76,000.00	0.00
JPF Total cash In	686,459.27	586,880.43
JPF USB XFR - Loan Repay	(208,800.00)	0.00
JPF Net Cash Investment	477,659.27	586,880.43
Total Current Liabilities	478,701.68	587,922.84

Long-Term Liabilities

Baker Boyer Bank - Loan	1,077,600.00	1,077,600.00
Baker Boyer - Paid Principal	(178,271.78)	(62,663.73)
Total Long-Term Liabilities	899,328.22	1,014,936.27
Total Liabilities	899,328.22	1,014,936.27

Capital

Total Cash Investment	0.00	0.00
Retained Earnings	340,928.51	29,736.04
Net Income	2,365.47	100,573.80
Total Income	343,293.98	130,309.84
Total Capital	343,293.98	130,309.84
Total Liabilities & Capital	\$ 1,721,323.88	1,733,168.95

***** Return on Investment Calculation *****

Net Cash Investment - After Repayment	(477,659.27)	(586,880.43)	
Venture Profit	343,293.98	130,309.84	71.87
Total Capital Investment	(134,365.29)	(456,570.59)	

Unaudited - For JPF Internal Accounting Purposes Only

Exhibit No. 26
 Witness Foust
 Date 3-10-17

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MCD CCR# 710

James P. Foust
 Income Statement
 For the Four Months Ending April 30, 2014

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Cash Flow In					
Ordinary Income					
Interest Income	\$ 0.00	\$ 4.61	\$ 10.61	\$ 18.10	58.62
Legal Geney Interest	0.00	0.00	0.00	1,875.00	0.00
Social security Payments - JP	2,137.90	2,105.70	10,584.60	8,422.80	125.67
Social security W/H - JPF	(104.90)	(321.00)	(419.60)	(1,284.00)	32.68
DBP Payments	0.00	0.00	0.00	5,000.00	0.00
DBP W/H	0.00	0.00	0.00	(410.00)	0.00
Misc. Income	0.00	0.00	322,723.57	0.00	0.00
Total Ordinary Income	2,033.00	1,789.31	332,899.18	13,621.90	2,443.85
Rental - BQCALE CT. 715					
Rent - 1918 Bocale Ct.	0.00	1,150.78	3,088.57	3,534.78	87.38
HO Asso. Fees 6 Mo.	0.00	0.00	0.00	(194.00)	0.00
Total Bocale Ct.	0.00	1,150.78	3,088.57	3,340.78	92.45
Business - Woodstream 717					
Electric	(150.00)	(150.00)	(600.00)	(600.00)	100.00
Water	(70.00)	(70.00)	(280.00)	(280.00)	100.00
Gas	(30.00)	(30.00)	(120.00)	(120.00)	100.00
Trash	(45.56)	(41.22)	(91.12)	(82.44)	110.53
Property Tax	(472.42)	(382.68)	(472.42)	(382.68)	123.45
Gardening	(93.00)	(93.00)	(372.00)	(372.00)	100.00
Cox Cable - RES	(153.88)	(202.06)	(615.52)	(808.24)	76.16
Association Fees	0.00	(73.00)	(97.00)	(364.00)	26.65
Summerlyn HOA	(43.00)	(43.00)	(172.00)	(172.00)	100.00
Cell Phone	(270.00)	(270.00)	(1,080.00)	(1,090.00)	99.08
Swimming Pool	(100.00)	(100.00)	(400.00)	(400.00)	100.00
Home Cleaning	0.00	0.00	(381.00)	0.00	0.00
Total Woodstream	(1,427.86)	(1,454.96)	(4,681.06)	(4,671.36)	100.21
Vacation - San Laguna 726					
Association Fees	0.00	(407.00)	0.00	(1,628.00)	0.00
Annual Sewer Fees	0.00	(186.85)	0.00	(186.85)	0.00
Total San Laguna	0.00	(593.85)	0.00	(1,814.85)	0.00
Rental - Comstock 727					
Rent: 1718 Comstock Dr.	0.00	877.82	0.00	877.82	0.00
Bluffs HOA	0.00	(50.00)	(50.00)	(200.00)	25.00
Bluffs Village II	0.00	(185.00)	(185.00)	(740.00)	25.00
Electric	0.00	50.00	0.00	(50.00)	0.00
Total Comstock	0.00	692.82	(235.00)	(112.18)	209.48
Rental - Manufactured Homes Expenses 753					
Total Comstock	0.00	0.00	0.00	0.00	0.00
Capital Gain					
Sale Of classic cars	0.00	35,000.00	0.00	35,000.00	0.00
Total Capital Gain	0.00	35,000.00	0.00	35,000.00	0.00

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 1/30/14
 For Management Purposes Only

James P. Foust
Income Statement
For the Four Months Ending April 30, 2014

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Total Income	605.14	36,584.10	331,071.69	45,364.29	729.81
<u>EXPENSES</u>					
<u>RANCHO PALOS VERDES 711</u>					
Naomi Household Expenses	(5,000.00)	(5,500.00)	(14,000.00)	(20,500.00)	68.29
Home Owner Insurance	0.00	(1,693.00)	0.00	(1,693.00)	0.00
Taxes	0.00	0.00	(7,191.84)	0.00	0.00
Mortgage Interest	(1,982.65)	(4,340.25)	(8,471.32)	(17,361.00)	48.80
Closing fees	0.00	(625.00)	0.00	(625.00)	0.00
Total RPV	(6,982.65)	(12,158.25)	(29,663.16)	(40,179.00)	73.83
<u>ARIZONA 713</u>					
Total Arizona	0.00	0.00	0.00	0.00	0.00
<u>NORTH DAKOTA 722</u>					
Utilities	(150.00)	(225.00)	(600.00)	(900.00)	66.67
Phone	(46.00)	(46.00)	(184.00)	(184.00)	100.00
Total North Dakota	(196.00)	(271.00)	(784.00)	(1,084.00)	72.32
<u>NAOMI 723</u>					
Palos Verdes High school	0.00	0.00	(93.00)	(372.00)	25.00
Total Naomi	0.00	0.00	(93.00)	(372.00)	25.00
<u>COACH 724</u>					
Interest	(1,238.94)	(1,228.94)	(4,955.76)	(4,915.76)	100.81
Nevada Power Company	(60.00)	(50.00)	(240.00)	(200.00)	120.00
Coach Homeowners Assoc.	(395.00)	(369.50)	(1,529.00)	(1,503.50)	101.70
Total Coach	(1,693.94)	(1,648.44)	(6,724.76)	(6,619.26)	101.59
<u>JPF Expenses 725</u>					
PayPal	0.00	(70.00)	(992.75)	(940.43)	105.56
American Express	(3,000.00)	(6,987.21)	(8,636.22)	(26,987.21)	32.00
American Express - Biz	(3,000.00)	128.20	(14,947.12)	(71.80)	20,817.72
Bank America / MBNA	(600.00)	(1,020.98)	(2,000.00)	(1,620.98)	123.38
Discover Card	(450.00)	161.30	(1,550.00)	(688.70)	225.06
Hangar Rent	(1,265.23)	(1,265.23)	(5,173.86)	(5,060.92)	102.23
Plane	(267.00)	0.00	(267.00)	0.00	0.00
Medical - AARP	(327.60)	(295.05)	(1,212.75)	(1,138.20)	106.55
Total JPF	(8,909.83)	(9,348.97)	(34,779.70)	(36,508.24)	95.27
<u>MISCELLANEOUS 740</u>					
Cash	0.00	0.00	(400.00)	(1,000.00)	40.00
Dues and Subscriptions	0.00	0.00	(52.88)	0.00	0.00
2006 MBZ S500	(588.33)	(242.99)	(588.33)	(666.60)	88.26
2007 CLK550	0.00	0.00	0.00	(449.15)	0.00
2007 ML500	(913.39)	(423.61)	(913.39)	(423.61)	215.62
2007 S500 MBZ	0.00	0.00	(3,316.35)	0.00	0.00
Marathon Coach Insurance	0.00	625.90	(147.00)	625.90	(23.49)
Palo Verde Police Dept.	0.00	(2,000.00)	0.00	(2,353.44)	0.00

For Management Purposes Only

James P. Foust
Income Statement
For the Four Months Ending April 30, 2014

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Bank Charges	5.00	0.00	(92.95)	(35.00)	265.57
Legal - Autos Heggen	0.00	0.00	(640.00)	(245.00)	261.22
Health Insurance	0.00	(1,062.00)	0.00	(4,248.00)	0.00
Default Purchase Account	(60.00)	0.00	(121.69)	0.00	0.00
Total Miscellaneous	(1,556.72)	(3,102.70)	(6,272.59)	(8,794.90)	71.32
Total EXPENSES	(19,339.14)	(26,529.36)	(78,317.21)	(93,557.40)	83.71
Net Income	\$ (18,734.00)	\$ 10,054.74	\$ 252,754.48	\$ (48,193.11)	(524.46)

For Management Purposes Only

Exhibit No. 27
 Witness Foust
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James P. Foust
 Income Statement
 For the Four Months Ending April 30, 2015
 Print Date April 19, 2015

MCD CCR# 710

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Cash Flow In					
Other Income					
Interest Income	\$ 0.00	\$ 11.68	\$ 24.64	\$ 29.58	83.30
Social security Payments - JP	2,173.90	2,137.90	8,695.60	8,551.60	101.68
Social security W/H - JPF	(104.90)	(104.90)	(419.60)	(419.60)	100.00
Total Other Income	2,069.00	2,044.68	8,300.64	8,161.58	101.70
Rental - BOCALE CT. 715					
Rent - 1918 Bocale Ct	0.00	0.00	0.00	3,088.57	0.00
Total Bocale Ct.	0.00	0.00	0.00	3,088.57	0.00
Business - Woodstream 717					
Electric	0.00	(150.00)	(300.00)	(600.00)	50.00
Water	0.00	(70.00)	(141.00)	(280.00)	50.36
Gas	(30.00)	(30.00)	(90.00)	(120.00)	75.00
Trash	(42.83)	(45.56)	(138.83)	(91.12)	152.36
Property Tax	(382.68)	(472.42)	(382.68)	(472.42)	81.00
Gardening	(93.00)	(93.00)	(372.00)	(372.00)	100.00
Cox Cable - RES	(175.92)	(153.88)	(686.86)	(615.52)	111.59
Association Fees	(97.00)	(97.00)	(97.00)	(388.00)	25.00
Summerlyn HOA	(19.00)	(43.00)	(148.00)	(172.00)	86.05
Cell Phone	(270.00)	(270.00)	(1,080.00)	(1,080.00)	100.00
Swimming Pool	(100.00)	(100.00)	(300.00)	(400.00)	75.00
Home Cleaning	(600.00)	0.00	(600.00)	(381.00)	157.48
Replace 5 Ton air Conditione	(350.00)	0.00	(1,326.00)	0.00	0.00
Total Woodstream	(2,160.43)	(1,524.86)	(5,662.37)	(4,972.06)	113.88
Rental - San Laguna 726					
Total San laguna	0.00	0.00	0.00	0.00	0.00
Rental - Comstock 727					
Bluffs HOA	0.00	0.00	0.00	(50.00)	0.00
Bluffs Villiage II	0.00	0.00	0.00	(185.00)	0.00
Total Comstock	0.00	0.00	0.00	(235.00)	0.00
Rental - Manufactured Homes Expenses 753					
Total Comstock	0.00	0.00	0.00	0.00	0.00
Total Ordinary Income	(91.43)	519.82	2,638.27	6,043.09	43.66
Capital Gain					
Classic Cars					
Total Classic Cars	0.00	0.00	0.00	0.00	0.00
San Laguna					
Total San Laguna	0.00	0.00	0.00	0.00	0.00
Bocale					

For JPF Internal Purposes Only

BAKER000021

James P. Foust
Income Statement
For the Four Months Ending April 30, 2015
Print Date April 19, 2015

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Sale of Bocale	0.00	0.00	0.00	35,983.01	0.00
Total Bocale	0.00	0.00	0.00	35,983.01	0.00
<u>Comstock</u>					
Sale of Comstock	0.00	(71,013.00)	0.00	34,330.20	0.00
Comstock	0.00	(71,013.00)	0.00	34,330.20	0.00
Total Capital Gain	0.00	(71,013.00)	0.00	70,313.21	0.00
Total Income	(91.43)	(70,493.18)	2,638.27	76,356.30	3.46
EXPENSES					
<u>RANCHO PALOS VERDES 711</u>					
Naomi Household Expenses	(4,600.00)	(7,107.70)	(18,300.00)	(16,107.70)	113.61
Home Owner Insurance	(1,943.00)	0.00	(1,943.00)	0.00	0.00
Taxes	0.00	0.00	(7,206.48)	(7,191.84)	100.20
Mortgage Interest	(2,072.77)	(1,982.65)	(8,020.72)	(8,471.32)	94.68
Repairs	0.00	0.00	(900.00)	0.00	0.00
Total RPV	(8,615.77)	(9,090.35)	(36,370.20)	(31,770.86)	114.48
<u>ARIZONA 713</u>					
Total Arizona	0.00	0.00	0.00	0.00	0.00
<u>NORTH DAKOTA 722</u>					
Utilities	(150.00)	(150.00)	(600.00)	(600.00)	100.00
Phone	(33.70)	(46.00)	(125.70)	(184.00)	68.32
Total North Dakota	(183.70)	(196.00)	(725.70)	(784.00)	92.56
<u>NAOMI 723</u>					
Palos Verdes High school	0.00	0.00	0.00	(93.00)	0.00
Domestic Help	(400.00)	0.00	(1,600.00)	0.00	0.00
Total Naomi	(400.00)	0.00	(1,600.00)	(93.00)	1,720.43
<u>COACH 724</u>					
Interest	0.00	(1,238.94)	0.00	(4,955.76)	0.00
Nevada Power Company	0.00	(60.00)	(120.00)	(240.00)	50.00
Coach Homeowners Assoc.	(395.00)	(395.00)	(1,580.00)	(1,529.00)	103.34
Total Coach	(395.00)	(1,693.94)	(1,700.00)	(6,724.76)	25.28
<u>JPF Expenses 725</u>					
PayPal	(160.85)	(1,309.04)	(506.99)	(1,723.16)	29.42
Cash	0.00	0.00	0.00	(5,000.00)	0.00
American Express	(9,000.00)	(3,000.00)	(30,217.00)	(8,636.22)	349.89
American Express - Biz	0.00	(3,000.00)	0.00	(14,947.12)	0.00
Bank America / MBNA	634.36	(600.00)	(565.64)	(2,000.00)	28.28
Discover Card	(1,000.00)	(450.00)	(2,600.00)	(1,550.00)	167.74

For JPF Internal Purposes Only

James P. Foust
Income Statement
For the Four Months Ending April 30, 2015
Print Date April 19, 2015

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Hangar Rent	(1,148.63)	(1,265.23)	(4,827.72)	(5,173.86)	93.31
Plane	0.00	(267.00)	0.00	(267.00)	0.00
Medical - AARP	(313.90)	(327.60)	(1,255.60)	(1,212.75)	103.53
Total JPF	(10,989.02)	(10,218.87)	(39,972.95)	(40,510.11)	98.67
<u>MISCELLANEOUS 740</u>					
Cash	(1,500.00)	0.00	(3,100.00)	(400.00)	775.00
Dues and Subscriptions	0.00	0.00	0.00	(52.88)	0.00
Automobile	(63.65)	0.00	(63.65)	0.00	0.00
2006 MBZ S500	0.00	(588.33)	0.00	(588.33)	0.00
2007 ML500	0.00	(913.39)	0.00	(913.39)	0.00
2007 S500 MBZ	0.00	0.00	0.00	(3,316.35)	0.00
2007 Corvette	0.00	0.00	(283.00)	0.00	0.00
Marathon Coach Insurance	(83.00)	0.00	(222.00)	(147.00)	151.02
Bank Charges	0.00	5.00	(234.50)	(92.95)	252.29
Heggen - Autos	0.00	0.00	(100.00)	(340.00)	29.41
Heggen - Fee's	0.00	0.00	(250.00)	(300.00)	83.33
Medical	0.00	0.00	(250.00)	0.00	0.00
Default Purchase Account	(206.14)	(60.00)	(206.14)	(121.69)	169.40
Total Miscellaneous	(1,852.79)	(1,556.72)	(4,709.29)	(6,272.59)	75.08
<u>Girls College</u>					
Uni. San Diego	(9,317.00)	0.00	(27,401.00)	0.00	0.00
UCLA Housing	0.00	0.00	(4,997.97)	0.00	0.00
Total College	(9,317.00)	0.00	(32,398.97)	0.00	0.00
Total EXPENSES	(31,753.28)	(22,755.88)	(117,477.11)	(86,155.32)	136.36
Net Income	\$ (31,844.71)	\$ (93,249.06)	\$ (114,838.84)	\$ (9,799.02)	1,171.94

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For JPF Internal Purposes Only

BAKER000023

JPF Enterprises
Balance Sheet
April 30, 2014

Exhibit No. 28
Witness Foust
Date 3-10-17

MCD CCR# 710

ASSETS

	Current Year	Last year
<u>Current Assets</u>		
Checking - 123300153 25111013	\$ 142,346.67	0.00
C/D 123300153 14243042	422.11	0.00
Accounts Receivable	64,051.12	0.00
Total Current Assets	206,819.90	0.00
<u>Property and Equipment</u>		
GreenFlex 4 Units	175,000.00	0.00
Purchase Jason 30 Units	1,251,349.03	0.00
Purchase GreenFlex 2 Units	100,000.00	0.00
Total Property and Equipment	1,526,349.03	0.00
<u>Other Assets</u>		
Total Other Assets	0.00	0.00
Total Assets	\$ 1,733,168.93	0.00

LIABILITIES AND CAPITAL

<u>Current Liabilities</u>		
Total Current Liabilities	0.00	0.00
<u>Long-Term Liabilities</u>		
LOAN - Baker Boyer Bank	\$ 1,014,936.27	0.00
Total Long-Term Liabilities	1,014,936.27	0.00
Total Liabilities	1,014,936.27	0.00
<u>Capital</u>		
Cash Buy Jason 30 Units	360,479.07	0.00
Cash Buy GreenFlex 4 Units	135,060.00	0.00
Purchase GreenFlex 2 units	100,000.00	0.00
GreenFlex G&A Expenses	1,042.41	0.00
Total Cash Investment	596,581.48	0.00
Retained Earnings	20,034.99	0.00
Net Income	101,616.19	0.00
Total Income	121,651.18	0.00
Total Capital	718,232.66	0.00
Total Liabilities & Capital	\$ 1,733,168.93	0.00

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[Signature]
4/20/14

JPF Enterprises
Income Statement
For the Four Months Ending April 30, 2014

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year
<u>Ordinary Income</u>				
GreenFlex - Williston	\$ 29,411.00	\$ 0.00	\$ 121,898.39	\$ 0.00
C/D Interestex - North Dakota	25.28	0.00	25.28	0.00
Total Income	29,436.28	0.00	121,923.67	0.00
<u>Expenses</u>				
Bank Charges	0.00	0.00	20.00	0.00
Interest	5,071.87	0.00	20,287.48	0.00
Total Expenses	5,071.87	0.00	20,307.48	0.00
Net Income	\$ 24,364.41	\$ 0.00	\$ 101,616.19	\$ 0.00

Q.0 *4/30/14*

For Management Purposes Only

James P. Foust
Balance Sheet
April 30, 2015
Print Date April 19, 2015

Exhibit No. 29
Witness Foust
Date 3-10-17

MCD CCR# 710

ASSETS

	CURRENT YEAR	PREVIOUS YEAR
<u>Current Assets</u>		
USBank # 153464979498 JPF	\$ 5,310.33	176,652.65
USBank # 253459819756 PVT.	150,360.37	5,026.93
City National bank - 722001230	1,762.13	1,762.13
Chase Bank 111111	0.00	(52.95)
Gold - 128.6 OZ	153,600.00	215,791.00
Schwab (IRA) - 1587-4126	0.00	129,558.48
Schwab (JPF) - 8107-6601	0.00	40,020.35
Smith Barney	167.11	72,583.13
Smith Barney	161.74	27,561.65
Smith Barney	106.48	124,331.56
A/R - HT	0.00	40,000.00
Loan - Ed Detwiler	179,916.00	0.00
Loan - Gary detwiler	0.00	5,000.00
Loan Peris Meeks	1,800.00	1,800.00
Greenflex Paid Bills	4,750.00	0.00
Loan - Tony Thompson	3,525.00	4,875.00
Loan - Dora	4,500.00	4,500.00
Total Current Assets	505,959.16	849,409.93
<u>Property and Equipment - Cost</u>		
RPV-House	890,000.00	890,000.00
Arville St.	101,201.61	101,201.61
10821 Wood Stream	638,230.53	638,230.53
Marathon Motor Coach	420,000.00	420,000.00
Automobiles - Classic	3,242,930.00	2,817,930.00
Aircraft - N6634P	290,000.00	290,000.00
Total Property and Equipment	5,582,362.14	5,157,362.14
<u>Other Assets</u>		
2006 MBZ	(6,500.00)	(6,500.00)
2007 SS00 MBZ	34,820.00	34,820.00
Extreme Beverage	37,500.00	37,500.00
Sirous Communications - Larkin	125,000.00	125,000.00
Roatan West bay	517,383.00	556,561.00
Note Payable EFG - ICC Sale	2,049,372.28	2,249,372.28
Total Other Assets	2,757,575.28	2,996,753.28
<u>GreenFlex Investment (JPF Enterprises)</u>		
Baker Boyer Bank C/D	94,375.02	94,375.02
Expenses Paid By JPF	21,242.41	1,042.41
AMEX Expenses	9,566.27	6,187.43
Watford Units - 70 13,15,16,18	135,060.00	135,060.00
Jason 30 Units	250,215.57	250,215.57
Williston - 7023 7024	100,000.00	100,000.00
Williston - 7017 7026	76,000.00	0.00
JPF Enterprises - Loan RE-Pay	(208,800.00)	0.00
Total GreenFlex	477,659.27	586,880.43
Total Assets	\$ 9,323,555.85	9,590,405.78

Unaudited - For Management Purposes Only

James P. Foust
Balance Sheet
April 30, 2015
Print Date April 19, 2015

LIABILITIES AND CAPITAL

	CURRENT YEAR	PREVIOUS YEAR
<u>Current Liabilities</u>		
Federal Income Tax Payabl	\$ 0.00	0.00
State Income Tax	0.00	0.00
Total Current Liabilities	0.00	0.00
<u>Long-Term Liabilities</u>		
Loan - RPV	867,327.50	867,327.50
Loan - Coach	163,349.61	178,036.17
Total Long-Term Liabilities	1,030,677.11	1,045,363.67
Total Liabilities	1,030,677.11	1,045,363.67
<u>Net Worth</u>		
Asset Value	6,125,881.33	6,031,913.16
JPF Individual Net worth	2,101,551.76	2,101,551.76
Beginning Balance Equity	50,435.65	50,435.65
Net Worth	133,098.84	370,940.56
Current Earnings	(118,088.84)	(9,799.02)
Total Capital	8,292,878.74	8,545,042.11
Total Liabilities & Capital	\$ 9,323,555.85	9,590,405.78

JPF

Unaudited - For Management Purposes Only

BAKER000027

Exhibit 4

000400

000400

Exhibit 4

James P. Foust
Balance Sheet
December 31, 2015
Print Date January 29, 2016

ASSETS		
	CURRENT YEAR	PREVIOUS YEAR
* Current Assets		
USBank # 153464979498 JPF	\$ 7,235.35	20,240.84
USBank # 253459819756 PVT	230,669.38	53,109.68
USBank # 253459811297 JPFENT	12,499.92	0.00
City National bank - 722001230	0.00	1,762.13
Gold - 128 6 OZ	0.00	215,791.00
Schwab (IRA) - 1587-4126	0.00	129,558.48
Schwab (JPF) - 8107-6601	0.00	40,020.35
Smith Barney	167.11	72,583.13
Smith Barney	161.74	27,561.65
Smith Barney	106.48	124,331.56
A/R - HT	0.00	40,000.00
Loan Peris Meeks	0.00	1,800.00
Loan Charis	130,000.00	0.00
Loan - Tony Thompson	0.00	4,875.00
Loan - Dora	0.00	4,500.00
Total Current Assets	380,839.98	736,133.82
Property and Equipment - Cost		
RPV-House	890,000.00	890,000.00
Arville St.	101,201.61	101,201.61
10821 Wood Stream	0.00	638,230.53
Marathon Motor Coach	420,000.00	420,000.00
Automobiles - Classic	1,381,320.00	2,817,930.00
Aircraft - N6634P	290,000.00	290,000.00
8 Rehab Homes	96,000.00	0.00
Total Property and Equipment	3,178,521.61	5,157,362.14
Other Assets		
2006 MBZ	0.00	(6,500.00)
2007 S500 MBZ	0.00	34,820.00
Extreme Beverage	0.00	37,500.00
Sirous Communications - Larkin	0.00	125,000.00
Roatan West bay	721,905.62	556,561.00
Loan - Ed Detwiller	132,073.13	0.00
Note Payable EFG - ICC Sale	0.00	2,249,372.28
Total Other Assets	853,978.75	2,996,753.28
GreenFlex Investment (JPF Enterprises)		
Baker Boyer Bank C/D	0.00	94,375.02
Expenses Paid By JPF	120,397.43	9,242.41
AMEX Expenses	9,566.27	9,566.27
Watford Units - 70 13,15,16,18	135,060.00	135,060.00
Jason 30 Units	250,215.57	250,215.57
Williston - 7023 7024	100,000.00	100,000.00
Williston - 7017 7026	76,000.00	76,000.00
JPF Enterprises - Loan RE-Pay	(208,800.00)	(208,800.00)
Total GreenFlex	482,439.27	465,659.27
Total Assets	\$ 4,895,779.61	9,355,908.51

Unaudited - For Management Purposes Only

James P. Foust
Balance Sheet
December 31, 2015
Print Date January 29, 2016

LIABILITIES AND CAPITAL

	CURRENT YEAR	PREVIOUS YEAR
<u>Current Liabilities</u>		
Accounts Payable	\$ 2,385.25	32.63
Federal Income Tax Payabl	0.00	0.00
State Income Tax	0.00	0.00
Total Current Liabilities	2,385.25	32.63
<u>Long-Term Liabilities</u>		
Loan - RPV	867,327.50	867,327.50
Loan - Coach	142,545.37	171,548.97
Total Long-Term Liabilities	1,009,872.87	1,038,876.47
Total Liabilities	1,012,258.12	1,038,909.10
<u>Net Worth</u>		
Asset Value	4,478,878.53	6,031,913.16
JPF Individual Net worth	(213,056.04)	2,101,551.76
Beginning Balance Equity	50,435.65	50,435.65
Net Worth	133,098.84	370,940.56
Current Earnings	(565,835.49)	(237,841.72)
Total Capital	3,883,521.49	8,316,999.41
Total Liabilities & Capital	\$ 4,895,779.61	9,355,908.51

Unaudited - For Management Purposes Only

James P. Foust
Income Statement
For the Twelve Months Ending December 31, 2015
Print Date January 29, 2016

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Cash Flow In					
Other Income					
Interest Income	\$ 4.18	\$ 10.36	\$ 121.45	\$ 154.78	78.47
Social security Payments - JP	2,173.90	2,137.90	26,086.80	25,654.80	101.68
Social security W/H - JPF	(104.90)	(104.90)	(1,258.80)	(1,258.80)	100.00
Total Other Income	2,073.18	2,043.36	24,949.45	24,550.78	101.62
Rental - BOCALE CT. 715					
Rent - 1918 Bocale Ct.	0.00	0.00	0.00	3,088.57	0.00
Total Bocale Ct.	0.00	0.00	0.00	3,088.57	0.00
Business - Woodstream 717					
Electric	0.00	(150.00)	(600.00)	(1,500.00)	40.00
Water	(125.00)	(70.00)	(842.44)	(770.00)	109.41
Gas	0.00	0.00	(270.00)	(300.00)	90.00
Trash	(50.40)	(100.00)	(232.55)	(233.75)	99.49
Sewer	0.00	0.00	(247.21)	(259.20)	95.37
Property Tax	0.00	(1,749.26)	(4,442.49)	(4,355.95)	101.99
Gardening	(93.00)	(93.00)	(1,116.00)	(1,116.00)	100.00
Cox Cable - RES	(103.30)	(167.53)	(1,791.81)	(1,999.04)	89.63
Association Fees	0.00	0.00	(291.00)	(970.00)	30.00
Summerlyn HOA	(43.00)	(43.00)	(492.00)	(516.00)	95.35
Cell Phone	(270.27)	(270.00)	(3,241.08)	(3,290.00)	98.51
Swimming Pool	(100.00)	(125.00)	(1,112.00)	(2,035.00)	54.64
Home Cleaning	0.00	0.00	(1,050.00)	(631.00)	166.40
Repairs & Maint.	0.00	0.00	(550.00)	(100.00)	550.00
Replace 5 Ton air Conditione	(350.00)	(313.00)	(4,176.00)	(1,502.00)	278.03
Total Woodstream	(1,134.97)	(3,080.79)	(20,454.58)	(19,577.94)	104.48
Rental - San Laguna 726					
Total San laguna	0.00	0.00	0.00	0.00	0.00
Rental - Comstock 727					
Bluffs HOA	0.00	0.00	0.00	(50.00)	0.00
Bluffs Villiage II	0.00	0.00	0.00	(185.00)	0.00
Total Comstock	0.00	0.00	0.00	(235.00)	0.00
Rental - Manufactured Homes Expenses 753					
Total Comstock	0.00	0.00	0.00	0.00	0.00
Total Ordinary Income	938.21	(1,037.43)	4,494.87	7,826.41	57.43
Capital Gain					
Classic Cars					
Sale Lamborghini Countach	0.00	0.00	(6,519.54)	0.00	0.00
Total Classic Cars	0.00	0.00	(6,519.54)	0.00	0.00
San Laguna					

For JPF Internal Purposes Only

James P. Foust
Income Statement
For the Twelve Months Ending December 31, 2015
Print Date January 29, 2016

	Current Month This Year 0.00	Current Month Last Year 0.00	Year to Date This Year 0.00	Year to Date Last Year 0.00	% Curr Of Last Year 0.00
Total San Laguna					
<u>Bocale</u>					
Sale of Bocale	0.00	0.00	0.00	35,983.01	0.00
Total Bocale	0.00	0.00	0.00	35,983.01	0.00
<u>Comstock</u>					
Sale of Comstock	0.00	0.00	0.00	34,330.20	0.00
Comstock	0.00	0.00	0.00	34,330.20	0.00
<u>Woodstream</u>					
Sale Woodstream	(184,375.47)	0.00	(184,375.47)	0.00	0.00
Comstock	(184,375.47)	0.00	(184,375.47)	0.00	0.00
Total Capital Gain	(184,375.47)	0.00	(190,895.01)	70,313.21	(271.49)
Total Income	(183,437.26)	(1,037.43)	(186,400.14)	78,139.62	(238.55)
EXPENSES					
<u>RANCHO PALOS VERDES 711</u>					
Naomi Household Expenses	0.00	(4,600.00)	(57,497.63)	(52,907.70)	108.68
Phone	0.00	0.00	(15.62)	0.00	0.00
Home Owner Insurance	0.00	0.00	(1,943.00)	(1,748.00)	111.16
Taxes	0.00	0.00	(14,509.41)	(14,398.33)	100.77
Mortgage Interest	(2,072.77)	(1,982.65)	(24,602.88)	(24,332.52)	101.11
Gardener	0.00	0.00	0.00	(300.00)	0.00
Repairs	0.00	0.00	(900.00)	0.00	0.00
Total RPV	(2,072.77)	(6,582.65)	(99,468.54)	(93,686.55)	106.17
<u>ARIZONA 713</u>					
Total Arizona	0.00	0.00	0.00	0.00	0.00
<u>NORTH DAKOTA 722</u>					
Utilities	0.00	0.00	(1,200.00)	(1,500.00)	80.00
Phone	0.00	(46.00)	(221.80)	(552.00)	40.18
Total North Dakota	0.00	(46.00)	(1,421.80)	(2,052.00)	69.29
<u>NAOMI 723</u>					
Palos Verdes High school	0.00	0.00	0.00	(300.00)	0.00
Domestic Help	(400.00)	(400.00)	(4,800.00)	(2,800.00)	171.43
Jocelyn	(300.00)	0.00	(1,760.00)	0.00	0.00
Vanessa	(300.00)	0.00	(1,515.00)	0.00	0.00
Total Naomi	(1,000.00)	(400.00)	(8,075.00)	(3,100.00)	260.48
<u>COACH 724</u>					
Interest	(674.54)	(1,238.94)	(8,094.48)	(14,867.28)	54.44

For JPF Internal Purposes Only

James P. Foust
Income Statement
For the Twelve Months Ending December 31, 2015
Print Date January 29, 2016

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Nevada Power Company	0.00	(60.00)	(121.00)	(600.00)	20.17
Coach Homeowners Assoc.	(395.00)	(395.00)	(4,740.00)	(4,689.00)	101.09
Other - Coach Expenses	0.00	0.00	0.00	(400.00)	0.00
Property Taxes	0.00	(470.66)	(972.06)	(941.88)	103.20
Total Coach	(1,069.54)	(2,164.60)	(13,927.54)	(21,498.16)	64.78
<u>JPF Expenses 725</u>					
PayPal	(379.35)	(20.96)	(1,670.22)	(4,188.17)	39.88
Cash	0.00	0.00	0.00	(6,000.00)	0.00
American Express	(4,000.00)	(1,500.00)	(68,017.00)	(23,561.56)	288.68
American Express - Biz	0.00	(3,000.00)	0.00	(48,211.28)	0.00
Bank America / MBNA	0.00	(524.00)	(7,865.64)	(8,952.00)	87.86
Discover Card	(2,000.00)	(300.00)	(12,300.00)	(4,900.00)	251.02
Hangar Rent	(1,251.75)	(1,265.23)	(14,944.84)	(15,295.70)	97.71
Plane	0.00	0.00	(671.11)	(267.00)	251.35
Medical - AARP	(313.90)	(354.50)	(3,773.20)	(3,718.95)	101.46
Auto Expense	0.00	(3,587.42)	0.00	(3,587.42)	0.00
Total JPF	(7,945.00)	(10,552.11)	(109,242.01)	(118,682.08)	92.05
<u>MISCELLANEOUS 740</u>					
OTHER Expenses	(2,000.00)	0.00	(6,624.33)	0.00	0.00
Cash	(1,600.00)	0.00	(9,000.00)	(2,400.00)	375.00
Dues and Subscriptions	0.00	0.00	0.00	(52.88)	0.00
Automobile	(2,385.25)	0.00	(4,748.90)	(205.75)	2,308.09
1990 Ferrari	0.00	0.00	(70.00)	0.00	0.00
2006 MBZ S500	0.00	0.00	0.00	(588.33)	0.00
2007 CLK550	0.00	(32.63)	(1,057.94)	(512.15)	206.57
2007 ML500	0.00	0.00	(996.58)	(1,382.12)	72.11
2007 S500 MBZ	0.00	0.00	0.00	(3,316.35)	0.00
2000 Yukon	0.00	0.00	(739.04)	(357.00)	207.01
2007 Corvette	0.00	0.00	(283.00)	0.00	0.00
Marathon Coach Insurance	0.00	0.00	(222.00)	(419.00)	52.98
Palso Verdes Police Dept.	0.00	0.00	0.00	(75.00)	0.00
Gasoline	(411.95)	0.00	(1,639.09)	0.00	0.00
Paypal	0.00	0.00	(45.92)	0.00	0.00
Bank Charges	(60.00)	0.00	(297.92)	(122.95)	242.31
Accounting	0.00	(1,080.00)	(1,080.00)	(1,080.00)	100.00
Heggen - Autos	0.00	(938.33)	(100.00)	(1,714.18)	5.83
Heggen - Fee's	(500.00)	0.00	(1,487.99)	(340.10)	437.52
Interest Expense	0.00	0.00	(8,000.00)	0.00	0.00
Medical	(175.00)	0.00	(425.00)	(792.20)	53.65
Life Insurance	(31,700.00)	(31,700.00)	(31,700.00)	(31,700.00)	100.00
Business Expenses	0.00	0.00	(60.98)	0.00	0.00
Default Purchase Account	(56.00)	52.95	(23,620.29)	1,337.73	(1,765.70)
Plane Expenses	0.00	0.00	0.00	(4,000.00)	0.00
Total Miscellaneous	(38,888.20)	(33,698.01)	(92,198.98)	(47,720.28)	193.21
<u>Girls College</u>					
California Lutheran	0.00	0.00	0.00	(17,220.00)	0.00
Uni. San Diego	0.00	(500.00)	(49,979.05)	(500.00)	9,995.81
UCLA	(124.46)	0.00	(124.46)	0.00	0.00
UCLA Housing	0.00	0.00	(4,997.97)	(11,462.27)	43.60
Total College	(124.46)	(500.00)	(55,101.48)	(29,182.27)	188.82

For JPF Internal Purposes Only

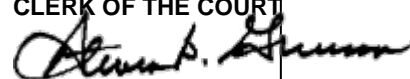
James P. Foust
Income Statement
For the Twelve Months Ending December 31, 2015
Print Date January 29, 2016

	Current Month This Year	Current Month Last Year	Year to Date This Year	Year to Date Last Year	% Curr Of Last Year
Total EXPENSES	(51,099.97)	(53,943.37)	(379,435.35)	(315,921.34)	120.10
Net Income	\$ (234,537.23)	\$ (54,980.80)	\$ (565,835.49)	\$ (237,781.72)	237.96

For JPF Internal Purposes Only

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9



TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

BAKER BOYER NATIONAL
BANK,

Plaintiff(s),

vs.

JAMES FOUST, JR.,

Defendant(s).

Case No. A-17-760779-F

DEPT. II

BEFORE THE HONORABLE RICHARD F. SCOTTI,
DISTRICT COURT JUDGE

MONDAY, NOVEMBER 5, 2018

**TRANSCRIPT OF PROCEEDINGS RE:
EVIDENTIARY HEARING**

(Appearances on page 2.)

RECORDED BY: DALYNE EASLEY, COURT RECORDER

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APPEARANCES:

For the Plaintiff(s):	JOHN E. BRAGONJE, ESQ.
For the Defendant(s), James Patterson Foust, Jr.:	CODY S. MOUNTEER, ESQ.
For the Other/Third Party Plaintiff, Harry Hildibrand LLC:	JOSEPH G. WENT, ESQ.
Also Present: Jessie Helm, Plaintiff paralegal	

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Cross-Examination 35

Redirect Examination 68

FOR THE PLAINTIFF:

JAMES FOUST

Direct Examination 71

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Cross-Examination by Mr. Munteer 80

EXHIBITS

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No. 2 59

No. 3 64

No. 4 68

Other/Third Party Plaintiff's Exhibits:

No. 22 14

No. 32 19

No. 34 21

No. 24 27

No. 37 33

No. 27A 70

1 **LAS VEGAS, NEVADA, MONDAY, NOVEMBER 5, 2018**

2 [Proceedings commenced at 8:30 a.m.]

3
4 THE COURT: This is James Foust, Case No. A-760779. Put
5 your appearances on the record, please. Start with the creditor.

6 MR. BRAGONJE: Good morning, Your Honor. John
7 Bragonje of the Lewis Roca Law Firm for the plaintiff and creditor, Baker
8 Boyer National Bank. With me is Jessie Helm [phonetic], a paralegal
9 from our office.

10 THE COURT: Okay.

11 MR. MOUNTEER: Good morning, Your Honor. Cody
12 Munteer representing Mr. Foust. Mr. Foust is in the courtroom with us
13 here today.

14 THE COURT: Cody?

15 MR. MOUNTEER: Munteer.

16 THE COURT: Munteer. Right. Okay.

17 MR. MOUNTEER: Thank you.

18 THE COURT: Okay.

19 MR. WENT: Good morning, Your Honor. Joseph Went
20 representing Third Party Plaintiff, Harry Hildibrand LLC.

21 THE COURT: All right. Thank you, Mr. Went.

22 All right. Counsel, let's start over here with creditor. What's
23 the status and what are we doing?

24 MR. BRAGONJE: Thank you, Your Honor.

25 THE COURT: I mean, I know what I had planned to do, but

1 let's hear if you guys have anything new.

2 MR. BRAGONJE: Thank you, Your Honor.

3 So I think we're here today to put on evidence. I think there
4 are really two issues before the Court. I think the first issue is whether
5 or not the judgment that Your Honor issued in early March will apply to
6 the -- that -- that found that the motor coach was basically available to
7 be sold to satisfy the judgment. There was a claim by the third party
8 claimant. And so I think the question on that score is whether or not that
9 earlier judgment will apply to the third party claimant, Harry Hildibrand.

10 And then I think the second thing to consider is the status of
11 these other vehicles, other than the motor coach, you know, essentially
12 whether or not they can be attached and used to satisfy the judgment.

13 So we -- we have --

14 THE COURT: What witnesses do you have?

15 MR. BRAGONJE: Well, we -- we --

16 THE COURT: Or were you going to just cross?

17 MR. BRAGONJE: I think mostly just cross. We do have one
18 we will present by affidavit that we disclosed, you know, back --

19 THE COURT: Right. You had provided to the other side
20 already.

21 MR. BRAGONJE: Oh, yeah. This is back in the spring we
22 disclosed it. So.

23 THE COURT: Oh, okay. Right. Thank you.

24 All right. Mr. Went. What's your -- anything new in this case
25 before we get started?

1 MR. WENT: Yes, Your Honor. I understood from the Court's
2 minutes that this was an evidentiary hearing where evidence will be
3 presented. So we're here and ready to go on that.

4 THE COURT: All right. Tell me what witnesses you have.

5 MR. WENT: Mr. Detwiler's downstairs in security. And so to
6 the extent that there be an opportunity, we'd present his testimony.

7 THE COURT: Perfect. Uh-huh. Did you have any -- I was
8 wondering if you had any, like, third party purchasers of the cars
9 subpoenaed to testify?

10 MR. WENT: No, Your Honor.

11 THE COURT: Okay. Because I didn't want to inconvenience
12 them too much. All right. Very good.

13 So just to give you guys a scheduling update, 9:00 I have my
14 regular calendar, but it only has, like, two really small matters. But
15 they're going to take less than five minutes. So when -- when they come
16 in, we might just break just momentarily so I can handle that.

17 10:30, I have a more complex matter that's probably going to
18 take 20 minutes. I'm going to try to do that at -- at 11:10. And then I
19 have a jury trial reconvening at 11:30. Before the 11:10 thing can start,
20 we need to give my staff a 15-minute break.

21 So basically we have until 10:45. I don't think we're going to
22 need all that time, but I wanted to give you a heads up.

23 MR. MOUNTEER: Thank you.

24 MR. BRAGONJE: Thank you, Your Honor.

25 THE COURT: All right. Very good. So I'll allow each side to

1 make brief opening remarks if they -- if they want to. And I read your
2 briefs, thank you. And then we can call the first witness. So let's each
3 try to give brief remarks, if you -- if you can.

4 MR. BRAGONJE: You know, Your Honor, if you've read our
5 brief, I don't think I have anything further at this time. I'll be glad to just
6 move into the evidence.

7 THE COURT: All right. Very good. Oh, I forgot to ask if
8 Mr. Munteer, if you wanted to -- to say anything. You're -- you don't
9 really have an interest at this point in these proceedings, I -- as I
10 understand it.

11 MR. MOUNTEER: My interest in these proceedings would be
12 to protect my client's interest, of course.

13 THE COURT: Of course.

14 MR. MOUNTEER: And any testimony that would not be able
15 to sit by counsel, that he still feels it would be pertinent to the Court's
16 decision, I would ask that I have that opportunity to elicit that from him
17 through a direct examination of him.

18 There is one thing that I just want to bring to everyone's
19 attention. I know it's -- it's out there, but I still have some concerns. I've
20 expressed these concerns about Santander.

21 THE COURT: About what?

22 MR. MOUNTEER: It's called Santander.

23 THE COURT: Okay.

24 MR. MOUNTEER: This is the company who actually, like, has
25 a huge loan against the motor coach.

1 THE COURT: I've never heard of this company. This is the
2 first time I've --

3 MR. MOUNTEER: That's why --

4 THE COURT: I mean, other than the papers.

5 MR. MOUNTEER: That's why I'm a little bit concerned.

6 Because --

7 THE COURT: Okay.

8 MR. MOUNTEER: -- while we're trying to decide whether
9 Harry Hildibrand owns the motor coach or not, there might be a value of
10 ownership there in equity, but there's also a company out there that I
11 believe has a UCC filing and loan against this coach. So I just want to
12 make sure that the Court's fully away of this other lender that is out there
13 on the vehicle.

14 THE COURT: Okay.

15 MR. BRAGONJE: If there's a lien, there's a lien. I mean,
16 that's okay.

17 THE COURT: Yeah. No, I -- I know. No, but thank you for
18 putting that on the record.

19 MR. MOUNTEER: Thank you.

20 THE COURT: I appreciate that.

21 MR. MOUNTEER: Thank you.

22 THE COURT: All right. And so since this is a NRS 31.070
23 hearing, this is the opportunity for Harry Hildibrand LLC to present its
24 evidence in support of its claim of interest over what we have designated
25 the HH Cars, those are the cars purportedly transferred from Mr. Foust

1 to Harry Hildibrand LLC and retained by Harry Hildibrand LLC, which at
2 one point I believe was nine cars. There were other cars that were
3 allegedly transferred from Mr. Foust to Harry Hildibrand LLC, and then
4 subsequently sold to third parties and I had referred to those as the HH
5 Sold cars.

6 And as to those, I was going to allow both parties to put on
7 evidence to establish that those cars are no longer in the possession of
8 Harry Hildibrand LLC and to confirm that they go to third parties. And so
9 then the bank would not have any right or ability or collection entitlement
10 with respect to those cars.

11 All right. Mr. Went, you may call your first witness, sir.

12 MR. WENT: Thank you, Your Honor. We call Mr. Detwiler.

13 THE COURT: Mr. Detwiler, please come forward, sir.

14 MR. DETWILER: Yes, sir.

15 THE COURT: You know, there's a bunch of binders around
16 there. Just -- you can disregard those, sir. Just make yourself
17 comfortable.

18 First, remain standing. The court clerk will give you your oath,
19 right over here.

20 **EDWARD DETWILER,**

21 [having been called as a witness and first duly sworn, testified as
22 follows:]

23 MR. WENT: Your Honor, may I approach?

24 THE COURT: Well, let's have him identify himself first.

25 THE CLERK: Please state and spell your first and last name

1 for the record.

2 THE WITNESS: My name is Edward, E-D-W-A-R-D, Detwiler,
3 D-E-T-W-I-L-E-R.

4 THE CLERK: Thank you.

5 THE COURT: Thank you, sir. All right. Welcome, and we will
6 give your attention to Mr. Went. But I think he has some exhibits for us
7 you will get first.

8 MR. WENT: After I approach?

9 THE COURT: You may. Thank you, I appreciate that.

10 MR. WENT: Your Honor, as a matter of housekeeping, we
11 don't intend to use every exhibit that's in here. Just for purposes of this
12 hearing, I'm going to refer to a few of them.

13 THE COURT: All right. Very good.

14 MR. WENT: These were previously disclosed in -- in other
15 proceedings.

16 THE COURT: Yes, sir. Thank you.

17 **DIRECT EXAMINATION**

18 BY MR. WENT:

19 Q Mr. Detwiler, are you currently employed?

20 A Yes.

21 Q What's the name of your employer?

22 A Coldwell Banker.

23 Q What's your title at Coldwell -- Coldwell Banker?

24 A I'm a real estate agent.

25 Q As a real estate agent with Coldwell Banker, what are your

1 duties?

2 A My duties are to assist people in the purchase and sale of real
3 estate.

4 Q And by real estate, what type of real estate? Commercial --

5 A Residential real estate.

6 Q So your expertise is in residential real estate?

7 A Yes, sir.

8 Q How long have you operated as a residential real estate
9 salesman?

10 A Since 1984.

11 Q And have you been --

12 A I started in California.

13 Q -- employed with Coldwell Banker that entire time?

14 A Since 1990, yes.

15 Q Since 1990? What did you do before Coldwell Banker?

16 A I was -- I was in college.

17 Q Okay. And out of college, did you join Coldwell Banker?

18 A Yes, I did.

19 Q Here in Las Vegas?

20 A No, in California.

21 Q Okay. And when did --

22 A And moved to Las Vegas in 1990, and I've been with Coldwell
23 Banker since 1990.

24 Q Here in Las Vegas?

25 A Yes, sir.

1 Q And then in the course of your duties with Coldwell Banker
2 here in Las Vegas, you've primarily been involved in residential real
3 estate?

4 A That's correct.

5 Q Are you familiar with the entity Harry Hildibrand LLC?

6 A Yes, I am.

7 Q When did you first become familiar with that entity?

8 A In about 2008.

9 Q What was the nature of your first involvement with Harry
10 Hildibrand LLC in 2008?

11 A It was -- I was introduced to Harry Hildibrand Sr. by Jim Foust.
12 Harry Hildibrand Sr. was looking to go -- to transfer from cars or if not
13 transferring, to have real estate be a part of the company's buy-and-sell
14 assets to make profits. And because of my position in -- as a real estate
15 agent, and I had done transactions for Jim Foust in the past, Jim
16 recommended to Harry that I be -- to be interviewed or to be talked to
17 about being the real estate person for Harry Hildibrand.

18 Q And when you say Harry, are you referring to Harry
19 Hildibrand Jr. or Harry Hildibrand Sr.?

20 A At the time it was Harry Hildibrand Sr.

21 Q Okay. Let me direct your attention to Exhibit 22 in this binder.
22 It's the 2008 meeting minutes.

23 MR. BRAGONJE: Which disclosure is this?

24 MR. WENT: This is in --

25 THE COURT: All right. Ordinarily, the court clerk needs a

1 copy of the exhibits properly marked. I'll -- I'll go ahead and let her have
2 my copies. I'll just follow along --

3 MR. WENT: Okay.

4 THE COURT: -- verbally with your examination.

5 MR. WENT: It's in our -- it's in Harry [indiscernible] --

6 THE COURT: Oh. Okay. You know what, she says she can
7 just make notes and then take my binder after the fact. That'll work.
8 Thank you.

9 MR. WENT: Thank you.

10 BY MR. WENT:

11 Q Let me direct your attention to Exhibit 22; do you recognize
12 this document?

13 A Yes.

14 Q What is it?

15 A That was the minutes from a meeting where I was named as
16 manager of the LLC.

17 Q What did you understand to be the purpose of your entry as
18 manager of Harry Hildibrand LLC?

19 A It would be to oversee the purchasing, the rehabbing, and the
20 sale of -- of real estate.

21 Q This would have been in -- this began in November of 2008?

22 A Yes, it did.

23 Q So what was the result of your duties as a manager of Harry
24 Hildibrand LLC in connection with your real estate focus?

25 A Well, at the time, the market started to recede and it never got

1 off the ground.

2 Q So in 2008 did you conduct any transactions on behalf of
3 Harry Hildibrand LLC?

4 A No, sir.

5 Q What about at any time thereafter in connection with real
6 estate?

7 A No, sir.

8 Q And what was the reason for that?

9 A The -- the market and the business that Harry Hildibrand the
10 company was working at the time was in an area that was outside of my
11 expertise and I'd lend -- I didn't provide any -- any benefit to the -- the
12 everyday ongoings of the business.

13 MR. WENT: Your Honor, I move to admit the
14 November 12, 2008, meeting minutes of Harry Hildibrand LLC.

15 MR. BRAGONJE: No objection. I think they've already been
16 admitted.

17 MR. MOUNTEER: Your Honor, I have a copy that I would -- I
18 believe that's what you're talking about? We didn't give them to the
19 clerk.

20 THE COURT: Oh, very good. Exhibit 22 is admitted and
21 provide that to the clerk. Thank you.

22 [Other/Third Party Plaintiff's Exhibit No. 22 admitted.]

23 BY MR. WENT:

24 Q So there came a time sometime after 2008 where you learned
25 of the vehicle that we've been identifying here as the motor coach; is

1 that right?

2 A Yes.

3 Q Describe the motor coach for us.

4 A The motor coach was like a -- was like a Willie Daniels or -- it's
5 like a really high-end motor coach that would be used to travel for artists,
6 country/western artists or what not. It was really nice coach. It was a
7 Prevost. It had its own bedroom, had a kitchen. It was and is -- or was,
8 I don't know I haven't seen it in a while, a nice motor coach.

9 Q When did you first become aware of the motor coach?

10 A I'm thinking November or December of 2016. Harry Jr. called
11 me and said, Hey, can you take a look at this coach and tell me what
12 you think it would be worth? And I -- and I did, and I reported back to
13 him my findings. And he said, Okay. He said, well, he says, I'm going to
14 work out some terms and I want you to draft a contract if you would, and
15 we're going to buy the motor coach. And I said, Okay, fine.

16 Q So at this point in time, in 2016 --

17 A '17 --

18 Q -- or was it '17? You -- do you recall?

19 A No, sir. '16 or -- I think it was '16. December of '16.

20 Q Your testimony is you received a telephone call from Harry
21 Hildibrand Jr. At that point in time, what had happened to Harry
22 Hildibrand Sr.?

23 A He passed away I believe in 2012. So there hadn't been
24 any -- there hadn't been any correspondence between the Hildibrands or
25 myself during that time, because there wasn't anything that I was, you

1 know, inclined to be able to assist in.

2 Q But you were aware of Harry Hildibrand Sr.'s passing?

3 A I was, yes.

4 Q And so Harry Hildibrand Jr. contacted you about the motor
5 coach?

6 A Yes, sir, he did.

7 Q And what was the nature of that discussion?

8 A It was just to -- to have me put my two cents in to see if --
9 what -- what the condition of the coach was, to ascertain whether or not
10 there was any value if some work would be done to it.

11 Q Let me direct your attention to what's been marked as
12 Exhibit 32 in the book. It's Bates stamped Harry Hildibrand LLC 61.
13 That's Harry Hildibrand LLC 61. Do you recognize this document?

14 A Yes.

15 Q What is it?

16 A It's an Excel cash flow showing what the potential profit would
17 be if Harry were to go through with the transaction as to the terms that
18 he had shared with me.

19 Q Did you prepare this in response to the contact from Harry
20 Hildibrand Jr.?

21 A Yes, I did.

22 Q So this -- this is your work that's represented here in this
23 document?

24 A Yes, sir, it is.

25 Q So what are the line items? Can you explain those for the

1 Court?

2 A Yeah. There would be -- that -- that's the cash out to acquire.
3 Line 1 would be the cash out to acquire. The insurance was the annual
4 insurance for the vehicle. The miscellaneous repairs, the note amount,
5 the total cash in, and then the cash value opportunity out.

6 Q Okay. So starting at the top, the cash out Line Item 1,
7 Foust, \$5,000; what does that mean?

8 A That's -- what I understand, that is what Harry paid him to -- to
9 acquire the coach.

10 Q Did you understand that -- that sale price of \$5,000 to be the
11 entirety of the consideration exchanged for this motor coach?

12 A No, sir. It was also to assume the payments of the
13 outstanding balance or the -- the loan on the motor coach.

14 Q So did you have an understanding that the motor coach was
15 encumbered by a lien?

16 A Well, I -- did I? I don't know if I did, but I know if -- I know
17 Harry did.

18 Q And by Harry, again, you mean Harry Hildibrand Jr.?

19 A Harry Hildibrand Jr., yes, sir.

20 Q Okay. So Line Item 1 represents the -- the cash payment to
21 Foust in exchange for the motor coach; is that right?

22 A Yes, sir.

23 Q Insurance, I think that line item's self-explanatory, that's just
24 what the cost of insurance for the vehicle was?

25 A Yes, sir.

1 Q Miscellaneous repairs, what's that line item about?

2 A That would have been -- well, try and be -- to get it cleaned.
3 To get it washed, to get it cleaned certainly would have been one of
4 those repairs. And then there was also too, and I'm remiss, I don't see
5 here, there were also some other things that I had spoken to Harry about
6 that aren't on here. It talked about new tires. But I'm not seeing that.

7 Q So -- so what was the -- what was the purpose of this
8 document again, if you could explain to the Court what the purpose of
9 this was?

10 A It was just to -- to show that there was a potential profit, a
11 likely -- the likelihood of making a profit, being able to acquire the motor
12 home, do some work, do some improvements, and then sell the motor
13 home.

14 Q It looks like to me here from this cash flow chart, you had
15 forecast today, six-month turnaround time period?

16 A Yes, sir.

17 Q All right. And the next line item here on -- below
18 miscellaneous repairs is the note due payment; is that right?

19 A Yes.

20 Q And what does that reflect?

21 A I believe that reflected approximately what that the -- the
22 payment -- monthly payment on the motor coach was or is.

23 Q Okay. There's a - an entry at the bottom of this spreadsheet
24 called Venture Expectations; do you see that?

25 A Yes.

1 Q What do those line items represent?

2 A Those line items represent the total amount of -- of capital
3 expended over the five-month period. And the cash return afterward
4 was what was -- what the expected return would be after the capital
5 was -- was realized. And it was in excess of 100 percent return.

6 Q Let me direct your attention to Exhibit -- oh, I'm sorry.

7 MR. WENT: Your Honor, I'd like to move to admit Exhibit 32,
8 document Bates stamp No. HH61.

9 THE COURT: Any objection by anybody?

10 MR. BRAGONJE: No.

11 MR. MOUNTEER: No objection.

12 THE COURT: All right. Shaking heads. It's admitted without
13 objection, Exhibit 32.

14 [Other/Third Party Plaintiff's Exhibit No. 32 admitted.]

15 BY MR. WENT:

16 Q Let me direct your attention to Exhibit 34 in the book, it's
17 HH66.

18 MR. BRAGONJE: Thank you.

19 BY MR. WENT:

20 Q Mr. Detwiler, do you recognize this document here identified
21 as HH66?

22 A Yes, sir, I do.

23 Q What is it?

24 A It is the sales agreement that was executed by Jim Foust and
25 by me as the manager of Harry Hildibrand LLC.

1 Q Do you know who prepared it?

2 A I prepared it.

3 Q What is this document representing?

4 A It -- it -- I took the terms that I was told, wrote them down, and
5 then put them into a document that represented the agreement between
6 Harry Jr. and Jim.

7 Q Okay. Looking at the top of the document, who's identified as
8 the seller?

9 A The seller is James Patterson Foust.

10 Q Who's identified as the lienholder?

11 A Santander Consumer USA.

12 Q What is the -- the lienholder term meant to describe?

13 A It was just to make aware that there was a -- there was an
14 encumbrance against the -- the motor coach.

15 Q At the time of this sales agreement, at the time it was
16 executed, do you have an understanding as to the balance owed to
17 Santander Consumer USA?

18 A I -- I don't recall, no. No I'm -- I -- would have -- I knew -- I
19 believe it was around 125, 130,000, somewhere around there.

20 Q Who's identified as the buyer?

21 A Harry Hildibrand LLC.

22 Q And the terms as described there, what were the terms for the
23 acquisition by Harry Hildibrand LLC?

24 A There it is, 130. It was to be a cash down to be paid, and then
25 the -- the mortgage or the loan on the property would be assumed by

1 HH.

2 Q Okay. So was it your view that the terms of the sale
3 represented and equitable exchange of value for that motor coach?

4 A Well, it could have been a good deal for HH, yeah. But if it
5 was fair, equitable, I -- I don't know.

6 Q The expectation was that you recover what was demonstrated
7 on that cash flow chart; is that right?

8 A Yes, sir.

9 Q The -- the concept that Harry Hildibrand LLC entered into this
10 transaction with is described in the -- the paragraph below would be
11 repaid to seller by buyer; is that right?

12 A Yes.

13 Q So is it fair to say that Harry Hildibrand LLC's intention was to
14 place the vehicle on the market as soon as it could?

15 A Yes.

16 MR. WENT: Move to admit Exhibit 34, the document that's
17 been Bate stamped HHLLC66.

18 THE COURT: Counsel?

19 MR. BRAGONJE: No objection.

20 MR. MOUNTEER: No objection.

21 THE COURT: All right. Admitted. That was 34, right?

22 MR. WENT: Correct, Your Honor.

23 THE COURT: Okay.

24 [Other/Third Party Plaintiff's Exhibit No. 34 admitted.]

25 BY MR. WENT:

1 Q So when you became a manager of Harry Hildibrand LLC,
2 who was responsible for issuing instructions to you about Harry
3 Hildibrand LLC business?

4 A Well, originally it was Senior, and then after his passing it was
5 Junior. But there was a long, long lapse in between communications.
6 Because there wasn't anything that I was doing on their behalf. It wasn't
7 until the coach was missing that -- that I had any involvement in HH for --
8 for a very long time.

9 Q At any point in time after you became a manager of Harry
10 Hildibrand LLC, did you take instructions from Jim Foust about the
11 business of Harry Hildibrand LLC?

12 A No, sir.

13 Q Let me direct your attention to Exhibit 24 in the book, Bates
14 stamped HHLLC33.

15 THE COURT: I'm sorry, I missed that. Which exhibit?

16 MR. WENT: Exhibit 24 in the book.

17 THE COURT: 24. Okay. Thank you.

18 MR. WENT: Bates stamped HHLLC33.

19 BY MR. WENT:

20 Q Okay. Showing you the document Bates stamped HHLLC33;
21 do you recognize this document?

22 A I do.

23 Q What is it?

24 A It's an e-mail that I sent to Jim.

25 Q What was the purpose of this e-mail?

1 A The purpose of the e-mail was to inquire if he knew where the
2 coach was.

3 Q What had happened that caused you to send this e-mail to
4 Foust?

5 A I went by the motor coach park, it was Super Bowl Sunday,
6 and it was not there.

7 Q So what was your reaction when you discovered that it wasn't
8 there?

9 A I was -- I thought maybe Jim had taken it or I didn't know
10 where it was, so I sent Jim an e-mail and asked him if he knew where it
11 was. Well, I guess I wasn't too kind, but -- sorry for the expletive.

12 Q And so what was the result of you sending this e-mail? Did
13 you have -- did you gain an understanding as to what had happened to
14 the coach?

15 A I didn't. I didn't have an understanding as to what happened
16 to the coach.

17 Q There came a point in time though when you had discovered,
18 right, that the coach had been seized?

19 A Yes. Oh, yes. At a later time. But I don't know that it was that
20 day.

21 Q At any point in time prior to you sending this February 4, 2018,
22 e-mail, did you have an understanding that -- that the coach was subject
23 to seizure?

24 A No, sir, I did not.

25 Q At the time that Harry Hildibrand LLC entered into the

1 transaction for the acquisition of the coach in 2017, did you in your
2 capacity as manager of Harry Hildibrand LLC have any understanding
3 as to the debts or obligations owed by Foust?

4 A No, sir, I did not.

5 Q Did you know anything about Foust's debt to the bank?

6 A No, sir.

7 Q In the course of your -- in the course of your dealings and the
8 negotiations for the acquisition of the motor coach, did you have any
9 understanding that the bank viewed that motor coach to be an asset of
10 Foust?

11 A I did not. I was unaware of that.

12 Q After the acquisition of the motor coach by Harry Hildibrand
13 LLC, did you take instructions from Jim Foust about the disposition of
14 the motor coach?

15 A Absolutely not. No.

16 Q Who were you taking instructions from in your duties as
17 manager of Harry Hildibrand LLC in connection with the disposition of
18 the coach?

19 A I -- I took direction from Harry Hildibrand Jr.

20 Q Do you have an understanding as to whether Jim Foust was
21 issuing instructions to Harry Hildibrand Jr.?

22 A That I can't -- I wouldn't know. I don't know.

23 Q At any point in time did you have any understanding that Jim
24 Foust was attempting to evade his obligation to the bank through the
25 sale of this motor coach?

1 A At that time, no, sir.

2 Q It was your understanding, right, that the motor coach
3 transaction was designed to generate a profit for Harry Hildibrand LLC?

4 A That is correct.

5 THE COURT: So hold on. What involvement did you have
6 with Harry Hildibrand LLC between the date of the sales agreement and
7 the date of this e-mail?

8 THE WITNESS: From the date of the e-mail?

9 THE COURT: Yeah. What involvement did you have in Harry
10 Hildibrand LLC?

11 THE WITNESS: Little to none. The day-to-day operations
12 were run by or decisions made or for any accounting, payments, transfer
13 of funds, anything like that, I didn't have anything to do with that. It was
14 all done by -- by Harry.

15 THE COURT: What title, if any, did you have with Harry
16 Hildibrand LLC in that timeframe?

17 THE WITNESS: Just as manager.

18 THE COURT: All right. Did you believe you had authority as
19 manager to act on behalf of Harry Hildibrand LLC?

20 THE WITNESS: Yes, sir.

21 THE COURT: All right. So in this e-mail, you indicate that the
22 coach was "my coach."

23 THE WITNESS: Well, yes, sir.

24 THE COURT: So why were you referring to the motor coach
25 as your coach?

1 THE WITNESS: Just because of my relationship with HH.
2 And that was a -- a pronoun that was not -- that was not correct. It
3 should have been our. It should have been the coach that belongs to
4 HH, Harry Hildibrand LLC.

5 THE COURT: Thank you, sir.

6 THE WITNESS: You're very welcome.

7 THE COURT: All right.

8 BY MR. WENT:

9 Q As you sit here today, do you have an understanding as to the
10 equity ownership of Harry Hildibrand LLC?

11 A I do.

12 Q Do you know who owns the equity of Harry Hildibrand LLC?

13 A The last document that I saw that was provided to me showed
14 that Harry's three children each owned 33 percent of the LLC and 1
15 percent was owned by Jim Foust. And outside of that document, I have
16 not seen any other document that specifies otherwise.

17 THE COURT: What document are you referring to?

18 THE WITNESS: I don't know if it's in exhibit or not. But there
19 was a -- upon Harry's -- Senior's passing there was a disposition of the
20 ownership of the Harry Hildibrand LLC. And one-third was to -- given to
21 each one of his children, and then I believe that 1 percent was retained
22 by Mr. Foust.

23 THE COURT: Have you reviewed that document in preparing
24 for your testimony today?

25 THE WITNESS: Have I reviewed it? No.

1 THE COURT: Okay. When was the last time you saw it?

2 THE WITNESS: I think it was with -- when we were -- when
3 I -- at Holland and Hart with Mr. Went and Rachel Wise.

4 THE COURT: Okay. All right. Thank you, sir.

5 THE WITNESS: Welcome.

6 BY MR. WENT:

7 Q Let me direct your attention to Exhibit 37 in the book. The
8 document Bates stamped HH75.

9 THE COURT: Do you want to move for admission of 24 or are
10 we --

11 MR. WENT: Yes, Your Honor. I'd like to move to admit
12 Exhibit 24.

13 THE COURT: Okay.

14 MR. WENT: Thank you.

15 THE COURT: Anybody want to object to that?

16 MR. BRAGONJE: I think we admitted this --

17 MR. MOUNTEER: No objection.

18 MR. BRAGONJE: -- at the first trial. So I have no objection.

19 THE COURT: Oh, 24 -- 24 is admitted. Thank you.

20 [Other/Third Party Plaintiff's Exhibit No. 24 admitted.]

21 THE COURT: All right. Now, let's --

22 BY MR. WENT:

23 Q Looking at Exhibit 37, the document Bates stamped
24 HHLLC75.

25 MR. WENT: HHLLC75.

1 MR. MOUNTEER: Thank you.

2 MR. BRAGONJE: 75?

3 MR. WENT: HHLLC75.

4 MR. BRAGONJE: Mine ends at 74.

5 MR. MOUNTEER: I have -- oh, wait. Is that it?

6 THE COURT: Mine's right.

7 MR. BRAGONJE: Can I see it? I don't have that. My -- my
8 disclosure ended at 74.

9 MR. MOUNTEER: I'm just pulling them out of the blank --
10 probably got it here.

11 [Pause in proceedings.]

12 BY MR. WENT:

13 Q Looking at the document Bates stamped -- or identified as
14 Exhibit 37, Bates stamped HHLLC75; do you see that?

15 A I do.

16 Q You recognize what this document is?

17 A Well, I'm reading it. It was -- it looks to be the formation of
18 HLLC in 2006, as I go to the last page.

19 Q So turning to HHLLC76, do you see that page?

20 A Yes.

21 Q What's this document entitled?

22 A Operating Agreement of Harry Hildibrand LLC, a Montana
23 Limited Liability Company.

24 Q Turning to HHLLC80, Exhibit A.

25 A Yes.

1 Q Can you tell from this document who the original equity
2 owners of Harry Hildibrand LLC were?

3 A Yes. Harry Hildibrand Sr. was 99 percent and James P. Foust
4 was 1 percent.

5 MR. BRAGONJE: I'm sorry, I don't think I've seen this before.
6 My disclosures ended at 74.

7 THE COURT: Well, what's up with that, Mr. Went?

8 MR. WENT: Well, this would have been just --

9 THE COURT: Was that just a mistake or -- or what?

10 MR. WENT: They must not have brought them. This would
11 have been disclosed in our second supplemental disclosure. These are
12 from the Montana Secretary of State.

13 Do you have your set? I can see if I can find them in your set.

14 MR. BRAGONJE: Yeah, I mean, my set ends at 75. I don't
15 ever remember seeing anything with ownership interest in it.

16 THE COURT: All right. Well, it is a public record. It would
17 have been -- and I don't know if it was actually produced timely or not,
18 but let's go ahead and allow --

19 MR. BRAGONJE: Yeah.

20 THE COURT: -- inquiry about it. Because --

21 MR. BRAGONJE: Yeah. Sorry, I just want to understand
22 what we're talking about. Thank you, Your Honor.

23 THE COURT: Of course. Of course.

24 BY MR. WENT:

25 Q So your previous testimony was that Harry Hildibrand Sr.

1 passed away?

2 A Yes, sir.

3 Q And after his death, did you gain an understanding as to the
4 distribution of his equity interest in Harry Hildibrand LLC?

5 A Yes. What I -- what I understood and I -- was that the -- his
6 interest was to be given to his three children equally, and -- and his 99
7 percent was to be a third, a third, a third between his children.

8 Q And after his death, is it fair to say that you began taking
9 instructions about the business of Harry Hildibrand LLC from Harry
10 Hildibrand Jr.?

11 A Yes. But it -- but not only till recently. It's very limited.
12 Extremely limited in -- in conversations, because there wasn't anything
13 to do.

14 Q And so the -- the -- after you became a manager and the real
15 estate direction of the business didn't go anywhere, your next contact
16 was with respect to the motor coach?

17 A Business-wise, yes. In briefing, there were some
18 conversations, but nothing to do with the HH business.

19 Q Does Jim Foust have access to Harry Hildibrand LLC bank
20 accounts?

21 A I don't know.

22 Q Does Jim Foust have access to other assets of Harry
23 Hildibrand LLC?

24 A I don't -- I don't know.

25 Q Besides this motor coach, what other assets of Harry

1 Hildibrand LLC are there?

2 A My understanding, there are -- there are some vehicles, there
3 are automobiles, but once again, it's not anything that I dealt with on a
4 day-to-day basis. So I -- I don't know how many there are or -- I've seen
5 lists, but I -- I can't verify that they're titled. I don't know.

6 Q Your responsibilities were not in connection with the other
7 vehicles?

8 A No, sir.

9 Q Your responsibilities were with respect to the real estate
10 business and the motor coach?

11 A Yes, sir. And the motor coach -- I think I -- the only reason I
12 was called is because the coach was in Las Vegas and -- and Harry
13 wasn't. So it was easier for me to go take it -- it was, oh, let's call Eddie
14 and have Eddie go do it. So I think that's the -- the mindset behind that
15 was I was here, so I went and looked at it.

16 Q It's your view that that explains your involvement?

17 A Yes.

18 Q Have you received any compensation for your duties as
19 manager of Harry Hildibrand LLC?

20 A I have not.

21 Q In your mind, what was the vision of your involvement in Harry
22 Hildibrand LLC? How were you going to make money off this venture?

23 A Well, the -- Harry Hildibrand had quite a bit of -- of assets and
24 capital, and that I thought I would be making commissions from
25 purchasing real estate over -- rehabbing the real estate, and then a

1 commission on the -- the sale of the property going out.

2 Q You viewed Harry Hildibrand LLC as a potential client?

3 A As a client for my real estate business, yes, sir.

4 Q And the idea was you would perform real estate transactions
5 for Harry Hildibrand LLC?

6 A Yes. And the -- and being a manager gave me the ability to
7 be able to execute contracts on behalf of the company so that we didn't
8 have to wait for contracts to go back and forth. I could just get their
9 verbal approval and then -- and execute on -- on their behalf.

10 Q Did you become involved in Harry Hildibrand LLC at the
11 request or demand of Foust?

12 A There was an introduction from Jim Foust to Harry Hildibrand,
13 because of my involvement with Jim in the past on handling personal
14 real estate transactions for him.

15 Q Did you become involved with Harry Hildibrand LLC in
16 connection with an obligation that you owed to Foust?

17 A No. Not -- not whatsoever.

18 Q Were you trying to help him evade an obligation to the bank?

19 A No, sir.

20 MR. WENT: Okay. I have nothing further.

21 THE COURT: Mr. Detwiler, do you know if Mr. Foust ever
22 received any compensation or dividend or stipend or commission from
23 Harry Hildibrand LLC?

24 THE WITNESS: No.

25 THE COURT: If you know?

1 THE WITNESS: I don't know, sir. If he did, as I shared
2 earlier, I didn't have anything to do with the banking or -- or the -- the
3 accounting or --

4 THE COURT: Okay.

5 THE WITNESS: -- access. So I -- I just -- I wouldn't know, sir.

6 THE COURT: All right. Thank you. Appreciate that.

7 THE WITNESS: You're very welcome.

8 THE COURT: All right. Did we admit 37? I don't think we
9 formally did.

10 MR. WENT: Move to admit Exhibit 37.

11 THE COURT: All right.

12 MR. BRAGONJE: No objection.

13 MR. MOUNTEER: No objection.

14 THE COURT: Okay. 37 is admitted by the Court. Thank you.
15 [Other/Third Party Plaintiff's Exhibit No. 37 admitted.]

16 THE COURT: All right. Mr. Bragonje.

17 MR. BRAGONJE: Thank you.

18 I've got my own set of documents that I'd like to give to the
19 witness just in the interest of time. I think they're probably a lot of the
20 same things, but --

21 THE COURT: That's fine. Thank you.

22 Well, let me just stop for a moment.

23 [Pause in proceedings at 9:08 a.m., until 9:15 a.m.]

24 THE COURT: A760779. Mr. Bragonje, you may continue with
25 your -- or commence your cross-examination.

1 MR. BRAGONJE: Thank you.

2 MR. MOUNTEER: Your Honor, one thing before we get
3 started. Are you pulling your exhibits from your latest disclosure? I just
4 want to make sure --

5 MR. BRAGONJE: Yeah, both.

6 MR. MOUNTEER: Okay.

7 MR. BRAGONJE: Both. So we've been here and we've had
8 so many false starts that there's actually been several disclosures. So
9 we made a disclosure recently in October, and I'd like to refer to that.
10 But then I'd also like to refer to the disclosures that we made back in the
11 spring, when this was originally set to be heard. So I'm going to give
12 both of these.

13 And I -- I'm a little bit embarrassed here, I have an extra copy,
14 but I think I left it at my office. So I've got -- two -- one for the witness
15 and only one for the Court -- two for the witnesses, only one for the
16 Court. But I can provide those later. I apologize. There's so much. It
17 was a jumble Monday morning.

18 THE COURT: Let me ask you a question.

19 MR. BRAGONJE: Yes.

20 THE COURT: Are you going to separately admit exhibits --
21 separately admit exhibits today or just refer to exhibits that have been
22 previously introduced in the other proceedings?

23 MR. BRAGONJE: I think -- I think no, there will be new. And I
24 think I would like to just -- I haven't separated them out by exhibits. Is
25 there a large --

1 THE COURT: Okay.

2 MR. BRAGONJE: -- large tracts? I'd just like to --

3 THE COURT: Okay. All right. Let's go ahead and proceed
4 then.

5 **CROSS-EXAMINATION**

6 BY MR. BRAGONJE:

7 Q Good morning, Mr. Detwiler.

8 A Good morning, Mr. Bragonje.

9 Q How are you?

10 A Very well, thank you.

11 Q Nice to see you again. We had -- I took your deposition in my
12 office in the summer, did I not?

13 A Yes, sir.

14 Q And the -- and you testified then and you testified today that
15 you're the manager of Harry Hildibrand, correct?

16 A Yes, sir.

17 Q And your position has been on behalf of Harry Hildibrand that
18 after 2008, Mr. Foust was no longer involved in the entity; isn't that
19 correct?

20 A Well, that's what the documentation shows. But and then as I
21 also shared, the -- there was obviously a relationship between the
22 Hildibrands and Mr. Foust. What I shared with you is what I knew about
23 that was in writing. How they conducted business or -- or social events,
24 I have -- I have no way to know that, sir.

25 Q Uh-huh. And you don't dispute, do you, that you did not have

1 keys to the motor coach before the seizure that arose out of these court
2 proceedings, correct?

3 A I did not have keys, no.

4 Q Okay. So you had no access to the motor coach before the
5 seizure; is that right?

6 A That is correct.

7 Q And as a matter of fact, because of the seizure -- we heard
8 this in the first trial -- but because of the seizure, you and Mr. Foust went
9 to the resort, did you not, and did you not ask -- is that right? Did you go
10 to the resort with Mr. Foust?

11 A The resort with Mr. Foust.

12 Q The motor coach resort?

13 A After -- after I found out what had happened to -- that the
14 coach had been seized, yes, sir. We did go.

15 Q You -- and you went and you spoke with the management. So
16 the -- just to paint a picture for the Court, and we did discuss this in the
17 first trial, but the -- the area where the coach was kept is a guard-gated
18 community; is that correct?

19 A Yes, it is.

20 Q Okay. And would you describe it -- would you agree if I said
21 it's an upscale place?

22 A As motor coaches would go in Las Vegas, yes, sir, I would say
23 it is -- it is upscale.

24 Q Okay. And after the seizure, you and Mr. Foust spoke with the
25 management, correct?

1 A That is correct.

2 Q And the -- and the purpose of that conversation was to give
3 you access to the motor coach, correct?

4 A It -- part of that was to have a 30-day -- and every 30 days I
5 would need to go in and update that --

6 Q Okay.

7 A -- that -- that pass, yes, sir.

8 Q Okay. All right. And as a matter of fact, the management
9 didn't agree to make you the controller of the account, so to speak; isn't
10 that right? It -- well, isn't it true that Mr. Foust owned the real property
11 where the motor coach was stored?

12 A I believe Mrs. Foust --

13 Q Okay.

14 A -- owned -- owns that land, yes.

15 Q But in any event, it is not Harry Hildibrand LLC that owned --

16 A Not the land, no, sir. Which is why I needed to get the -- the
17 permission, because I wasn't the landowner. I was representative of the
18 company that owned the motor coach that sat on that land.

19 Q Before the court proceedings that led to the procedure, you
20 had never even seen the motor coach; isn't that correct?

21 A No, that's not correct.

22 Q When -- when did you see it previously?

23 A I -- I had seen the coach, I had made arrangements with Jim
24 Foust to go out and -- and look at the coach when he and Harry were
25 talking about doing the -- the deal that they did.

1 Q Okay.

2 A Okay. So I did -- I did see the coach.

3 Q At the resort?

4 A At the resort.

5 Q Okay. And you don't -- so we -- we looked at the contract that
6 was allegedly prepared to sell the motor coach by Mr. Foust to Harry
7 Hildibrand, right? We looked at that earlier?

8 A Yes, sir.

9 Q And the part of the consideration was a payment of \$5,000 to
10 be made to Mr. Foust, correct?

11 A Yes, sir.

12 Q And you have no idea as the manager if that money was ever
13 paid, do you?

14 A I do not.

15 Q So it's very possible that that \$5,000 never actually changed
16 hands, correct?

17 A I wouldn't know. But is it possible? Yes.

18 Q Okay. And referring to -- I'll appreciate your indulgence here.
19 You know when we had this deposition, there was just a lot of
20 documents here. And so we're going to have to flip around and do some
21 acrobatics. So I appreciate your indulgence very much as we do this.

22 So could you look at the folder and it has on the front the
23 hearing -- the disclosures from June 25th, 2018. So if you look at --

24 THE COURT: That's in a binder I don't have, is that -- I'm just
25 trying to follow.

1 MR. BRAGONJE: Unfortunately, I think that's right, Your
2 Honor.

3 THE COURT: Okay. No problem.

4 MR. BRAGONJE: Sorry. Monday morning --

5 THE COURT: That's all right.

6 MR. BRAGONJE: -- lot of boxes and I grabbed the wrong
7 one.

8 THE COURT: I got it. I'm good.

9 BY MR. BRAGONJE:

10 Q Do you think you have it?

11 A Well, I have a six --

12 MR. BRAGONJE: May I approach, Your Honor?

13 THE COURT: Yeah.

14 MR. BRAGONJE: Just to do this quickly.

15 Yeah, 625 I think.

16 THE WITNESS: Okay.

17 MR. BRAGONJE: Let's see here.

18 THE WITNESS: But I don't know if it's Number 1.

19 MR. BRAGONJE: Yeah, so it's Tab -- Tab 2.

20 THE WITNESS: Tab 2.

21 MR. BRAGONJE: If you go to Tab 2 there. All right. And
22 then --

23 THE COURT: All right. So this is Tab 2, is this going to have
24 a number?

25 MR. BRAGONJE: I'm going to call this Binder 1. And -- and

1 what I'd really like to do is just admit the -- the binders. These are --

2 THE COURT: Admit the whole binder? So let's --

3 MR. BRAGONJE: Yeah. These are all -- all of the documents
4 I'm going to talk about today are just documents that were produced in
5 my office. So these are all --

6 THE COURT: All right.

7 MR. BRAGONJE: -- disclosures that we got from -- from our
8 opponents. From Harry Hildibrand, actually.

9 THE COURT: So let me ask a question to Mr. Went.

10 Have you seen this binder and is there anything in there that
11 you want to object to?

12 MR. WENT: With respect to the binder itself, I don't know if
13 I've seen that. But if he's saying that they were all documents that we
14 produced to him, I doubt that I'm going to have an objection. I -- I do,
15 though, object to the idea of just admitting everything -- every single
16 thing in there wholesale without knowing specifically what it is. I mean,
17 are you going to look at every document that's in there?

18 MR. BRAGONJE: No. No, but we'll -- we'll get into that a little
19 bit. I understand his objection. So this is the --

20 THE COURT: All right. So if -- hold on a second. Let me talk
21 to both you and my clerk globally here.

22 MR. BRAGONJE: Okay.

23 THE COURT: So you both pay attention.

24 MR. BRAGONJE: Thank you.

25 THE COURT: So we're not admitting anything right now. If

1 there is any particular document that you would like to have admitted,
2 identify if on the record and provide a copy in some manner to my court
3 clerk, so she can mark it. Understood?

4 MR. BRAGONJE: Thank you very much.

5 THE COURT: All right. Let's -- let's proceed.

6 MR. BRAGONJE: Thank you very much. So --

7 THE COURT: Thank you. Let me focus on this testimony
8 now, everybody.

9 MR. BRAGONJE: Thank you.

10 THE COURT: Thank you.

11 BY MR. BRAGONJE:

12 Q So I would like to refer to a -- a range of documents that was a
13 response to a subpoena duces tecum directed to Harry Hildibrand. And
14 so if you look, the very last pages of this binder, and it is a -- it starts
15 with -- it's kind of a mouthful, HL -- HHLLC Santander 1 through 26.

16 A I have it.

17 Q Thank you. We talked about these documents during your
18 deposition; do you happen to recall that?

19 A I do, sir.

20 Q Okay. Could you refer to page 8?

21 A Yes.

22 Q In this range?

23 A Yes.

24 Q So do you agree when I say that these are documents that
25 were produced from Santander?

1 A [No audible response.]

2 Q So these are -- in other words, these are documents that --
3 we're calling it the lienholder, the person that holds the loan on the RV --

4 A Yes, sir.

5 Q -- is Santander, right?

6 A Yes.

7 Q A company called Santander?

8 A Yes.

9 Q And someone from your attorney's office asked Santander to
10 give up their files in related -- in relation to this subject; does that make
11 sense?

12 A It does.

13 Q Okay. Now, if you refer to page 8 of -- of this range, these are
14 cancelled checks from Santander, correct?

15 A Yes, sir.

16 Q And each of these checks is signed by either Jim Foust or
17 Jocelyn Foust, correct?

18 A Yes.

19 Q And it -- do you agree that Mr. Foust or his daughter made all
20 but two payments against the lien that is attached to the motor coach?

21 A I think --

22 Q Yeah --

23 A -- it's their names on the check, that's for sure. And -- and as I
24 had testified to previously because I'm not familiar with the transfer of
25 funds and who does what, I don't know -- I don't know if -- if Harry -- if

1 Junior sent money to them and they sent the checks in. I -- I wouldn't
2 know, sir. But I will -- I can absolutely say this, it is the Foust name at
3 the bottom of every one of these checks.

4 Q Thank you. Question for you. Let's see here. All right.
5 Thank you. I'd like to refer --

6 MR. BRAGONJE: I'd move that this range of exhibits be
7 admitted into evidence. So this is -- I previously identified them, but
8 essentially it's the subpoena response from the lienholder, Santander.

9 THE COURT: All right. And how is it Bates marked or what
10 are the document ID numbers?

11 MR. BRAGONJE: It is --

12 THE COURT: I think you said Hills -- or, I mean, sorry,
13 HHLLC Santander, 1 through 26?

14 MR. BRAGONJE: Yeah. I've got copies.

15 THE COURT: Are those the -- oh, you do. Very good. Hand
16 that to the clerk and let's ask Mr. Went if he has an objection.

17 MR. WENT: No objection, Your Honor.

18 THE COURT: No objection. All right. So this is going to be --
19 we'll call it Plaintiff's Exhibit -- how do you -- let me ask the clerk.

20 How would you like to call this? Do you have any preference?

21 THE CLERK: I mean, are they starting from Number 1? Is
22 this the --

23 MR. BRAGONJE: That's a very interesting question.

24 THE CLERK: Yeah.

25 MR. BRAGONJE: I mean, we have --

1 THE COURT: Well, you guys have your conversation, let me
2 know how --

3 MR. BRAGONJE: Yeah.

4 THE COURT: -- how it works.

5 MR. BRAGONJE: Yeah.

6 THE CLERK: Okay. Plaintiff's Exhibit No. 1.

7 MR. BRAGONJE: Okay.

8 THE COURT: All right. Plaintiff's Exhibit No. 1.

9 MR. BRAGONJE: Thank you.

10 THE COURT: All right. That's admitted.

11 [Plaintiff's Exhibit No. 1 admitted.]

12 BY MR. BRAGONJE:

13 Q I would like to look at a range of documents just preceding the
14 one we have just looked at. It is entitled the Bates range here,
15 HLOSDT-S, and it's range 1 through 10.

16 THE COURT: You guys need to come up with a better
17 document ID system in the future on other cases.

18 MR. BRAGONJE: I agree.

19 THE COURT: Other judges would appreciate that.

20 MR. BRAGONJE: I agree.

21 THE COURT: All right. Let's keep going.

22 MR. BRAGONJE: I agree.

23 BY MR. BRAGONJE:

24 Q So I will represent to you that this is also a response to a
25 subpoena that was directed to Harry Hildibrand LLC. Do you have an

1 understanding that subpoenas were sent to Harry Hildibrand LLC?

2 A No, sir.

3 Q Okay. I will represent to you that that is the case. And do you
4 have a memory that there was a dispute in this court about whether or
5 not some documents were subject to the attorney/client privilege?

6 A No, sir.

7 Q Okay. You don't know --

8 A This is my first time here. So I -- I've never been --

9 Q Okay.

10 A -- to court before. So --

11 Q Okay.

12 A -- I can assuredly say no, sir.

13 Q Okay. No problem. No -- no prior experience necessary, as
14 they say. I will represent to you that these are documents that were
15 originally withheld by Harry Hildibrand. I don't know -- if you don't know
16 who made that decision to withhold them, I don't know either. But in any
17 event, they were originally withheld on the basis of attorney/client
18 privilege and they were later produced. And I would like to -- and I -- I
19 would like to ask you --

20 THE COURT: Well --

21 BY MR. BRAGONJE:

22 Q -- about the -- the signatures, obviously. I will represent to you
23 that these are documents that are public documents, like titles to
24 vehicles.

25 A Okay.

1 Q So can you refer to page 2, please.

2 A 000002?

3 Q Yes.

4 A Okay.

5 Q Yeah, I omitted --

6 A Okay.

7 Q -- the first --

8 A Okay.

9 Q -- 23 zeroes. But yes.

10 A Okay. Bill of sale, sir?

11 Q Bill of sale, that's right. Do you see that it is the car in
12 question -- well, first of all, do you see at the very top of the page that
13 this is a bill of sale produced by the Montana Department of Motor
14 Vehicles?

15 A I --

16 Q Do you see that up in the left-hand?

17 A I see the insignia in the top left-hand corner, yes.

18 Q Thank you. And do you see that the -- well, let's see here.
19 Looking at the first kind of third of the page, do you see that it is -- the
20 vehicle in question is a 1966 Ford Thunderbird?

21 A Yes.

22 Q Great. And do you see that the purchaser of the vehicle is
23 Harry Hildibrand LLC? That's just above the make and model of the car.

24 A I sure do, sir.

25 Q Okay. Thank you. And do you see at the bottom that the

1 seller's signature -- do you see that? It's kind of the bottom --

2 A I do. There's an arrow next to it.

3 Q Yes. And do you recognize that as the signature of James
4 Foust?

5 A Let's look at the Santander checks. It looks as if it could --
6 very -- could be, yes, sir.

7 Q And you have -- you've worked with Mr. Foust for many years,
8 correct?

9 A I have handled real estate transactions with him, so I have
10 worked for him. To work with him, I would say that's an inaccurate
11 statement.

12 Q You have seen his signature many times, have you not?

13 A On real estate documents, yes, sir.

14 Q So you would -- you would recognize his signature if it was
15 presented to you?

16 A I would -- I would say it looks like it. I could very well attest to
17 that, yes.

18 Q And that's because you've had a lot of experience over the
19 years seeing his signature on -- on formal instruments, correct?

20 A Yes, sir.

21 Q Okay. The next page, please.

22 MR. MOUNTEER: Your Honor, just briefly, not to stop the
23 flow here, but were these disclosed? Is -- I have all your evidentiary
24 disclosure documents and I don't see any of these in any --

25 MR. BRAGONJE: Well, these -- these were disclosed by your

1 office.

2 MR. MOUNTEER: Well, there's one thing about disclosing
3 documents in a case. There's another thing about disclosing them
4 saying --

5 MR. BRAGONJE: Yeah.

6 MR. MOUNTEER: -- I'm going to use them in an evidentiary
7 hearing so we can prepare and adequately have them here for the
8 Court.

9 MR. BRAGONJE: Yes. Yeah.

10 MR. MOUNTEER: And just, with all due respect, I'm just --

11 MR. BRAGONJE: Absolutely.

12 MR. MOUNTEER: I'm not saying they weren't disclosed,
13 because I do recall. But we're referencing a document that I can't even
14 see if it's got a date on it, something, because I didn't have -- while I
15 brought two boxes of binders, I had no idea you'd be talking about these
16 today.

17 MR. BRAGONJE: Yeah.

18 THE COURT: Well, hold on. Come on. The whole purpose
19 of this evidentiary hearing was to determine title to the vehicles. I made
20 that clear several, several times leading up to this hearing, which was
21 continued and continued. And so I can't believe that anybody here
22 wouldn't know that a bill of sale wouldn't be the subject of a hearing.

23 MR. MOUNTEER: I understand that, Your Honor. I'm just --

24 THE COURT: That should have been crystal clear.

25 MR. MOUNTEER: To be able to prepare for today's hearing,

1 though, I mean, as you can see, I've got -- I've got binders -- you can't
2 see here, I've got binders underneath here, I've got another box of
3 binders here. I've got --

4 THE COURT: Like I said, everybody --

5 MR. MOUNTEER: And -- and I'm just --

6 THE COURT: -- comes to court with all of the titled
7 documents. That's what I -- that was my instruction to the parties. So
8 whether he provided it to you or not, I had instructed the parties to do it.

9 MR. MOUNTEER: Well, I mean, all I would ask is if he's
10 referring to a document that we happen to not have prepared, if we
11 could just see it for just a brief second --

12 THE COURT: That's --

13 MR. MOUNTEER: -- if that's fair enough.

14 MR. BRAGONJE: Sure.

15 MR. MOUNTEER: I'm not trying to be difficult. I'm just --

16 THE COURT: No.

17 MR. MOUNTEER: I'd like to see it just for a brief second, if
18 that's possible.

19 MR. BRAGONJE: Oh, yeah.

20 THE COURT: It's not being difficult at all. That's a -- that's a
21 very appropriate request.

22 MR. MOUNTEER: Thank you, Your Honor.

23 MR. BRAGONJE: And -- and the answer to your question is
24 we disclosed these -- or, excuse me, you disclosed these, this is from
25 your office. Excuse me, Mr. Went disclosed these.

1 MR. MOUNTEER: Okay.

2 THE COURT: All right.

3 MR. MOUNTEER: I'm just --

4 MR. BRAGONJE: Mr. Went disclosed these on --

5 THE COURT: So --

6 MR. MOUNTEER: I'm not arguing --

7 MR. BRAGONJE: -- June 25th.

8 MR. MOUNTEER: -- they weren't disclosed. I believe they
9 were disclosed. I just -- we have all these documents that were
10 disclosed in preparation for the hearings and I figured --

11 THE COURT: So, gentlemen --

12 MR. MOUNTEER: -- if that -- that's what would be presented.

13 THE COURT: -- I would appreciate we don't waste anymore
14 time discussing who disclosed what and when. Just make sure that you
15 provide -- provide a document to Mr. Foust's counsel to review before
16 you ask questions about it.

17 MR. BRAGONJE: Okay.

18 THE COURT: All right. Thank you.

19 MR. BRAGONJE: Okay. So this is -- just to be clear, then,
20 this is --

21 MR. MOUNTEER: Just briefly.

22 MR. BRAGONJE: -- Mr. Went's disclosures of June 25th.

23 MR. MOUNTEER: Okay. Thank you.

24 MR. BRAGONJE: Thank you. I misspoke. I think I said your
25 office disclosed it.

1 MR. MOUNTEER: That's okay.

2 MR. BRAGONJE: Harry Hildibrand's counsel disclosed it.

3 MR. MOUNTEER: I understand.

4 MR. BRAGONJE: Yeah. Thank you.

5 MR. MOUNTEER: Thank you.

6 MR. BRAGONJE: All right.

7 BY MR. BRAGONJE:

8 Q So I believe we were looking at page 3.

9 A Whoops, I'm still on 2. Okay.

10 Q Yes. Oh, well, can we look at page 3?

11 A I'm on 3 now.

12 Q Okay. Thank you. So this is a vehicle make and model.

13 Again, this is from -- this is from the California Department of Motor
14 Vehicles; do you see that at the top?

15 A I do.

16 Q And the vehicle in question is a 2016 Kawasaki; do you see
17 that? That's kind of --

18 A Yes. Yes, I do, sir.

19 Q That's a motorcycle; is that your understanding?

20 A I -- that would be my -- that would be my surmise.

21 Q Okay. And do you see the -- the buyer's section, the
22 purchaser of this --

23 A I do.

24 Q -- car?

25 A I do. The -- the buyer is Harry Hildibrand LLC and it's signed it

1 looks like James P. Foust.

2 Q All right. And the date this happened, if you look just to the
3 right of Mr. Foust's signature, is July 26, 2016, correct?

4 A That's exactly what it says.

5 Q Okay. So this is well after, eight years after the time in 2008
6 that Harry Hildibrand has said that Mr. Foust was done with Harry
7 Hildibrand, the entity, correct?

8 A That's what that document absolutely stipulated was that he
9 was removed and I was -- I was placed in at its -- as manager. That's
10 correct.

11 Q Right. And -- and so the import of this document is that Mr.
12 Foust continued to be involved in Harry Hildibrand well after 2008, isn't
13 it?

14 A That's -- this document certainly would indicate that. And
15 when -- and just so that you're aware, Mr. Bragonje, I didn't see these
16 documents because -- ever -- because I was never involved with the
17 automative end outside of the motor coach with what H -- with what HH
18 was doing.

19 Q I understand.

20 A So I have no idea if -- if Junior and Jim were -- were talking
21 and doing things; I wouldn't know. So it's -- it's hard for me to -- to give
22 an affirmative answer, because I -- I just don't know. But asking your
23 question based on the document that you have in front of me, I would
24 nod in accord and say yes, it looks as if that to be the case.

25 Q Thank you. Thank you.

1 And would you please refer to page 4. Oh -- yes, page 4, next
2 page, please. Are you looking at that?

3 A Yes, sir, I am.

4 Q Thank you. So this is a bill of sale, again from Montana. And
5 it relates to a 2000 GMC Yukon; do you agree?

6 A Yes, sir.

7 Q And do you see there at the bottom of the page seller's
8 signature, does that look like James Foust's signature to you, sir?

9 A Yes.

10 Q And the date on that is December 3rd, 2014; do you agree?

11 A That's what that date says right on there.

12 Q So once again, well after the 2008 date when Harry Hildibrand
13 maintains that Mr. Foust was no longer involved with Harry Hildibrand,
14 correct?

15 A Yes.

16 Q All right. Page 6, please. Thank you for your patients, I know
17 this is a little tedious.

18 A Oh, 6? Okay.

19 THE COURT: So maybe to try to short circuit this,
20 Mr. Bragonje, may we could just have him look at all of the bill of sales
21 and just confirm that -- that they appear to be signed by Mr. Foust. And
22 then I could admit all the bills of sales, if you can put them all together as
23 one exhibit.

24 MR. BRAGONJE: Yes.

25 THE COURT: And the Court can take judicial notice that

1 those are public records. And then you can argue to me later that -- that
2 these all appear to be bills of sale showing Mr. Foust sold the vehicles at
3 a point in time after when he contended he was no longer involved with
4 Harry Hildibrand LLC. And then wouldn't that short circuit a lot of this?

5 MR. BRAGONJE: That's a merciful suggestion that I accept.

6 THE COURT: Okay. And then maybe -- and then maybe if
7 you have any specific follow-up questions, you might be able to do it.

8 MR. BRAGONJE: Yep.

9 THE COURT: I think -- I think what we're doing here is just
10 trying to lay foundation as to Foust's signature --

11 MR. BRAGONJE: I agree.

12 THE COURT: -- and the rest is just attorney argument, right?

13 MR. BRAGONJE: I agree. I agree.

14 THE COURT: All right. Counsel?

15 MR. BRAGONJE: So if you --

16 MR. MOUNTEER: No objection, Your Honor, other than the
17 fact could you please just identify the vehicle and then the actual date of
18 the bill of sale, so we could keep a record.

19 THE COURT: Right. And so I'll also let my clerk know, this is
20 pretty easy stuff.

21 MR. BRAGONJE: Yeah.

22 THE COURT: You're going to put together all of these
23 documents that will constitute one exhibit.

24 MR. BRAGONJE: Yeah.

25 THE COURT: We're going to refer to this as -- as Plaintiff's

1 Exhibit. We already marked Exhibit 1.

2 MR. BRAGONJE: Yes.

3 THE COURT: Right? And everything else is going to be
4 Plaintiff's Exhibit No. 2.

5 MR. BRAGONJE: Yes. And --

6 THE COURT: And you're going to -- you're going to identify
7 now for the clerk on the record what documents comprise Exhibit 2.

8 MR. BRAGONJE: Thank you for your --

9 THE COURT: All right. Is that -- does that resolve all your
10 questions?

11 MR. BRAGONJE: Yes. Thank you.

12 THE COURT: Oh.

13 MR. BRAGONJE: So it is HLOS --

14 THE COURT: Yep. The court clerk, I think she needs to see
15 it now for some reason.

16 THE CLERK: For a minute.

17 THE COURT: She looks like --

18 THE CLERK: Do you have any of the binders?

19 THE COURT: -- she's asking me -- no, I don't have the
20 binder.

21 THE CLERK: Okay.

22 THE COURT: So what -- what do you need?

23 THE CLERK: We'll discuss it after the hearing.

24 THE COURT: I'm sorry, I'm trying to listen. What do you
25 need?

1 THE CLERK: Well, I'm still trying to get exhibits from
2 defendants that are 24 and 37. I don't have those. I need [indiscernible]
3 the exhibits as you guys discuss them or as they're admitted.

4 MR. BRAGONJE: Okay.

5 THE CLERK: So 24 and 37.

6 THE COURT: You may approach.

7 MR. WENT: Thank you, Your Honor.

8 THE COURT: Okay.

9 MR. BRAGONJE: And here's ours that we're going to talk
10 about. Exhibit -- our Exhibit 2.

11 THE COURT: Perfect.

12 MR. BRAGONJE: The bills of sale.

13 THE CLERK: That's all of them?

14 THE COURT: Those are all the bills of sale?

15 MR. BRAGONJE: That's all of them. Yes.

16 THE CLERK: Thank you.

17 THE COURT: Perfect. Okay. Very good. You may continue.

18 MR. BRAGONJE: Thank you.

19 BY MR. BRAGONJE:

20 Q Okay. Just to make a clean record, Mr. Detwiler, if you could
21 just thumb through this range of exhibits, it's Exhibit 2, and the Bates
22 numbers are 1 through 10. And if you could just confirm for the record
23 that Mr. Foust's signature is on those pages.

24 A Those are on the one -- the 10 that you just handed?

25 Q Correct.

1 A Okay.

2 Q The ones we've been talking about, yeah.

3 A Well, you know, just looking at this, and yes, but they're --
4 they're not all the same. But --

5 Q They are not all the same.

6 A Yeah.

7 Q Correct.

8 A Yeah. But I -- so I don't want to be -- but yes.

9 Q Okay. Thank you.

10 MR. MOUNTEER: Once again, I don't know -- can you
11 identify just the vehicle and the date? Because I -- Exhibit 1 through 10
12 means nothing, because I don't have it in front of me. So.

13 THE COURT: Okay.

14 MR. MOUNTEER: Just the vehicle and the date is all.

15 THE COURT: Well, what's your -- yeah. Why don't you go
16 ahead and do that.

17 MR. MOUNTEER: That's all I need.

18 THE COURT: Of course.

19 MR. BRAGONJE: Thank you.

20 MR. MOUNTEER: Thank you, Your Honor.

21 MR. BRAGONJE: All right. So starting with page 2, 1966
22 Ford Thunderbird; page 3, 2016 Kawasaki.

23 MR. MOUNTEER: What was the date on the Thunderbird, if
24 you could? Just -- I just need --

25 MR. BRAGONJE: 1966.

1 MR. MOUNTEER: That was the bill of sale date?

2 MR. BRAGONJE: No, that's the model date.

3 MR. MOUNTEER: Yeah. I just want the -- the vehicle and
4 then the bill of sale date. That's all I need just to have a -- so we know
5 what we're talking about.

6 THE WITNESS: 11/15/2016.

7 MR. MOUNTEER: Thank you.

8 THE WITNESS: I just happen to have it open to that one.

9 MR. MOUNTEER: Okay.

10 MR. BRAGONJE: Do you think we could maybe do that off
11 the record? Or --

12 THE COURT: Why don't you just read them all into the
13 record.

14 MR. BRAGONJE: Okay. All right.

15 MR. MOUNTEER: It doesn't --

16 THE COURT: If you have it.

17 MR. BRAGONJE: All right. If that's what the Court wants.
18 Yeah.

19 THE COURT: Yeah, just read it in the record.

20 MR. BRAGONJE: Be glad to do that.

21 Okay. So 1966 Ford Thunderbird, the date of the signature is
22 November 15, 2016; 2016 Kawasaki, the date of the signature is
23 July 26th, 2016; 2000 GMC Yukon, the date is December 3rd, 2014; the
24 next page relates to the same vehicle; the next one is page 6 and it is
25 a 2007 Mercedes S550, the date of the signature is March 31st, 2014;

1 the next page is a 2004 Volvo, date is -- of the signature is
2 February 16th, 2014; the next page is a Mercedes Benz, 2007, S550V,
3 date of the signature, January 20th, 2014; the next page relates to the
4 same vehicle. I think that's it.

5 MR. MOUNTEER: Okay. Thank you.

6 THE COURT: All right. So the Court is admitting Plaintiff's
7 Exhibit 2, all those documents which have been provided to the court
8 clerk.

9 [Plaintiff's Exhibit No. 2 admitted.]

10 THE COURT: All right. What's next?

11 BY MR. BRAGONJE:

12 Q All right. So change -- I'd like to change subject -- or
13 change -- yes, change subjects a little bit. Change gears.

14 Could you heft the other binder now, the second binder?

15 A Okay.

16 MR. BRAGONJE: And this is -- these are our disclosures
17 from October 30th.

18 MR. WENT: Okay. Thank you.

19 BY MR. BRAGONJE:

20 Q I'd like to talk about the bankruptcy of Harry Hildibrand; are
21 you aware of that?

22 A Yes.

23 Q Okay. And is it not true that you signed the bankruptcy
24 papers?

25 A That is correct.

1 Q Okay.

2 A Harry Jr. asked me if I would be -- if I would go to the hearings
3 in Los Angeles, and I said that I would.

4 Q Thank you.

5 A And I did.

6 Q Thank you. Isn't it true that two totally different stories have
7 been told about who owns Harry Hildibrand LLC, one story in this court
8 and one story in the bankruptcy court?

9 A I think there are more than -- I think what -- who you might be
10 referencing is a gentleman by the name of Ron Vega.

11 Q Correct.

12 A Okay. Yeah, Ron Vega and Harry are friends. And I don't
13 know -- I think Ron Vega owns a different company that may or may not
14 have ownership of Harry Hildibrand, so I don't know, Mr. Bragonje, I just
15 don't know.

16 Q Well, let's break it down. You have testified here today, and
17 we've -- we've seen even evidence earlier today that the owner of Harry
18 Hildibrand LLC are the person Harry Hildibrand Sr.'s children; isn't that
19 correct?

20 A Yes, sir.

21 Q Okay. And isn't it true that in the context of the bankruptcy,
22 you signed bankruptcy papers that said Harry Hildibrand LLC is
23 owned 100 percent by yet another LLC called Stardust Classics LLC?

24 A I -- if my signature's on there, then -- then yes. But I -- I'm not
25 aware of that. The Ron -- the name Ron Vega came up, Harry just said,

1 Eddie, I'm getting ready to submit this, can you get this signed? And I
2 said yes. And I did.

3 Q Okay.

4 A So once again, it was -- it was just helping Harry trying to keep
5 the coach, because if he doesn't have the coach, he's going to be in a
6 position where he can't get -- he can't get his money back or he can't get
7 access to the vehicle. So that's why I -- I agreed to help him do that,
8 Mr. Bragonje. That's his coach as far as -- as I know, that's his coach.
9 And that's why I went to Los Angeles, and that's why I signed the
10 bankruptcy was to help him retain ownership of that coach.

11 Q Okay. Thank you.

12 A You're welcome.

13 Q Can you refer to page 180 in -- let's see here --

14 A Number 2?

15 Q -- in Binder No. 2, Tab No. 2, page Baker 180.

16 A Yes.

17 Q Okay. And do you see there -- you looking at page 180?

18 A Yeah. Yes.

19 Q Okay. And do you see there item -- these, I'll represent to
20 you, if you look at the top of the page, we can look at these as much as
21 you'd like, but for brevity's sake, I'll represent to you that these are filings
22 from the bankruptcy. You can see the filed mark on the top of the page,
23 this is a document that was -- it's Document No. 11; do you see that?

24 A Yes.

25 Q At the very top of the page, it was filed on August 7th of this

1 year; do you see that?

2 A Yes, sir, I do.

3 Q Okay. Do you see Item 28 on this page? It's about a third of
4 the way down?

5 A Yes, I do.

6 Q Okay. And the -- and the question says:

7 List the debtor's officers, directors -- directors, managing
8 members, general partners, members in control, controlling
9 shareholders, or other people in control of the debtor at the time of
10 the filing of this case.

11 Do you see that?

12 A I do.

13 Q Okay. And do you see that the answers say:

14 Percent interest, if any.

15 On the far right column?

16 A They do.

17 Q And do you see that it says Stardust -- Stardust Classic LLC is
18 a member that owns 100 percent of Harry Hildibrand?

19 A Yes, sir.

20 Q Okay. And --

21 THE COURT: Are you saying Stardust or start-up?

22 MR. BRAGONJE: Stardust.

23 THE COURT: Stardust. Okay.

24 MR. BRAGONJE: Classics LLC.

25 THE COURT: Thank you.

1 THE WITNESS: Moonlight.

2 BY MR. BRAGONJE:

3 Q All right. So in the bankruptcy court then, you don't disagree
4 that whoever prepared these documents that you signed, the message
5 to the bankruptcy court was that the debtor, Harry Hildibrand, was
6 owned 100 percent not by the children of Harry Hildibrand, but by this
7 other entity, Stardust Classics LLC --

8 A That's --

9 Q -- do you agree?

10 A That's what this says, yes.

11 THE COURT: Let me interrupt for a second.

12 Mr. Detwiler, do you know who are the members or the
13 interest holders in Stardust Classics LLC? Do you know who -- who
14 owns that company?

15 THE WITNESS: I've never seen anything in writing, but I --
16 Harry has told me that Ron Vega --

17 THE COURT: Okay.

18 THE WITNESS: Ronnie Vega, and that's all -- that all I know,
19 sir.

20 THE COURT: Okay. Very good. Thank you.

21 THE WITNESS: You're welcome.

22 MR. BRAGONJE: Your Honor, I move that the bankruptcy
23 filings that were disclosed be admitted into evidence.

24 THE COURT: So what exhibit -- or what Bates numbers are
25 those?

1 MR. BRAGONJE: That would be --

2 THE COURT: Is that all 180?

3 MR. BRAGONJE: Yes.

4 THE COURT: Is it one -- just one page? Or is it something
5 else?

6 MR. BRAGONJE: It is page Baker 75 to Baker 364.

7 THE COURT: Those are all records filed with the bankruptcy
8 court?

9 MR. BRAGONJE: Correct.

10 THE COURT: All right. Let's check with Mr. Went.

11 MR. WENT: No objection, Your Honor.

12 THE COURT: All right.

13 MR. MOUNTEER: Yeah, no objection.

14 THE COURT: All right. So the clerk will pull out of your binder
15 the documents Bates stamped Baker 75 through Baker 364. And those
16 will be marked as Plaintiff's Exhibit 3. All right. Thank you.

17 MR. BRAGONJE: Thank you.

18 [Plaintiff's Exhibit No. 3 admitted.]

19 BY MR. BRAGONJE:

20 Q Now, this is something that I -- I don't know that you would
21 ever see before, and I'm going to ask that it be admitted into evidence.
22 So if you'll flip over to page 365, there's a series of documents there.
23 And I will represent to you -- well, let me know when you're arrived there.
24 Sorry.

25 A I'm at 354.

1 Q This is a workout, I know, getting these pages.

2 A 364. Okay.

3 Q Okay. So this is page -- I'm interested in page 365 to 370. So
4 just six pages. And I will represent to you that these are documents that
5 I obtained online from the Wyoming Secretary of State. Wyoming is the
6 state where Stardust Classics LLC is organized. So in other words,
7 the -- according to the bankruptcy filings, the 100 percent owner of Harry
8 Hildibrand, the Stardust Classics, and I want to look at what the
9 Wyoming Secretary of State says about who might be involved with that
10 entity.

11 Do you see on page 368 -- would you flip to that. Let me
12 know when you've arrived.

13 A I have arrived.

14 Q Okay. This is a limited liability complaint annual report. Do
15 you have an understanding that business entities need to file regular
16 reports with state regulators?

17 A Yes, sir.

18 Q Do you see that this was -- do you see that there is
19 information given about the principle address -- principle office address?

20 A I do.

21 Q Okay. And do you see that the person signing this document
22 is Jocelyn Foust?

23 A I do see that.

24 Q And Jocelyn Foust is James Foust's daughter, correct?

25 A Yes.

1 Q And it was signed September 22nd, 2017, correct?

2 A Yes.

3 Q And, by the way, this is the same daughter that was signing
4 checks that were paying for the motor coach that we talked about earlier,
5 is it not?

6 A Yes.

7 Q All right. So doesn't this suggest to you that Mr. Foust or his
8 family members ultimately owns Harry Hildibrand LLC?

9 A No.

10 Q Isn't that the only conclusion that be drawn?

11 A This is the first time I've seen this. So.

12 Q Is that a reasonable conclusion?

13 A Boy, I didn't get an A in deducement, but it's -- I -- yeah.

14 Q I refer to the last page there, 370. This is another limited
15 liability complaint annual report. Do you see it's for 2019?

16 A I do.

17 Q And do you see that this report was signed by James P.
18 Foust?

19 A I do.

20 Q And do you see the date is March 27th of this year?

21 A Yes, sir.

22 Q Okay. And do you see -- by the way, when we talked about
23 these signatures, do you see the note above the signatures:

24 I hereby certify under penalty of perjury that the information I
25 am submitting it true and correct to the best of my knowledge.

1 Do you see that?

2 A Yes, sir, I do.

3 Q Okay.

4 THE COURT: Which Bates number are we on?

5 MR. BRAGONJE: That is --

6 THE WITNESS: 370.

7 MR. BRAGONJE: 370.

8 THE COURT: Oh, 370.

9 MR. BRAGONJE: Page 370.

10 THE COURT: Okay. Baker 370. All right.

11 MR. BRAGONJE: All right. I really have no further questions.

12 THE COURT: All right. Well, what about -- are we -- are you
13 going to introduce any of those as --

14 MR. BRAGONJE: Oh, yes. Yes. Thank you.

15 I'd like to offer that as Plaintiff's next exhibit in order.

16 THE COURT: Well, we -- first you mentioned Baker 364 --

17 MR. BRAGONJE: Yes.

18 THE COURT: -- to 365, which is the Wyoming Secretary of
19 State --

20 MR. BRAGONJE: Yes.

21 THE COURT: -- record.

22 MR. BRAGONJE: Correct. And I --

23 THE COURT: All right.

24 MR. BRAGONJE: I'd like to just have the batch introduced as
25 one exhibit. So 3 --

1 THE COURT: So identify the batch numbers.

2 MR. BRAGONJE: Thank you, yes. 365 through 370.

3 THE COURT: Well, didn't you say -- okay. 365 through 370.

4 All right. So any objection to those records?

5 MR. WENT: No objection, Your Honor.

6 THE COURT: All right.

7 MR. MOUNTEER: No, Your Honor.

8 THE COURT: So now as Exhibit -- Plaintiff's Exhibit 4, we are
9 going to -- going to introduce that, and that's Bates numbers Baker 365
10 through 370.

11 Clerk will pull those out of the binders and mark that. Thank
12 you.

13 [Plaintiff's Exhibit No. 4 admitted.]

14 THE COURT: All right. Give me one moment to make a note
15 here and then we'll have, perhaps, some redirect.

16 [Pause in proceedings.]

17 THE COURT: All right. Mr. Went, you may have redirect.

18 MR. WENT: May I just briefly, Your Honor.

19 **REDIRECT EXAMINATION**

20 BY MR. WENT:

21 Q Do you recall during your examination by counsel that he
22 showed you titles to vehicles?

23 A Yes, sir.

24 Q Did Harry Hildibrand LLC obtain title to the motor coach?

25 A Yes, sir.

1 Q Direct your attention to Exhibit 27, Bates No. HHLLC44.

2 A 27?

3 Q Yes. HHLLC44.

4 A Oh, 44. Yes, sir.

5 Q Looking at what's been marked as HHLLC4, do you recognize
6 this document?

7 A Yes, sir.

8 Q Do you know what it is?

9 A It's a certificate of title.

10 Q For -- can you -- for what vehicle?

11 A For the 1997 Prevost motor coach.

12 Q Is that the motor coach we've been talking about here today?

13 A Yes, sir, it is.

14 Q Can you identify who -- who is identified as the owner of the
15 motor coach?

16 A Harry Hildibrand LLC.

17 MR. WENT: Move to admit Exhibit 27 that's been marked as
18 HHLLC44.

19 THE COURT: So it has several pages to it.

20 MR. WENT: Just 44.

21 THE COURT: Well, hold on. Under Tab 27 there's several
22 pages, right?

23 MR. WENT: Right. I'm not --

24 THE COURT: So -- hold on. Okay. So when you provide an
25 exhibit like this identified for -- for purposes of the trial, it has several

1 pages and then you only want to selectively admit one page of that
2 proposed exhibit, it causes a little bit of confusion for the record.

3 So you're asking us to pull it out of the binder and have the
4 clerk just mark that one page as Exhibit 27?

5 MR. WENT: Correct, Your Honor.

6 THE COURT: Okay. We'll go ahead and do that.

7 Madam Clerk?

8 THE CLERK: I'll mark it as 27A, in case they each
9 [indiscernible].

10 THE COURT: All right. Clerk says we need to mark it as 27A
11 then. Okay. Very good. So that one page -- so the integrity of
12 proposed 27 will remain, 27A will simply be HHLLC000044. Okay. So
13 admitted.

14 [Other/Third Party Plaintiff's Exhibit No. 27A admitted.]

15 MR. WENT: Nothing further, Your Honor.

16 THE COURT: All right. Is there any recross-examination,
17 Mr. Bragonje?

18 MR. BRAGONJE: No.

19 THE COURT: All right. Mr. Detwiler, thank you very much for
20 your time. You may step down. Why don't you leave the binders there,
21 sir.

22 THE WITNESS: Yes, sir.

23 THE COURT: All right. Thank you.

24 THE WITNESS: Okay. Thank you.

25 THE COURT: All right. Mr. Went, you may call your next

1 witness, sir.

2 MR. WENT: Call Mr. Foust.

3 THE COURT: All right. Mr. Foust, back to the stand.

4 **JAMES FOUST,**

5 [having been called as a witness and first duly sworn, testified as
6 follows:]

7 THE CLERK: Thank you. Please be seated. Please state
8 and spell your first --

9 [Pause in proceedings at 10:01 a.m., until 10:07 a.m.]

10 THE COURT: All right. I think the court clerk hasn't sworn
11 him in yet.

12 THE CLERK: I did.

13 THE COURT: Oh.

14 THE CLERK: I just need you to state and spell your first and
15 last name for the record.

16 THE WITNESS: I'm sorry?

17 THE CLERK: Please state and spell your first and last name
18 for the record.

19 THE WITNESS: James Foust, F-O-U-S-T.

20 THE CLERK: Thank you.

21 THE COURT: All right. Let's keep going.

22 **DIRECT EXAMINATION**

23 BY MR. WENT:

24 Q Mr. Foust, did you sell the motor coach that we've been
25 discussing here today to Harry Hildibrand LLC?

1 A Yes.

2 Q What was the consideration exchanged in connection with that
3 sale?

4 A Roughly \$129,000. \$5,000 in cash paid to me and a note
5 payable to Santander for roughly 125,000.

6 Q So the first part of that's the \$5,000 in cash?

7 A Yes.

8 Q Did you receive the \$5,000 in cash?

9 A Yes.

10 Q What's the second part of it consist of?

11 A A note payable to Santander that is in my name that was the
12 original financing for the coach.

13 Q After 2008, when Mr. Detwiler became a director or a manager
14 of Harry Hildibrand LLC, did you issue instructions to him about the
15 business of Harry Hildibrand LLC?

16 A No instructions, no.

17 Q Do you know who the equity owners of Stardust Classic LLC
18 are?

19 A Ronald Vega I believe is 100 percent owner.

20 Q Are you an owner, an equity owner of Stardust Classics LLC?

21 A I am not.

22 Q At the time of the sale of the motor coach to Harry Hildibrand
23 LLC, did that transaction render you insolvent?

24 A No.

25 Q You have access to the bank accounts of Harry Hildibrand

1 LLC?

2 A No.

3 Q At any time after 2008, did you have access to the bank
4 accounts of Harry Hildibrand LLC?

5 A No.

6 Q At any time after 2008 did you have management
7 responsibilities with respect to the business of Harry Hildibrand LLC?

8 A Only in a sense that I was asked by Harry Hildibrand Sr. about
9 cars. And I sold a number of cars to Harry Hildibrand after 2008.

10 THE COURT: So you sold cars after 2008 to Harry
11 Hildibrand?

12 THE WITNESS: I did.

13 THE COURT: All right. What -- did you sell cars that you
14 owned?

15 THE WITNESS: Some of them. And some of them I did on
16 behalf of places like Russo and Steele, it was an auctioneer house that
17 Harry Sr. had an interest in.

18 THE COURT: All right. And so --

19 THE WITNESS: I acted on --

20 THE COURT: -- so, I mean, you could always --

21 THE WITNESS: -- his behalf on a number of transactions.

22 THE COURT: Okay. So you can always sell cars that you
23 owned, right?

24 THE WITNESS: I can -- I was asked, as an example, on
25 that -- on a motorcycle, Harry Jr. -- Harry Hildibrand Jr. wanted to buy a

1 bike and I signed for it on -- on his request.

2 THE COURT: Signed as buyer, seller, or something else?

3 THE WITNESS: I signed it on behalf of the dealer that I was
4 directed to go to.

5 THE COURT: So I don't -- still don't understand what you're
6 saying. You signed it, all right. When someone signs a document of
7 title, they're either signing it as an owner or a seller. I understand you
8 were signing it on behalf of Harry Hildibrand --

9 THE WITNESS: That's correct.

10 THE COURT: -- you're -- so you're signing it on behalf of
11 Harry Hildibrand --

12 THE WITNESS: That's correct.

13 THE COURT: -- as the buyer?

14 THE WITNESS: That's correct.

15 THE COURT: Okay. And so that -- so the document you
16 signed would show that somebody else was the seller?

17 THE WITNESS: I believe that document shows that, yes.

18 THE COURT: Okay. All right. Very good.

19 MR. WENT: Thank you, Your Honor.

20 BY MR. WENT:

21 Q And in connection with the sale of the motor coach to Harry
22 Hildibrand LLC, did you view the terms of that transaction to be fair and
23 equivalent value?

24 A Yes.

25 MR. WENT: Nothing further, Your Honor.

1 THE COURT: All right. Thank you.
2 Appreciate that, Mr. Went.
3 All right. Mr. Bragonje, do you have any questions for
4 Mr. Foust?

5 MR. BRAGONJE: Yes. A few things, Your Honor.

6 **CROSS-EXAMINATION**

7 BY MR. BRAGONJE:

8 Q Mr. Foust, there has never been produced in this case any
9 sales contracts for any vehicles between you and Harry Hildibrand other
10 than the motor coach; isn't that correct?

11 A It is not correct.

12 Q Okay. And what -- what sales contracts do you have other
13 than for the motor coach?

14 A There were several contracts that was -- other than the
15 coach?

16 Q Other than the coach?

17 A There were several contracts at different times. I believe one
18 was, like, 2011, and one might have been 2012 or something like that of
19 a series of cars that were sold to Harry Hildibrand by me. And the title
20 on it, by the way, when you sign the title, you sell it -- you sign it as
21 seller.

22 Q The cars we're talking about are valuable; would you agree
23 with that?

24 A Not necessarily, but go ahead.

25 Q Do you remember when you and I spoke, we had a

1 deposition?

2 A I remember that, yes.

3 Q And do you remember that you had no recollection of the
4 amount that you had received for all of these cars that you sold for Harry
5 Hildibrand; do you agree?

6 A That's correct.

7 MR. BRAGONJE: No further questions.

8 THE COURT: Do you still have in your possession all of these
9 sales contracts that were between you and Harry Hildibrand?

10 THE WITNESS: I don't, but they're certainly retrievable. I
11 would -- out of the minutes, and I may have them in my file also. I may
12 have a copy. It's possible.

13 THE COURT: Okay. All right. So before today, you haven't
14 looked for those?

15 THE WITNESS: I can't do that. The contracts would be in
16 California.

17 THE COURT: California? Who would have, you know,
18 possession or custody of those contracts, if you know?

19 THE WITNESS: Probably -- well, probably the -- I can't even
20 think of their name. The attorneys in Montana. I can produce those
21 and --

22 THE COURT: All right.

23 THE WITNESS: -- give them to Bragonje.

24 THE COURT: Whose -- whose attorneys? Your attorneys?

25 THE WITNESS: Harry Hildibrand.

1 THE COURT: Oh, so Harry Hildibrand's attorneys probably
2 outside of the state would have --

3 THE WITNESS: Yes.

4 THE COURT: -- copies of those -- those sales contracts?

5 THE WITNESS: And I'm going to guess that those documents
6 were produced for him when he asked for them.

7 THE COURT: All right. Well, let's -- we don't need to get into
8 that.

9 THE WITNESS: Okay.

10 THE COURT: I'm just trying to find out for sure who's got
11 them and where they are.

12 THE WITNESS: They exist and can be produced.

13 THE COURT: All right.

14 THE WITNESS: There's at least two of them.

15 THE COURT: All right. Do you personally have any in your
16 control either, you know, where you work or at your home or in your car
17 or anywhere? Do you have copies of those?

18 THE WITNESS: I believe I -- I do.

19 THE COURT: Okay. Where would those --

20 THE WITNESS: I'm 100 -- or almost 100 percent certain that
21 I've got a copy of those two documents.

22 THE COURT: All right. Where would those be located?

23 THE WITNESS: They could be at my house.

24 THE COURT: Okay.

25 THE WITNESS: I have it in my file cabinet.

1 THE COURT: So you have hard copies? Do you also have
2 electronic copies of them? Have they been scanned?

3 THE WITNESS: I don't know about -- I'm not sure what I -- it's
4 my customary that I do scan it, but I don't recall specifically.

5 THE COURT: Okay. So you might have two of those at
6 home, right?

7 THE WITNESS: Two what?

8 THE COURT: You said you -- you know of two of the sales --

9 THE WITNESS: At least two agreements.

10 THE COURT: Okay.

11 THE WITNESS: One in possibly 2011 and the other one
12 in 2012 maybe.

13 THE COURT: Okay. Did each one of those contracts just
14 deal with one car, like --

15 THE WITNESS: No.

16 THE COURT: So one contract might deal with more than one
17 car?

18 THE WITNESS: Yes. That's my recollection.

19 THE COURT: Okay. So how many -- how many cars total do
20 you know of -- that those two contracts dealt with?

21 THE WITNESS: I don't know specifically, but I'm going to say
22 probably somewhere around maybe 8 to 10.

23 THE COURT: Okay. Thank you, sir. All right.

24 So did -- did my questions generate any follow-up from
25 counsel?

1 MR. BRAGONJE: Well, yeah.

2 THE COURT: Okay.

3 MR. BRAGONJE: We directed a subpoena asking for all of
4 these things to Harry Hildibrand. The time to produce this stuff has
5 come and passed.

6 THE COURT: Well, yeah. You can address that in argument
7 afterwards.

8 MR. BRAGONJE: Yeah, okay.

9 THE COURT: I just wanted to give you both a chance --

10 MR. BRAGONJE: Oh.

11 THE COURT: -- to examine the witness further --

12 MR. BRAGONJE: All right.

13 THE COURT: -- about any matter that's related to my
14 questions.

15 MR. BRAGONJE: I apologize. No, Your Honor.

16 THE COURT: Okay.

17 MR. MOUNTEER: Your Honor, just an issue of scope. When
18 we're talking about these cars, I want to make sure we're talking about
19 the Thunderbird, the Kawasaki bike, the Yukon, the 2007 S550
20 and 2007 S550 Mercedes and the Volvo.

21 THE COURT: Well, I don't think Mr. Foust identified which
22 cars these contracts relate to. If -- if you've seen the sales agreements,
23 we'd like to know. But I don't think he -- he knows.

24 MR. MOUNTEER: I have not seen the sales agreement. I'm
25 just -- are -- there's cars that are --

1 THE COURT: Why don't you go ahead and ask him? I'll give
2 you a chance to ask -- he's your -- he's your client.

3 MR. MOUNTEER: Okay. Well, one of the things to clarify too,
4 I mean, there's been a list of cars going back 20 years in this case that's
5 been presented. That's why I'm trying to make sure we -- we
6 understand the scope. But I'll briefly --

7 THE COURT: Good idea.

8 **CROSS-EXAMINATION**

9 BY MR. MOUNTEER:

10 Q Mr. Foust, when you're talking about the sales contracts,
11 would the 1966 Thunderbird be part of those contracts?

12 A Yes.

13 Q Do you still own that vehicle?

14 A No.

15 Q Did you ever own that vehicle?

16 A Yes.

17 Q And who did you sell it to?

18 A Harry Hildibrand.

19 Q Harry Hildibrand sold that vehicle?

20 A Yes, he did.

21 Q And do you know when about he sold that vehicle?

22 A I'm not sure about that.

23 Q Would it have been around November of 2016 when the bill of
24 sale was? Does that refresh your recollection?

25 A Possibly.

1 Q Why would you have signed that bill of sale?

2 A Any bill of sale that -- that is my -- has my name on it, the
3 seller requires has to put a signature on it. The buyer --

4 Q Were you instructed to sign that --

5 A -- is identified and the seller --

6 Q -- bill of sale?

7 A -- James Foust.

8 THE COURT: Hold on, you guys. You guys can't talk over
9 each other, please.

10 BY MR. MOUNTEER:

11 Q Were you instructed to sign the bill of sale?

12 A No. But there -- if it's being sold, I have to sign it.

13 Q Why would you -- it's been alleged in this action that you
14 signed a bill of sale that was owned by Harry Hildibrand for vehicles
15 owned by Harry Hildibrand; why is that?

16 A If Harry Hildibrand on a particular date bought that car from
17 me, I was required to sign that as seller.

18 Q Okay. And that --

19 A And that would have been 2011, it could have been 2012,
20 whatever those cars were.

21 Q So would that -- your answer be the same with regard to your
22 signature on the bill of sale for the Kawasaki bike, the 2000 Yukon,
23 both 2007 Mercedes, and the 2004 Volvo?

24 A Yes, but with -- with exception on if the bike was done as for
25 Harry Hildibrand, as Junior. That was -- I did not own that. That bike

1 was straight from the Kawasaki dealer that Junior was ordering.

2 Q Okay. Did you ever own the Yukon?

3 A No, I didn't. That was -- that was purchased, and I -- and I
4 don't recall where it was purchased from. If my name was on it, I signed
5 it as or for, that would be on the title.

6 Q Okay. And you were instructed to do that from Harry
7 Hildibrand Jr.?

8 A Yes.

9 MR. MOUNTEER: No questions.

10 THE COURT: Thank you, counsel. I appreciate that.

11 All right. So let's go back to Mr. Went.

12 MR. WENT: Nothing further, Your Honor.

13 THE COURT: All right. So any recross by Mr. Bragonje
14 based upon questioning from Mr. Foust's counsel?

15 MR. BRAGONJE: No, Your Honor.

16 THE COURT: All right. I think that covers it then.

17 Mr. Foust, you are excused, sir. You may step down. Be
18 careful, sir.

19 All right.

20 MR. BRAGONJE: Your Honor, we have just one witness of
21 our own to present via affidavit. I don't know if there's time.

22 THE COURT: By affidavit?

23 MR. BRAGONJE: Yeah.

24 THE COURT: All right. Well, hold on a second.

25 MR. BRAGONJE: Okay.

1 THE COURT: Mr. Went, did you have any further witnesses?

2 MR. WENT: No further witnesses, Your Honor.

3 THE COURT: All right. Very good.

4 So Mr. Bragonje, you just have an affidavit, no live witness,
5 right?

6 MR. BRAGONJE: Correct. Yes.

7 THE COURT: Well, okay. And you've already disclosed that
8 to opposing counsel, so you can just furnish that to the Court.

9 MR. BRAGONJE: Okay.

10 THE COURT: The Court will -- well --

11 MR. BRAGONJE: We -- we thought --

12 THE COURT: -- has there been any objection to this affidavit?

13 MR. WENT: No objection's been lodged. I would appreciate it
14 if we could identify the Bates number on the record, though, of that -- of
15 the referenced affidavit.

16 THE COURT: Perfect. And we'll go ahead and mark the
17 affidavit as Court -- as Plaintiff's Exhibit No. 6? Is that the next one?

18 MR. BRAGONJE: It's Baker 1 to 33 with all the exhibits, if that
19 helps.

20 THE COURT: Are we on -- oh, we've had four. 4 was 365
21 and 370. All right, so this is going to Plaintiff's Exhibit 5, the affidavit with
22 attachments, right? And go ahead and give us the full Bates range of
23 that.

24 MR. BRAGONJE: Baker 1 to 33. We produced that in March.
25 Let's see -- back in March.

1 THE COURT: All right. Do you have a copy to give to the
2 clerk, please.

3 MR. BRAGONJE: Yes.

4 MR. MOUNTEER: Your Honor, I think there may be some
5 confusion with the Bates numbers. I'd like to just -- because I'm looking
6 at a Baker 1 right here and it doesn't appear to be an affidavit.

7 MR. BRAGONJE: Oh.

8 THE COURT: Please confer.

9 [Pause in proceedings.]

10 MR. BRAGONJE: We have a copy coming.

11 THE COURT: Perfect.

12 MR. BRAGONJE: Thank you.

13 [Pause in proceedings.]

14 MR. WENT: I think we got it sorted out, Your Honor.

15 THE COURT: That's -- that's good. I just -- you know, I like to
16 keep my court clerk happy. Sometimes it's very disruptive to her not
17 have everything properly presented.

18 MR. WENT: We have made a pretty big mess of this one.

19 THE COURT: Thanks.

20 [Pause in proceedings.]

21 MR. WENT: If you would please just identify it again --

22 MR. BRAGONJE: Oh, yes.

23 MR. WENT: -- on the record correctly.

24 MR. BRAGONJE: Thank you. That is, let's see here, Baker 1
25 to 33, and it's our disclosures from March 6th, 2018. Excuse me,

1 March 7th.

2 THE COURT: All right. So Mr. Bragonje, do you have any
3 other evidence by live witness, affidavit, or otherwise you'd like to
4 present to the Court?

5 MR. BRAGONJE: No, Your Honor.

6 THE COURT: All right. Is there any rebuttal evidence that
7 Harry Hildibrand LLC would like to submit to the Court?

8 MR. WENT: No, Your Honor.

9 THE COURT: All right. Any additional -- any evidence that
10 Mr. Foust would like to submit to the court at this time?

11 MR. MOUNTEER: No, Your Honor. Thank you.

12 THE COURT: All right. What I can do is either give you each
13 a few minutes to -- to argue, or you can submit post-hearing briefs. And
14 I can give you maybe two weeks to submit those briefs.

15 MR. BRAGONJE: I think --

16 MR. WENT: Your Honor, my preference would be to have
17 briefing on this, if we had a hearing -- a deadline to submit briefs.

18 THE COURT: All right. And Mr. Bragonje, I thought it was
19 your --

20 MR. BRAGONJE: Yeah, it's --

21 THE COURT: -- your paper that you asked for some time for
22 briefing.

23 MR. BRAGONJE: I think that would be good. It's -- there's
24 just so much, to bring it together in writing I think would be good.

25 THE COURT: Yeah. I would like to get everything within two

1 weeks. Is that enough time for everybody?

2 MR. WENT: Yes, Your Honor.

3 MR. BRAGONJE: Yes.

4 THE COURT: All right. And these will be disclosed briefs.

5 Each side will present to me their post-hearing briefs within 10 days,
6 court clerk will give everybody the deadline. Two weeks from today, 10
7 business days.

8 THE CLERK: And that will be November 19th.

9 THE COURT: November 19th. After I receive those briefs, is
10 there any need for further argument or you just submit it to me for
11 decision?

12 MR. BRAGONJE: I think probably just -- probably just --

13 MR. WENT: I think we can just submit for decision, Your
14 Honor.

15 MR. BRAGONJE: Yeah, I think so.

16 MR. MOUNTEER: Agreed, Your Honor.

17 THE COURT: All right. Very good. So if there is anything
18 that you see in opposing counsel's brief that you contend -- to which you
19 have a material objection, then you can provide to me no more than a
20 two-page objection with your position. All right?

21 MR. BRAGONJE: Thank you.

22 THE COURT: And that will be due, let's say -- I want to move
23 this pretty quickly, two days after your receipt of the post-hearing briefs.
24 So that will be deadline for objection to any post-hearing brief statement.

25 MR. MOUNTEER: Your Honor, I believe that might put us on

1 the Wednesday or Tuesday of Thanksgiving. Which --

2 THE COURT: Well, would Wednesday of Thanksgiving be a
3 problem for you? You wanted -- tell you what, I'd like to get it before
4 Thanksgiving. So why don't we -- why don't we back up a little bit. I
5 could take one day off of the deadline for your -- your post-hearing
6 briefs, and then we'll have Tuesday by 5:00 the deadline for your
7 objections.

8 MR. MOUNTEER: Thank you, Your Honor.

9 THE COURT: All right. So -- so back everything up one day.

10 THE CLERK: Okay. So the briefs are going to be due on
11 the 18th, I guess. Does that sound right?

12 THE COURT: Sounds perfect.

13 THE CLERK: Okay.

14 THE COURT: And so -- well, that's -- November 18th is a
15 Sunday. So we're going to --

16 THE CLERK: Oh, it is.

17 THE COURT: So here's what we're going to do. Friday,
18 November 16th, is the deadline for your post-hearing briefs. And then
19 Tuesday, November 20th, is the deadline for your objections.

20 MR. WENT: Thank you, Your Honor.

21 THE COURT: All right. This matter stands submitted. Thank
22 you very much, counsel.

23 ///

24 ///

25 ///

1 MR. WENT: Thank you.

2 MR. MOUNTEER: Thank you, Your Honor.

3 THE COURT: If there are any binders that you have up at the
4 witness chair, please retrieve those.

5 [Proceedings concluded at 10:26 a.m.]

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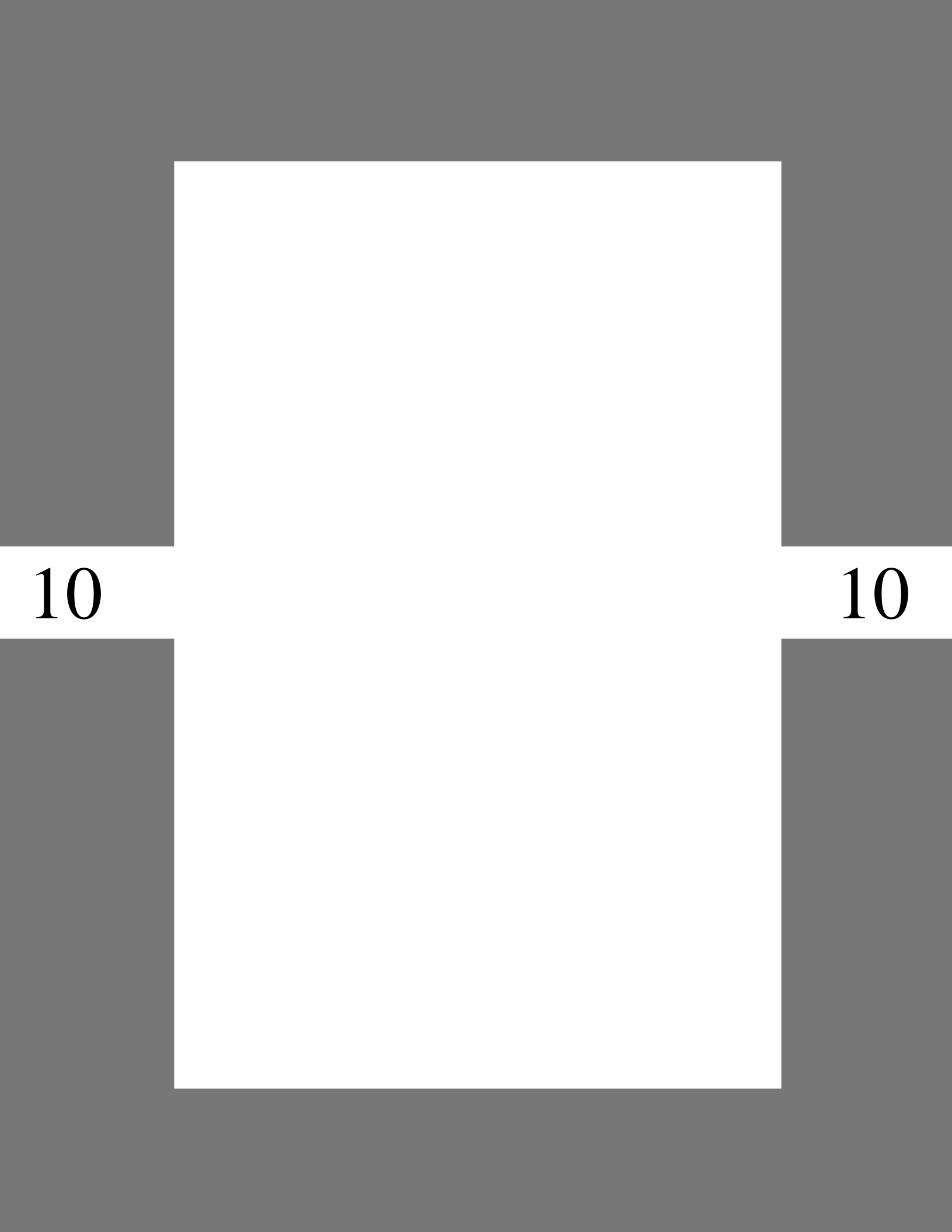
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ATTEST: I do hereby certify that I have truly and correctly transcribed
the audio/video proceedings in the above-entitled case to the best of my
ability.



Shawna Ortega, CET*562



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A-17-760779-F

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Foreign Judgment**COURT MINUTES****November 19, 2019**

A-17-760779-F Baker Boyer National Bank, Plaintiff(s)
vs. James Foust, Jr., Defendant(s)

November 19, 2019 10:00 AM Minute Order

HEARD BY: Scotti, Richard F. **COURTROOM:** Chambers

COURT CLERK: Elizabeth Vargas

PARTIES Minute Order- No parties present.

PRESENT:

JOURNAL ENTRIES

- The Court GRANTS Plaintiff/Judgment Creditor's Motion to hold Mr. Detwiler and Harry Hildebrand in Civil Contempt of Court.

At the Evidentiary Hearing on this matter Mr. Detwiler and Harry Hildebrand both had the ability to comply with this Court's prior Order to surrender and turnover the subject cars, but intentionally and knowingly failed to comply, without justification. Mr. Detwiler argued that he was merely a "figure-head" of Harry Hildebrand, LLC, but that argument was clearly negated by the evidence; at all relevant times Mr. Detwiler was the controlling Manager of Harry Hildebrand, LLC, and as such accepted and possessed the responsibility to control the assets of Harry Hildebrand, LLC, including its classic cars.

The Court ORDERS that a Warrant of Commitment (Arrest) be issued as to Mr. Detwiler, commanding his confinement until such time as he surrenders that sub-set of the 20 cars that he swore were in the possession, custody, and/or control of Harry Hildebrand LLC at the time of the Court's turnover Order. Bond shall be required in the amount of \$100,000.00. Further, pursuant to NRS 22.100, the Court fines Harry Hildebrand LLC \$ 500.00, for its Contempt of Court, and further sanctions Harry Hildebrand and Orders it to pay the total amount of Plaintiff Baker Boyer's fees and costs incurred in connection with this matter.

Baker Boyer shall prepare the Order herein, including appropriate context and authorities, consistent with this Minute Order and the evidence presented at the hearing. Plaintiff shall attach to such Order its Affidavit of Fees and Costs. Plaintiff shall also prepare the Warrant of Commitment against Mr.

PRINT DATE: 11/19/2019

Page 1 of 2

Minutes Date: November 19, 2019

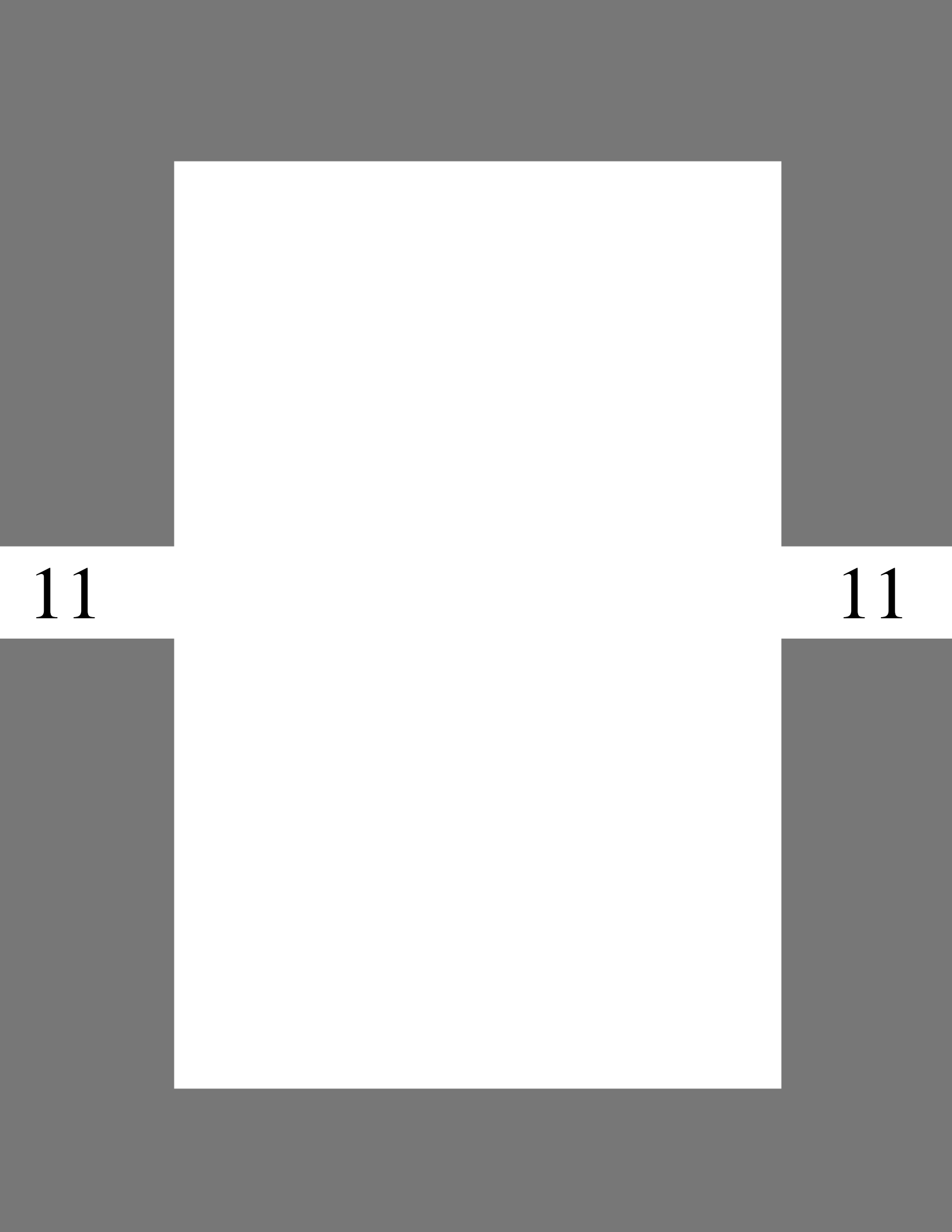
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Detwiler.

CLERK'S NOTE: A copy of this Minute Order was electronically served to all registered parties by the Courtroom Clerk, Elizabeth Vargas via Odyssey Efile and Serve and a copy was mailed to Harry Hildebrand, LLC. //ev11/19/19

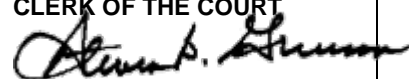
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MSRC
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Attorneys for Plaintiff Baker Boyer National Bank

DISTRICT COURT

CLARK COUNTY, NEVADA

BAKER BOYER NATIONAL BANK, a
Washington corporation,

Plaintiff/Judgment Creditor,

vs.

JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually, and
his marital community, if any,

Defendant/Judgment Debtor.

Case No.: A-17-760779-F

Dept. No.: II

[HEARING NOT REQUESTED]

**MOTION TO SEAL SUPPORTING
DOCUMENTS TO AFFIDAVIT OF
JOHN E. BRAGONJE IN SUPPORT OF
LEWIS AND ROCA ATTORNEY FEES
AND COSTS INCURRED IN
CONNECTION WITH MR. DETWILER
AND HARRY HILDIBRAND, LLC**

Pursuant to Rule 3 of the Nevada Rules for Sealing and Redacting Court Records (“SRCR 3”), plaintiff Baker Boyer National Bank (the “Bank”) moves for leave to file under seal the time entries and cost summaries and back-up to support the amounts of fees and costs (“Supporting Documents”) requested in the contemporaneously filed “Affidavit of John E. Bragonje in Support of Lewis and Roca Attorney Fees and Costs Incurred in Connection with Mr. Detwiler and Harry Hildibrand, LLC.”

MEMORANDUM OF POINTS AND AUTHORITIES

The Supporting Documents demonstrate the sensitive nature of the work the Bank’s counsel have undertaken on its behalf. Allowing public access to this sensitive work product would reveal legal strategies that could unfairly prejudice the Bank in this litigation. Pursuant to SRCR 3(4)(h), filings may be sealed in “compelling circumstances.” To protect the privacy of the

1 Bank and avoid obfuscation of its litigation practices and strategies, the Bank requests that its
2 Supporting Documents be sealed in redacted form, consistent with this Court's prior handling of
3 the supporting documents submitted in support of Lewis and Roca fees and costs incurred in
4 connection with the proceedings to seek enforcement of this Court's January 9, 2019, order. The
5 Bank will submit unredacted copies of the Supporting Documents to the Court for *in camera*
6 review.

7 Dated this 25th day of February, 2020.

8
9 LEWIS ROCA ROTHGERBER CHRISTIE LLP

10 By: /s/ John E. Bragonje

11 John E. Bragonje (SBN.: 9519)
12 3993 Howard Hughes Pkwy, Suite 600
13 Las Vegas, NV 89169-5996

14 *Attorneys for Plaintiff Baker Boyer National Bank*
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3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

CERTIFICATE OF SERVICE

Pursuant to Rule 5(b), I hereby certify that on this date, I electronically filed and served the foregoing document entitled "Motion to Seal Supporting Documents to Affidavit of John E. Bragonje in Support of Lewis and Roca Attorney Fees and Costs Incurred in Connection with Mr. Detwiler and Harry Hildibrand, LLC" through the Court's electronic filing system on all parties on the Court's e-service list.

Michael D. Mazur, Esq.
MAZUR & BROOKS
A PROFESSIONAL CORPORATION
 2355 Red Rock Street, Suite 100
 Las Vegas, NV 89146
Attorneys for Defendant James Patterson Foust, Jr.

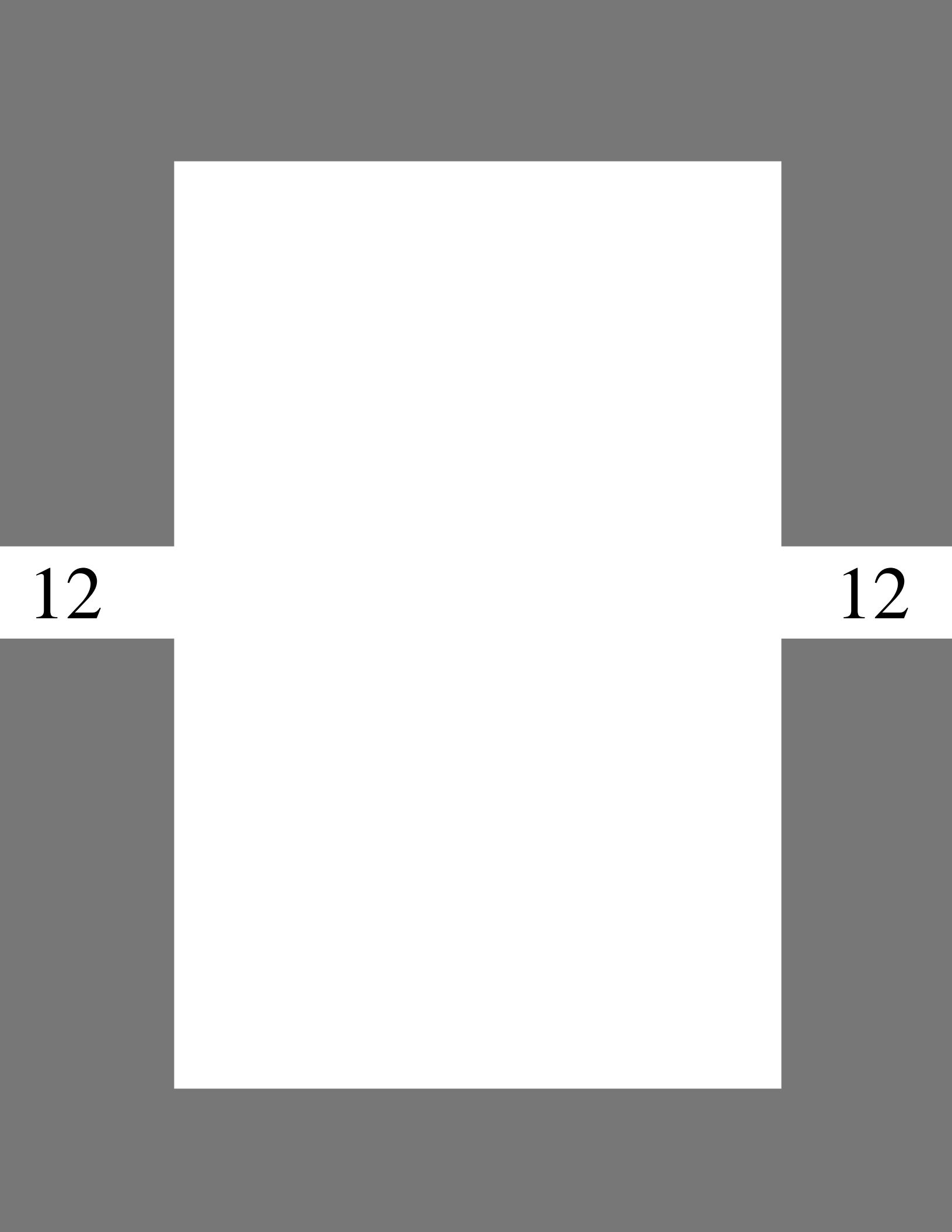
Brenoch Wirthlin, Esq.
 Amanda K. Baker, Esq.
KOLESAR & LEATHAM
 400 South Rampart Boulevard, Suite 400
 Las Vegas, NV 89145
Attorneys for Edward Detwiler

DATED this 25th day of February, 2020.

/s/ Luz Horvath
 An employee of Lewis Roca Rothgerber Christie LLP

Lewis Roca
ROTHGERBER CHRISTIE

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WTEX
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DISTRICT COURT

CLARK COUNTY, NEVADA

BAKER BOYER NATIONAL BANK, a
Washington corporation,

Plaintiff/Judgment Creditor,

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JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually, and
his marital community, if any,

Defendant/Judgment Debtor.

Case No.: A-17-760779-F

Dept. No.: II

WRIT OF EXECUTION

☒ **Bank Account** ☐ Other Property

☐ Earnings, Order of Support

THE STATE OF NEVADA TO CLARK COUNTY CONSTABLE, GREETINGS:

On August 31, 2017, a judgment was entered in the above-captioned action upon which there is due in United States Currency the amount of the outstanding balance of **\$1,381,003.31**, which was entered in this action in favor of Plaintiff BAKER BOYER NATIONAL BANK as judgment creditor and against Defendant JAMES PATTERSON FOUST, JR. (a/k/a JAMES P. FOUST, JR.), as judgment debtor. Interest and costs have accrued in the amounts shown. Any satisfaction has been credited first against total accrued interest and costs, leaving the following net balance, which sum bears interest at 7.88% per annum, \$201.56 per day from of this writ to date of levy and to which sum must be added all commissions and costs of executing this Writ.

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