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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *Calmer* DEPUTY
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1 MOLLY M WHITE, Cal. Bar No. 171448
 2 KELLY BOWERS, Cal. Bar No. 164007
 3 VICTORIA A. LEVIN, Cal. Bar No. 166616
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 6 Securities and Exchange Commission
 7 Randall R. Lee, Regional Director
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9 UNITED STATES DISTRICT COURT
 10 SOUTHERN DISTRICT OF CALIFORNIA

BY FAX

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 vs.

15 EMVEST MORTGAGE FUND, LLC,
16 EMVEST, INC., and MILON LYLE BROCK,

17 Defendants.


Case No. 04 CV 2295 DMS (LSP)

**DECLARATION OF MOLLY M. WHITE
IN SUPPORT OF REPLY BRIEF
SUPPORTING ENTRY OF
PRELIMINARY INJUNCTION AND
PERMANENT RECEIVER**

Date: December 3, 2004
Time: 10:30 a.m.
Courtroom: 10 (Hon. Dana M. Sabraw)

1 from further offering or selling securities in the State of California, unless certain qualifications
2 are met. Attached hereto as Exhibit 4 is a true and correct copy of the March 14, 1994 Desist
3 and Refrain Order.

4 I declare under penalty of perjury that the foregoing is true and correct. Executed this
5 30th day of November, 2004, in Los Angeles, California.

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8 Molly M. White

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SEC v. Emvest Mortgage Fund, LLC, Emvest, Inc., and Milon Lyle Brock

Index of Exhibits to Declaration of Molly M. White in Support of Reply Brief Supporting Entry of Preliminary Injunction and Permanent Receiver

Exhibit No.	Description	Page No.
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2	California Department of Real Estate Decision dated January 8, 1986.	8 - 13
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4	California Department of Corporations Desist and Refrain Order dated March 14, 1994.	24 - 25

EXHIBIT 1

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

FEB 21 1984

K. K. K. K.

In the matter of the Accusation of)
)
GOLDEN STATE EQUITY CORPORATION)
and MILON LYLE BROCK,)
individually and as designated)
officer of Golden State Equity)
Corporation,)
)
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)
Respondent(s))

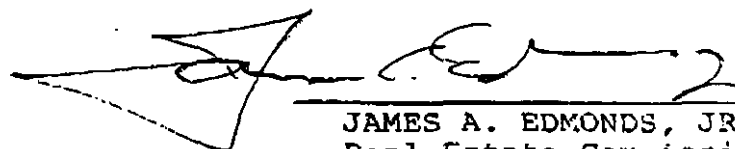
No. H-1190 SD
L-30320

DECISION

The Proposed Decision dated February 2, 1984,
of the Administrative Law Judge of the Office of Administrative
Hearings, is hereby adopted as the Decision of the Real Estate
Commissioner in the above-entitled matter.

This Decision shall become effective at 12 o'clock
noon on March 13, 1984.

IT IS SO ORDERED 2-16-84



JAMES A. EDMONDS, JR.
Real Estate Commissioner

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

In the Matter of the Accusation)
of:)
))
))
GOLDEN STATE EQUITY CORPORATION)
and MILON LYLE BROCK,)
))
))
Respondents.)

NO. H-1190 SD

L-30320

PROPOSED DECISION

This matter came on regularly for hearing before Marguerite C. Geftakys, Administrative Law Judge of the Office of Administrative Hearings, State of California, at San Diego, California, on January 24, 1984, at the hour of 9:00 a.m. Complainant was represented by Robert F. Howell, Counsel. Respondents Golden State Equity Corporation and Milon Lyle Brock were represented by their attorney, William R. Winship, Esq. The matter was submitted upon the written stipulation of the parties, and pursuant thereto it is found, determined, and ordered as follows:

FINDINGS OF FACT

I

The Complainant, Carl Lewis, made the Accusation and Amendment to Accusation in his official capacity.

II

Each respondent is currently licensed and/or has license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code; hereinafter "Code").

III

At all times mentioned herein, respondents engaged in the business of, acted in the capacity of, advertised and assumed to act as real estate licensees in the State of California, as defined in Section 10131(d) of the Code, including the operation

and conduct of a mortgage loan brokerage business with the public wherein borrowers and lenders were solicited by respondents for loans secured by liens on real property, wherein such loans were negotiated, processed, and consummated by respondents on behalf of others, and wherein respondents made agreements with lenders or investors for the collection of payments and the performance of services in connection with such loans. These activities were performed by respondents within the State of California, and for or in expectation of a compensation.

IV

At all times mentioned herein, Golden State Equity Corporation was licensed by the Department of Real Estate as a corporate real estate broker.

V

At all times mentioned herein, Milon Lyle Brock was licensed by the Department of Real Estate as the designated broker for Golden State Equity Corporation, and was responsible in accordance with Section 10159.2 of the Code for the supervision of all acts of the officers and employees of the corporation which they carried out on behalf of the corporation, and for which a real estate license is required.

VI

In the course of its activities as a real estate broker Golden State Equity Corporation accepted funds in trust to be held on behalf of borrowers and lenders, and caused these trust funds to be deposited in Account No. 453003761 at Security Pacific National Bank (hereinafter the "Escrow Account").

VII

Trust funds deposited into the Escrow Account were disbursed, diverted, or otherwise appropriated by officers and employees of Golden State Equity Corporation without the consent of each person to whom funds were owed from the account. This activity reduced the balance of funds in the account to an amount approximately \$2,639 less than the existing aggregate trust fund liability of respondents to all owners of said funds as of September 30, 1982.

VIII

In the course of its activities as a real estate broker, Golden State Equity Corporation also deposited trust funds received by it, through its officers and employees, into Account No. 453029382 at Security Pacific National Bank (hereinafter the "Servicing Account").

IX

Trust funds deposited into the Servicing Account were disbursed by officers and employees of Golden State Equity Corporation without the consent of each person to whom funds were owed from the account. This activity reduced the balance of funds in the account to an amount approximately \$6,907 less than the existing aggregate trust fund liability of respondents to all owners of said funds as of September 30, 1982.

X

Golden State Equity Corporation and its officers and employees failed to maintain columnar records which set forth the amounts and daily balances of trust funds received for deposit into the Escrow Account.

XI

Golden State Equity Corporation and its officers and employees failed to maintain a separate record for each beneficiary or transaction accounting for all trust funds deposited to the Escrow Account.

XII

The Escrow Account was an account for which Security Pacific National Bank could require prior written notice as a condition to the withdrawal of funds.

XIII

Golden State Equity Corporation was not denominated the trustee of the Servicing Account, although that account was in fact a trust account.

DETERMINATION OF ISSUES

I

Golden State Equity Corporation has committed two violations of Section 10145 of the Code and Section 2832.1, Chapter 6, Title 10, California Administrative Code, by virtue of Findings of Fact VII and IX; grounds therefore exist to suspend or revoke its real estate license and license rights under Section 10177(d) of the Code.

II

Golden State Equity Corporation has violated Section 2831, Chapter 6, Title 10, California Administrative Code by virtue of Finding of Fact X; grounds exist to suspend or revoke its real estate license and license rights under Section 10177(d) of the Code.

III

Golden State Equity Corporation has violated Section 2831.1, Chapter 6, Title 10, California Administrative Code by virtue of Finding of Fact XI; grounds therefore exist to suspend or revoke its real estate license and license rights under Section 10177(d) of the Code.

IV

Golden State Equity Corporation has committed two separate violations of Section 2830, Chapter 6, Title 10, California Administrative Code by virtue of Findings of Fact XII and XIII; grounds therefore exist to suspend or revoke its real estate license and license rights under Section 10177(d) of the Code.

V

Milon Lyle Brock has failed to exercise reasonable supervision and control of the activities of Golden State Equity Corporation for which a real estate license is required, by virtue of Findings of Fact VII, IX, and X through XIII, inclusive; grounds therefore exist to suspend or revoke his real estate license and license rights under the provisions of Section 10177(h) of the Code.

ORDER

WHEREFORE, THE FOLLOWING ORDERS ARE HEREBY MADE pursuant to the written stipulation of the parties:

Exhibit 1 Page 5

I

All licenses and license rights of Golden State Equity Corporation and Milon Lyle Brock under Part 1 of Division 4 of the Business and Professions Code are revoked.

II

A restricted real estate broker license shall be issued to each respondent pursuant to Section 10156.5 of the Business and Professions Code upon respondent's application and payment of the appropriate fee, provided the application is made within 60 days from the effective date of the Decision herein.

Each restricted license issued to a respondent shall be subject to all of the provisions of Section 10156.7 of the Business and Professions Code and to the following limitations, conditions and restrictions imposed under authority of Section 10156.6 of the Business and Professions Code:

A. The restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner in the event that respondent is convicted or enters a plea of nolo contendere to a crime which bears a significant relationship to the fitness or capacity of respondent to function as a real estate licensee.

B. The restricted license may be suspended prior to hearing by Order of the Real Estate Commissioner on evidence satisfactory to the Real Estate Commissioner that respondent has violated provisions of the California Real Estate Law, the Subdivided Land Law, Regulations of the Real Estate Commissioner, or conditions attaching to the restricted license.

C. Respondent shall report in writing to the Department of Real Estate, as the Real Estate Commissioner shall direct by separate written order issued while the restricted license is in effect, such information concerning said respondent's activities for which a real estate license is required as the Commissioner shall deem to be appropriate to protect the public interest.

Such reports may include, but need not be limited to, periodic independent accountings of trust funds in the custody and control of Respondent, and periodic summaries of salient information concerning each real estate transaction in which respondent engaged during the period covered by the report.

I hereby submit the foregoing Proposed Decision, which is based upon the written stipulation of the parties received by me on January 24, 1984, to the Real Estate Commissioner for his action thereon.

Dated: February 2, 1984

Marquette C. Gelfand
MARQUETTE C. GELFAND
Administrative Law Judge
Office of Administrative Hearings

MCG/jm

EXHIBIT 2

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DEPT. OF REAL ESTATE
Laura B. Orma

DEPARTMENT OF REAL ESTATE
STATE OF CALIFORNIA

* * * *

In the Matter of the Accusation of)	No. H-1337 SD
GOLDEN STATE EQUITY)	L-34349
CORPORATION, MILON L.)	
BROCK, and ALOYSIUS)	
SALLY,)	
Respondents.)	

DECISION

The above-entitled matter came on for hearing before P. M. Hogan, Administrative Law Judge of the Office of Administrative Hearings at San Diego, California, on August 1, 1985.

Complainant was represented by James R. Peel, Counsel Golden State Equity Corporation appeared by its president, Aloysius Sally. Both individual respondents appeared personally and were represented by William R. Winship, Jr., Attorney at Law. Evidence was received and the matter stood submitted on August 1, 1985.

Answer

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1 On August 7, 1985, the Administrative Law Judge submitted
2 a Proposed Decision which I declined to adopt as the Decision of
3 the Real Estate Commissioner. Pursuant to Section 11517(c) of the
4 Government Code of the State of California, respondents were
5 served with a copy of the Proposed Decision dated August 7, 1985,
6 and with Notice that the case would be decided by me upon the
7 record including the transcript of proceedings held on August 1,
8 1985, and upon any written argument offered by the parties.

9 Argument has been submitted by the respondents.

10 I have given careful consideration to the record in this
11 case including the transcript of the proceedings of August 1, 1985.

12 I have determined that the Findings of Fact and
13 Determination of Issues in the Proposed Decision of the
14 Administrative Law Judge, dated August 1, 1985, are appropriate in
15 all respects and they are adopted as the Findings of Fact and
16 Determination of Issues of the Real Estate Commissioner in this
17 proceeding.

18 ORDER

19 1. The real estate broker license of Respondent GOLDEN
20 STATE EQUITY CORPORATION is hereby revoked.

21 2. No sooner than 30 days from the effective date of
22 this Decision, a restricted real estate broker license shall be
23 issued to Respondent GOLDEN STATE EQUITY CORPORATION pursuant to
24 Section 10156.5 of the Business and Professions Code if Respondent
25 makes application and pays the appropriate fee to the Department
26 of Real Estate within ninety (90) days from the effective date of
27 this Decision.

1 Respondent's right to receive a restricted broker
2 license according to these conditions shall expire ninety (90)
3 days from the effective date of this Decision.

4 3. The real estate broker license of Respondent MILON
5 L. BROCK is hereby revoked.

6 4. No sooner than 30 days from the effective date of
7 this Decision, a restricted real estate broker license shall be
8 issued to Respondent MILON L. BROCK pursuant to Section 10156.5
9 of the Business and Professions Code if Respondent makes
10 application and pays the appropriate fee to the Department of Real
11 Estate within ninety (90) days from the effective date of this
12 Decision.

13 Respondent's right to receive a restricted broker
14 license according to these conditions shall expire ninety (90)
15 days from the effective date of this Decision.

16 5. The real estate salesperson license of Respondent
17 ALOYSIUS SALLY is hereby revoked.

18 6. A restricted real estate salesperson license shall
19 be issued to Respondent SALLY pursuant to Section 10156.5 of the
20 Business and Professions Code if Respondent makes application and
21 pays the appropriate fee to the Department of Real Estate within
22 ninety (90) days from the effective date of this Decision.

23 Respondent's right to receive a restricted
24 salesperson license according to these conditions shall expire
25 ninety (90) days from the effective date of this Decision.

26 7. No restricted license shall be issued to any
27 Respondent without prior submittal of evidence satisfactory to the

1 Department that a total of \$10,000 as restitution plus interest
2 thereon at the legal rate from April 22, 1982, has been paid by
3 Respondents to Robert E. Mitchell.

4 8. The restricted license issued to each Respondent
5 shall be subject to all of the provisions of Section 10156.7 of
6 the Business and Professions Code and to the following limitations,
7 conditions and restrictions imposed under authority of
8 Section 10156.6 of said Code:

9 (a) The restricted license may be suspended prior
10 to hearing by Order of the Real Estate Commissioner in the event
11 of Respondent's conviction or plea of nolo contendere to a crime
12 which bears a significant relationship to Respondent's fitness or
13 capacity as a real estate licensee.

14 (b) The restricted license may be suspended prior
15 to hearing by Order of the Real Estate Commissioner based upon
16 evidence satisfactory to the Commissioner that Respondent has
17 violated provisions of the California Real Estate Law, the
18 Subdivided Lands Law, Regulations of the Real Estate Commissioner
19 or conditions attaching to this restricted license.

20 (c) Respondent shall report in writing to the
21 Department of Real Estate as the Real Estate Commissioner shall
22 direct by separate written order issued while the restricted
23 license is in effect such information concerning Respondent's
24 activities for which a real estate license is required as the
25 Commissioner shall deem to be appropriate to protect the public
26 interest.

27

1 9. The following shall also be a condition of the
2 restricted license issued to Respondents BROCK and SALLY:

3 If the Respondent fails within six (6) months from
4 the effective date of the Decision to present evidence satisfactory
5 to the Real Estate Commissioner of having successfully completed
6 the continuing education requirements specified in Section 10170.5
7 of the Business and Professions Code within the four-year period
8 immediately preceding the date on which Respondent presents such
9 evidence to the Department, the Real Estate Commissioner may order
10 the suspension of the restricted license until the Respondent
11 presents evidence of having satisfied the requirements of
12 Section 10170.5. The Commissioner shall afford Respondent the
13 opportunity for a hearing pursuant to the Administrative Procedure
14 Act to present such evidence.

15 10. Respondent SALLY shall submit with his application
16 for license under an employing broker, and with any subsequent
17 application for a transfer to a new employing broker, a statement
18 signed by said prospective employing broker which shall certify:

19 (a) That said broker has read the Decision of the
20 Commissioner which granted the right to a restricted license; and,


21 (b) That said broker will exercise close
22 supervision over the performance by the restricted licensee of
23 activity for which a real estate license is required, and that

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1 said broker will submit to the Department such written reports
 2 concerning the real estate activities of Respondent as shall be
 3 requested in writing of said broker by the Department.

4 This Decision shall become effective at 12 o'clock noon
 5 on February 4, 1986.

6 IT IS SO ORDERED 1-8-86.

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 9 JAMES A. EDMONDS, JR.
 10 Real Estate Commissioner

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EXHIBIT 3

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Department of Real Estate
107 South Broadway, Room 8107
Los Angeles, California 90012

(213) 897-3937

FILED
JUL 11 1995
DEPARTMENT OF REAL ESTATE

By 

DEPARTMENT OF REAL ESTATE

STATE OF CALIFORNIA

* * * * *

In the Matter of the Accusation of)

GOLD COAST TITLE & TRUST)
DEED, INC.;)
ERNEST DOUGLAS BUCKELS,)
individually and as designated)
officer of Gold Coast Title)
& Trust Deed, Inc.;)
GOLDEN PACIFIC FUNDING, INC.;)
SCOTT DAVID BLESHEFSKI,)
individually and as designated)
officer of Golden Pacific)
Funding, Inc.;)
GOLDEN STATE EQUITY)
CORPORATION; MILON L. BROCK,)
individually and as designated)
officer of Golden State Equity)
Corporation; and,)
ALBERT ROGERS HADLEY, JR.,)

Respondents.)

No. H-2034 SD
& H-25212 LA

STIPULATION AND AGREEMENT
IN
SETTLEMENT AND ORDER

1 It is hereby stipulated by and between GOLD COAST TITLE
2 & TRUST DEED, INC.; GOLDEN PACIFIC FUNDING, INC.; GOLDEN STATE
3 EQUITY CORPORATION, ERNEST DOUGLAS BUCKELS, individually and as
4 designated officer of Gold Coast Title & Trust, Inc.; SCOTT DAVID
5 BLESHEMSKI, individually and as designated officer of Golden
6 Pacific Funding, Inc.; MILON L. BROCK, individually and as
7 designated officer of Golden State Equity Corporation; and, ALBERT
8 ROGERS HADLEY, JR., (sometimes referred to as respondents) and the
9 Complainant, acting by and through Elliott Mac Lennan, Counsel for
10 the Department of Real Estate, as follows for the purpose of
11 settling and disposing of the Accusation filed in this matter:

12 1. All issues which were to be contested and all
13 evidence which was to be presented by Complainant and respondents
14 at a formal hearing on the Accusation, which hearing was to be
15 held in accordance with the provisions of the Administrative
16 Procedure Act (APA), shall instead and in place thereof be
17 submitted solely on the basis of the provisions of this
18 Stipulation.

19 2. Respondents have received, read and understand the
20 Statement to Respondent, the Discovery Provisions of the APA and
21 the Accusation filed by the Department of Real Estate in this
22 proceeding.

23 3. Respondents filed a Notice of Defense pursuant to
24 Section 11505 of the Government Code for the purpose of requesting
25 a hearing on the allegations in the Accusation. Respondents
26 hereby freely and voluntarily withdraw said Notice of Defense.
27 Respondents acknowledge that they understand that by withdrawing

1 said Notice of Defense they thereby waive their right to require
2 the Commissioner to prove the allegations in the Accusation at a
3 contested hearing held in accordance with the provisions of the
4 APA and that they will waive other rights afforded to them in
5 connection with the hearing such as the right to present evidence
6 in defense of the allegations in the Accusation and the right to
7 cross-examine witnesses.

8 4. This Stipulation is based on the factual allegations
9 contained in the Accusation. In the interest of expedience and
10 economy, respondents choose not to contest these allegations, but
11 to remain silent and understand that, as a result thereof, these
12 factual allegations, without being admitted or denied, will serve
13 as a prima facie basis for the disciplinary action stipulated to
14 herein. The Real Estate Commissioner shall not be required to
15 provide further evidence to prove said factual allegations.

16 5. This Stipulation is based on respondents' decision
17 not to contest the allegations set forth in the Accusation as a
18 result of the agreement negotiated between the parties. It is
19 expressly limited to this proceeding and any further proceeding
20 initiated by or brought before the Department of Real Estate based
21 upon the facts and circumstances alleged in the Accusation, and
22 made for the sole purpose of reaching an agreed disposition of
23 this proceeding. The decision of respondents not to contest the
24 factual statements alleged, as contained in the stipulated Order,
25 is made solely for the purpose of effectuating this Stipulation.
26 It is the intent and understanding of the parties that this
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Stipulation shall not be binding or admissible against respondents in any actions against respondents by third parties.

6. It is understood by the parties that the Real Estate Commissioner may adopt the Stipulation as his decision in this matter thereby imposing the penalty and sanctions on respondents' real estate licenses and license rights as set forth in the "Order" hereinbelow. In the event that the Commissioner in his discretion does not adopt the Stipulation, it shall be void and of no effect, and respondents shall retain the right to a hearing and proceeding on the Accusation under the provisions of the APA and shall not be bound by any admission or waiver made herein.

7. The Order or any subsequent Order of the Real Estate Commissioner made pursuant to this Stipulation shall not constitute an estoppel, merger or bar to any further administrative or civil proceedings by the Department of Real Estate with respect to any matters which were not specifically alleged to be causes for accusation in this proceeding.

DETERMINATION OF ISSUES

By reason of the foregoing stipulations, admissions and waivers and solely for the purpose of settlement of the pending Accusation without a hearing, it is stipulated and agreed that the following determination of issues shall be made:

I

The acts or omissions of respondents GOLD COAST TITLE & TRUST DEED, INC., GOLDEN PACIFIC FUNDING, INC., and GOLDEN STATE EQUITY CORPORATION, as described in Paragraph 4, above, are in violation of Sections 10145, 10232.5, and 10234 of the Business

1 and Professions Code (Code) and are a basis for the suspension or
2 revocation of their licenses and license rights pursuant to
3 Sections 10177(d) and 10177(g) of the Code.

II

4
5 The acts or omissions of respondents ERNEST DOUGLAS
6 BUCKELS, SCOTT DAVID BLESSENSKI, and MILON L. BROCK, as described
7 in Paragraph 4, above, are in violation of Sections 10145,
8 10232.5, and 10234 of the Code and are a basis for the suspension
9 or revocation of their licenses and license rights pursuant to
10 Sections 10177(d), 10177(g) and 10177(h) of the Code.

III

11
12 The acts or omissions of respondent ALBERT ROGERS
13 HADLEY, JR., as described in Paragraph 4, above, are a basis for
14 the suspension or revocation of his license and license rights
15 pursuant to Section 10176(a) of the Code.

ORDER

16
17 WHEREFORE THE FOLLOWING ORDER IS MADE PURSUANT TO THE
18 WRITTEN STIPULATION OF THE PARTIES:

I

19
20 All licenses and licensing rights of respondents GOLD
21 COAST TITLE & TRUST DEED, INC., GOLDEN PACIFIC FUNDING, INC.,
22 GOLDEN STATE EQUITY CORPORATION, MILON L. BROCK and ALBERT ROGERS
23 HADLEY, JR., under the Real Estate Law are hereby revoked.

II

24
25 The real estate broker licenses and license rights of
26 respondents ERNEST DOUGLAS BUCKELS and SCOTT DAVID BLESSENSKI
27

1 under the Real Estate Law (Part 1 of Division 4 of the Business
2 and Professions Code) are hereby revoked.

3 However, respondents shall be entitled to apply for and
4 be issued restricted real estate broker licenses if they make
5 application therefor and pay to the Department of Real Estate the
6 appropriate fee for said licenses within ninety (90) days of the
7 effective date of the Stipulation herein.

8 The restricted real estate broker licenses issued to
9 respondents shall be subject to all of the provisions of Section
10 10156.7 of the Business and Professions Code and the following
11 limitations, conditions and restrictions imposed under authority
12 of Section 10156.6 of the Code:

13 A. The restricted licenses may be suspended prior to
14 hearing by Order of the Real Estate Commissioner in the event of
15 respondents' conviction (including conviction of a plea of nolo
16 contendere) to a crime which bears a significant relationship to
17 respondents' fitness or capacity as real estate licensees.

18 B. The restricted license may be suspended prior to
19 hearing by Order of the Real Estate Commissioner on evidence
20 satisfactory to the Commissioner that respondents have, after the
21 effective date of the Order herein, violated provisions of the
22 California Real Estate Law, the Subdivided Lands Law, Regulations
23 of the Real Estate Commissioner or conditions attaching to said
24 restricted licenses.

25 C. Respondents shall obey all laws of the United
26 States, the State of California and its political subdivisions,
27

1 and shall further obey and comply with all rules and regulations
2 of the Real Estate Commissioner.

3 D. Respondents shall within six months from the
4 effective date of the restricted licenses take and pass the
5 Professional Responsibility Examination administered by the
6 Department including the payment of the appropriate examination
7 fee. If respondents fail to satisfy this condition, the
8 Commissioner may order suspension of the restricted licenses until
9 respondents pass the examination.

10 E. Respondent ERNEST DOUGLAS BUCKELS shall, within
11 twelve months from the effective date of this Decision, present
12 evidence satisfactory to the Real Estate Commissioner that
13 respondent has, since his license was last renewed, taken and
14 successfully completed the continuing education requirements of
15 Article 2.5 of Chapter 3 of the Real Estate Law for renewal of a
16 real estate license. If respondent fails to satisfy this
17 condition, the Commissioner may order the suspension of the
18 restricted license until the respondent presents such evidence.
19 The Commissioner shall afford respondent the opportunity for a
20 hearing pursuant to the Administrative Procedure Act to present
21 such evidence.
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F. Respondents ERNEST DOUGLAS BUCKELS and SCOTT DAVID BLESSENSKI shall not be eligible to apply for the issuance of an unrestricted real estate license nor the removal of any of the conditions, limitations or restrictions of the restricted license until at least two years have elapsed from the effective date of the Decision.

G. Respondents ERNEST DOUGLAS BUCKELS and SCOTT DAVID BLESSENSKI shall not, during the restricted period be eligible to be the designated officer of any Real Estate Corporation.

DATED: June 14, 1998

Elliott Mac Lennan
ELLIOTT MAC LENNAN
Counsel for Complainant

* * * *

We have read the Stipulation and Agreement in Settlement and Order and its terms are understood by us and are agreeable and acceptable to us. We understand that we are waiving rights given to us by the California Administrative Procedure Act (including but not limited to Sections 11506, 11508, 11509 and 11513 of the Government Code), and we willingly, intelligently and voluntarily waive those rights, including the right of requiring the Commissioner to prove the allegations in the Accusation at a hearing at which we would have the right to cross-examine witnesses against us and to present evidence in defense and mitigation of the charges.

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DATED: May 31, 1995

Ernest Douglas Buckels
GOLD COAST ^{EST} TITLE & TRUST DEED, INC.
Respondent
BY: ERNEST DOUGLAS BUCKELS, D.O.

DATED: May 31, 1995

Scott David Blesh
GOLDEN PACIFIC FUNDING, INC.
Respondent
BY: SCOTT DAVID BLESHE NSKI, D.O.

DATED: ~~May 31, 1995~~

Milton L. Brock
GOLDEN STATE EQUITY CORPORATION
Respondent
BY: MILON L. BROCK, D.O.

DATED: May 31, 1995

Ernest Douglas Buckels
ERNEST DOUGLAS BUCKELS
Respondent

DATED: May 31, 1995

Scott David Blesh
SCOTT DAVID BLESHE NSKI
Respondent

DATED: ~~May 31, 1995~~

Milton L. Brock
MILON L. BROCK
Respondent

DATED: MAY 31, 1995

Albert Rogers Hadley, Jr.
ALBERT ROGERS HADLEY, JR.
Respondent

DATED: 6-1-95

William R. Winship
WILLIAM R. WINSHIP
Attorney for Respondents

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The foregoing Stipulation and Agreement in Settlement and Order is hereby adopted by the Commissioner as his Decision and shall become effective at 12 o'clock noon on August 1, 1995.

DATED 7/5, 1995

JIM ANTF, JR.
Real Estate Commissioner

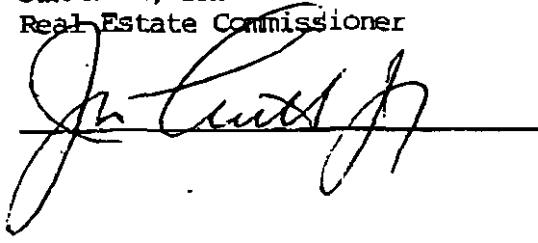


EXHIBIT 4

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

File No. ALPHA

To: GOLDEN PACIFIC FUNDING, INC. 591 Camino de la Reina, Suite 928 San Diego, CA 92108	CAPITAL GROUP, LTD. FUND 591 Camino de la Reina, Suite 928 San Diego, CA 92108
GOLD COAST TITLE & TRUST DEED, INC. 591 Camino de la Reina, Suite 928 San Diego, CA 92108	MILTON L. BROCK 591 Camino de la Reina, Suite 928 San Diego, CA 92108
HOLDING EQUITY LIMITED PARTNERSHIPS 591 Camino de la Reina, Suite 928 San Diego, CA 92108	RON LARMAN 591 Camino de la Reina, Suite 928 San Diego, CA 92108
MORTGAGE INCOME AND TREASURY SECURITY FUND 591 Camino de la Reina, Suite 928 San Diego, CA 92108	WILLIAM LANIER 591 Camino de la Reina, Suite 928 San Diego, CA 92108
PEARL OKUDA South Bay Towers 3031 Tisch Way, Suite 808 San Jose, CA 95128	

DESIST AND REFRAIN ORDER

Pursuant to Section 25532 of the California Corporate Securities Law of 1968, you are hereby ordered to desist and refrain from the further offer or sale in the State of California of securities, including, but not limited to, limited partnership units, unless and until qualification has been made under said law or unless exempt for the reason that, in the opinion of the Commissioner of Corporations of the State of California, the sale of such securities is subject to qualification under said law and such securities are being or have been offered for sale or sold without first being so qualified, and the Commissioner of Corporations of the State of California finds that this Order is necessary in the public interest for the protection of investors consistent with the purposes of the policy and provisions of the Corporate Securities Law of 1968.

MAR 14 1994

Dated: Los Angeles, California

GARY S. MENDOZA
Commissioner of Corporations

By: 
ALAN S. WEINGER
Supervising Corporations Counsel

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF CORPORATIONS



WILLIAM P. WOOD
California Corporations Commissioner
Los Angeles, California

IN REPLY REFER TO:
FILE NO _____

FAX TRANSMITTAL

Date: 11/19/04

Total number of pages, including this cover sheet: 2

TO: Molly White / FAX NO: (323) 965-3812

COMPANY/AGENCY: Securities & Exchange Commission

FROM: Alan Weinger / TELEPHONE NO: (213) 576-6205
FAX NO: (213) 576-7181

SUBJECT/REFERENCE: Desist and Refrain Order Golden Pacific/Milton L. Brock

- URGENT ROUTINE
- ROUTE TO ADDRESSEE
- TELEPHONE ADDRESSEE FOR PICK-UP
- TELEPHONE SENDER WHEN RECEIVED

COMMENTS: Per your request

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