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NEVADA COUNTY

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SUPERIOR COURT

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF NEVADA
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14 **THE PEOPLE OF THE STATE OF**
15 **CALIFORNIA,**

16 Plaintiff,

17 v.

18 **THOMAS HASTERT**
19 **DOB: 06/01/1955,**

20 Defendant.
21

Case No. *FD9-058*

FELONY COMPLAINT

22
23 **COUNT 1**

24 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
25 on or about and between 3/30/05 and 7/31/07, at and in Nevada County, State of California,
26 commit a Felony, namely a violation of California Penal Code section 487/506 (embezzlement by
27 attorney and broker) in that while said defendant was an agent, servant, employee, broker and
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1 attorney for clients at LOAN SENSE and said defendant did unlawfully and knowingly take
2 money and personal property of a value exceeding Four Hundred Dollars (\$400).

3 **COUNT 2**

4 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
5 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
6 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
7 and knowingly procure and offer a false and forged instrument to be filed, registered, and
8 recorded in a public office within this state, which instrument, if genuine might be filed,
9 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
10 purporting to show the accurate state of interests in the property known as APN 26-490-16.

11 **COUNT 3**

12 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
13 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
14 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
15 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
16 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 138, a series of notes secured
17 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
18 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
19 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
20 transaction without such sale, and offer for sale having first been qualified under sections 25111,
21 25112, and 25113 of said Code and did not comply with all the provisions of Business and
22 Professions Code 10237 et seq.

23 **COUNT 4**

24 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
25 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
26 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
27 oral or written communications containing false statements or omissions), in that he willfully,
28 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE.

1 LOAN NUMBER 138, a series of notes secured directly by an interest in the same property (APN
2 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
3 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
4 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
5 statement of material fact or omitted to state a material fact in order to make the statements
6 misleading in light of the circumstances under which they were made.

7 **COUNT 5**

8 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
9 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
10 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
11 and knowingly procure and offer a false and forged instrument to be filed, registered, and
12 recorded in a public office within this state, which instrument, if genuine, might be filed,
13 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
14 purporting to show the accurate state of interests in the property known as APN 26-490-16.

15 **COUNT 6**

16 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
17 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
18 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
19 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
20 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 142, a series of notes secured
21 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
22 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
23 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
24 transaction without such sale and offer for sale having, first been qualified under sections 25111,
25 25112, and 25113 of said Code and did not comply with all the provisions of Business and
26 Professions Code 10237 et seq.

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COUNT 7

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 142, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact in order to make the statements misleading in light of the circumstances under which they were made.

COUNT 8

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine might be filed, registered, and recorded under the law of this state or the United States. To wit: Deed of Trust purporting to show the accurate state of interests in the property known as APN 26-490-16.

COUNT 9

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 154, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.

1 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
2 transaction without such sale and offer for sale having first been qualified under sections 25111,
3 25112, and 25113 of said Code and did not comply with all the provisions of Business and
4 Professions Code 10237 et seq.

5 **COUNT 10**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
9 oral or written communications containing false statements or omissions), in that he willfully,
10 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
11 LOAN NUMBER 154, a series of notes secured directly by an interest in the same property (APN
12 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
13 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
14 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
15 statement of material fact or omitted to state a material fact in order to make the statements
16 misleading in light of the circumstances under which they were made.

17 **COUNT 11**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
21 and knowingly procure and offer a false and forged instrument to be filed, registered, and
22 recorded in a public office within this state, which instrument, if genuine might be filed,
23 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
24 purporting to show the accurate state of interests in the property known as APN 26-490-16.

25 **COUNT 12**

26 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
27 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
28 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered

1 and unqualified securities), in that he willfully, unlawfully and feloniously offered securities for
2 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 157, a series of notes secured
3 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
4 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
5 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
6 transaction without such sale and offer for sale having first been qualified under sections 25111,
7 25112, and 25113 of said Code and did not comply with all the provisions of Business and
8 Professions Code 10237 et seq.

9 **COUNT 13**

10 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
11 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
12 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
13 oral or written communications containing false statements or omissions), in that he willfully,
14 unlawfully and feloniously offered securities for sale and sold securities of LOAN SENSE,
15 LOAN NUMBER 157, a series of notes secured directly by an interest in the same property (APN
16 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
17 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
18 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
19 statement of material fact or omitted to state a material fact in order to make the statements
20 misleading in light of the circumstances under which they were made.

21 **COUNT 14**

22 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
23 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
24 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
25 and knowingly procure and offer a false and forged instrument to be filed, registered, and
26 recorded in a public office within this state, which instrument, if genuine might be filed,
27 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
28 purporting to show the accurate state of interests in the property known as APN 26-490-16.

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COUNT 15

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 165, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer transaction, without such sale and offer for sale having first been qualified under sections 25111, 25112, and 25113 of said Code and did not comply with all the provisions of Business and Professions Code 10237 et seq.

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COUNT 16

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 165, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact in order to make the statements misleading in light of the circumstances under which they were made.

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COUNT 17

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully

1 and knowingly procure and offer a false and forged instrument to be filed, registered, and
2 recorded in a public office within this state, which instrument, if genuine might be filed,
3 registered, and recorded under the law of this state or the United States. to wit: Deed of Trust
4 purporting to show the accurate state of interests in the property known as APN 26-490-16.

5 **COUNT 18**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
9 and unqualified securities), in that he willfully, unlawfully and feloniously offered securities for
10 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 170, a series of notes secured
11 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
12 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
13 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
14 transaction without such sale and offer for sale having first been qualified under sections 25111,
15 25112, and 25113 of said Code and did not comply with all the provisions of Business and
16 Professions Code 10237 et seq.

17 **COUNT 19**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
21 oral or written communications containing false statements or omissions), in that he willfully,
22 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
23 LOAN NUMBER 170, a series of notes secured directly by an interest in the same property (APN
24 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
25 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
26 Pamela & Michael Bazzani by means of written, or oral communication which included an untrue
27 statement of material fact or omitted to state a material fact in order to make the statements
28 misleading in light of the circumstances under which they were made.

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COUNT 20

10 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
11 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
12 violation of California Penal Code section 115 (filing a false instrument) in that he did
13 unlawfully, and knowingly procure and offer a false and forged instrument to be filed, registered,
14 and recorded in a public office within this state, which instrument, if genuine might be filed,
15 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
16 purporting to show the accurate state of interests in the property known as APN 26-490-16.

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COUNT 21

22 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
23 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
24 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
25 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
26 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 179, a series of notes secured
27 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
28 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
transaction without such sale and offer for sale having first been qualified under sections 25111,
25112, and 25113 of said Code and did not comply with all the provisions of Business and
Professions Code 10237 et seq.

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COUNT 22

22 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
23 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
24 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
25 oral or written communications containing false statements or omissions), in that he willfully,
26 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
27 LOAN NUMBER 179, a series of notes secured directly by an interest in the same property (APN
28 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul

1 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
2 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
3 statement of material fact or omitted to state a material fact in order to make the statements
4 misleading in light of the circumstances under which they were made.

5 **COUNT 23**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
9 and knowingly procure and offer a false and forged instrument to be filed, registered, and
10 recorded in a public office within this state; which instrument, if genuine might be filed,
11 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
12 purporting to show the accurate state of interests in the property known as APN 26-490-16.

13 **COUNT 24**

14 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
15 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
16 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
17 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
18 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 181, a series of notes secured
19 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
20 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
21 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
22 transaction without such sale and offer for sale having first been qualified under sections 25111,
23 25112, and 25113 of said Code and did not comply with all the provisions of Business and
24 Professions Code 10237 et seq.

25 **COUNT 25**

26 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
27 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
28 violation of California Corporations Code sections 25401/25540 (sale of securities by means of

1 oral or written communications containing false statements or omissions), in that he willfully,
2 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
3 LOAN NUMBER 181, a series of notes secured directly by an interest in the same property (APN
4 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
5 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
6 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
7 statement of material fact or omitted to state a material fact in order to make the statements
8 misleading in light of the circumstances under which they were made.

9 **COUNT 26**

10 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
11 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
12 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
13 and knowingly procure and offer a false and forged instrument to be filed, registered, and
14 recorded in a public office within this state, which instrument, if genuine might be filed,
15 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
16 purporting to show the accurate state of interests in the property known as APN 26-490-16.

17 **COUNT 27**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
21 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
22 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 188, a series of notes secured
23 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
24 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
25 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
26 transaction without such sale and offer for sale having first been qualified under sections 25111,
27 25112, and 25113 of said Code and did not comply with all the provisions of Business and
28 Professions Code 10237 et seq.

1 **COUNT 28**

2 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
3 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
4 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
5 oral or written communications containing false statements or omissions), in that he willfully,
6 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
7 LOAN NUMBER 188, a series of notes secured directly by an interest in the same property (APN
8 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
9 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
10 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
11 statement of material fact or omitted to state a material fact in order to make the statements
12 misleading in light of the circumstances under which they were made.

13 **COUNT 29**

14 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
15 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
16 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
17 and knowingly procure and offer a false and forged instrument to be filed, registered, and
18 recorded in a public office within this state, which instrument, if genuine might be filed,
19 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
20 purporting to show the accurate state of interests in the property known as APN 26-490-16.

21 **COUNT 30**

22 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
23 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
24 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
25 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
26 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 194, a series of notes secured
27 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
28 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.

1 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
2 transaction without such sale and offer for sale having first been qualified under sections 25111,
3 25112, and 25113 of said Code and did not comply with all the provisions of Business and
4 Professions Code 10237 et seq.

5 **COUNT 31**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
9 oral or written communications containing false statements or omissions), in that he willfully,
10 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
11 LOAN NUMBER 194, a series of notes secured directly by an interest in the same property (APN
12 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
13 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
14 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
15 statement of material fact or omitted to state a material fact in order to make the statements
16 misleading in light of the circumstances under which they were made.

17 **COUNT 32**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
21 and knowingly procure and offer a false and forged instrument to be filed, registered, and
22 recorded in a public office within this state, which instrument, if genuine might be filed,
23 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
24 purporting to show the accurate state of interests in the property known as APN 26-490-16.

25 **COUNT 33**

26 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
27 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
28 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered

1 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
2 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 220, a series of notes secured
3 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
4 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
5 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
6 transaction without such sale and offer for sale having first been qualified under sections 25111,
7 25112, and 25113 of said Code and did not comply with all the provisions of Business and
8 Professions Code 10237 et seq.

9
10 **COUNT 34**

11 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
12 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
13 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
14 oral or written communications containing false statements or omissions), in that he willfully,
15 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
16 LOAN NUMBER 220, a series of notes secured directly by an interest in the same property (APN
17 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
18 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
19 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
20 statement of material fact or omitted to state a material fact in order to make the statements
21 misleading in light of the circumstances under which they were made.

22 **COUNT 35**

23 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
24 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
25 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
26 and knowingly procure and offer a false and forged instrument to be filed, registered, and
27 recorded in a public office within this state, which instrument, if genuine might be filed,
28 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
purporting to show the accurate state of interests in the property known as APN 26-490-16.

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COUNT 36

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 227, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer transaction without such sale and offer for sale having first been qualified under sections 25111, 25112, and 25113 of said Code and did not comply with all the provisions of Business and Professions Code 10237 et seq.

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COUNT 37

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 227, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact in order to make the statements misleading in light of the circumstances under which they were made.

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COUNT 38

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully

1 and knowingly procure and offer a false and forged instrument to be filed, registered, and
2 recorded in a public office within this state, which instrument, if genuine might be filed,
3 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
4 purporting to show the accurate state of interests in the property known as APN 26-490-16.

5 **COUNT 39**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
9 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
10 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 242, a series of notes secured
11 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
12 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
13 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
14 transaction without such sale and offer for sale having first been qualified under sections 25111,
15 25112, and 25113 of said Code and did not comply with all the provisions of Business and
16 Professions Code 10237 et seq.

17 **COUNT 40**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
21 oral or written communications containing false statements or omissions), in that he willfully,
22 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
23 LOAN NUMBER 242, a series of notes secured directly by an interest in the same property (APN
24 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
25 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
26 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
27 statement of material fact or omitted to state a material fact in order to make the statements
28 misleading in light of the circumstances under which they were made.

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COUNT 41

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine might be filed, registered, and recorded under the law of this state or the United States. To wit: Deed of Trust purporting to show the accurate state of interests in the property known as APN 26-490-16.

COUNT 42

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 262, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer transaction without such sale and offer for sale having first been qualified under sections 25111, 25112, and 25113 of said Code and did not comply with all the provisions of Business and Professions Code 10237 et seq.

COUNT 43

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 262, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul

1 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
2 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
3 statement of material fact or omitted to state a material fact in order to make the statements
4 misleading in light of the circumstances under which they were made.

5 **COUNT 44**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
9 and knowingly procure and offer a false and forged instrument to be filed, registered, and
10 recorded in a public office within this state, which instrument, if genuine might be filed,
11 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
12 purporting to show the accurate state of interests in the property known as APN 26-490-16.

13 **COUNT 45**

14 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
15 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
16 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
17 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
18 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 284, a series of notes secured
19 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
20 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
21 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
22 transaction without such sale and offer for sale having first been qualified under sections 25111,
23 25112, and 25113 of said Code and did not comply with all the provisions of Business and
24 Professions Code 10237 et seq.

25 **COUNT 46**

26 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
27 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
28 violation of California Corporations Code sections 25401/25540 (sale of securities by means of

1 oral or written communications containing false statements or omissions), in that he willfully,
2 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
3 LOAN NUMBER 284, a series of notes secured directly by an interest in the same property (APN
4 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
5 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
6 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
7 statement of material fact or omitted to state a material fact in order to make the statements
8 misleading in light of the circumstances under which they were made.

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10 **COUNT 47**

11 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
12 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
13 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
14 and knowingly procure and offer a false and forged instrument to be filed, registered, and
15 recorded in a public office within this state, which instrument, if genuine might be filed,
16 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
purporting to show the accurate state of interests in the property known as APN 26-490-16.

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18 **COUNT 48**

19 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
20 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
21 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
22 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
23 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 295, a series of notes secured
24 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
25 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
26 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
27 transaction without such sale and offer for sale having first been qualified under sections 25111,
28 25112, and 25113 of said Code and did not comply with all the provisions of Business and
Professions Code 10237 et seq.

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COUNT 49

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 295, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact in order to make the statements misleading in light of the circumstances under which they were made.

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COUNT 50

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine might be filed, registered, and recorded under the law of this state or the United States. To wit: Deed of Trust purporting to show the accurate state of interests in the property known as APN 26-490-16.

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COUNT 51

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 298, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.

Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer transaction without such sale and offer for sale having first been qualified under sections 25111, 25112, and 25113 of said Code and did not comply with all the provisions of Business and Professions Code 10237 et seq.

COUNT 52

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 298, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact in order to make the statements misleading in light of the circumstances under which they were made.

COUNT 53

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine might be filed, registered, and recorded under the law of this state or the United States. To wit: Deed of Trust purporting to show the accurate state of interests in the property known as APN 26-490-16.

COUNT 54

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered

1 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
2 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 303, a series of notes secured
3 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
4 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
5 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
6 transaction without such sale and offer for sale having first been qualified under sections 25111,
7 25112, and 25113 of said Code and did not comply with all the provisions of Business and
8 Professions Code 10237 et seq.

9
COUNT 55

10 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
11 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
12 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
13 oral or written communications containing false statements or omissions), in that he willfully,
14 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
15 LOAN NUMBER 303, a series of notes secured directly by an interest in the same property (APN
16 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
17 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
18 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
19 statement of material fact or omitted to state a material fact in order to make the statements
20 misleading in light of the circumstances under which they were made.

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COUNT 56

22 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
23 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
24 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
25 and knowingly procure and offer a false and forged instrument to be filed, registered, and
26 recorded in a public office within this state, which instrument, if genuine might be filed,
27 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
28 purporting to show the accurate state of interests in the property known as APN 26-490-16.

1 **COUNT 57**

2 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
3 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
4 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
5 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
6 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 305, a series of notes secured
7 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
8 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
9 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
10 transaction without such sale and offer for sale having first been qualified under sections 25111,
11 25112, and 25113 of said Code and did not comply with all the provisions of Business and
12 Professions Code 10237 et seq.

13 **COUNT 58**

14 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
15 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
16 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
17 oral or written communications containing false statements or omissions), in that he willfully,
18 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
19 LOAN NUMBER 305, a series of notes secured directly by an interest in the same property (APN
20 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
21 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
22 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
23 statement of material fact or omitted to state a material fact in order to make the statements
24 misleading in light of the circumstances under which they were made.

25 **COUNT 59**

26 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
27 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
28 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully

1 and knowingly procure and offer a false and forged instrument to be filed, registered, and
2 recorded in a public office within this state, which instrument, if genuine might be filed,
3 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
4 purporting to show the accurate state of interests in the property known as APN 26-490-16.

5 **COUNT 60**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
9 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
10 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 326, a series of notes secured
11 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
12 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
13 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
14 transaction without such sale and offer for sale having first been qualified under sections 25111,
15 25112, and 25113 of said Code and did not comply with all the provisions of Business and
16 Professions Code 10237 et seq.

17 **COUNT 61**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
21 oral or written communications containing false statements or omissions), in that he willfully,
22 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
23 LOAN NUMBER 326, a series of notes secured directly by an interest in the same property (APN
24 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
25 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
26 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
27 statement of material fact or omitted to state a material fact in order to make the statements
28 misleading in light of the circumstances under which they were made.

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COUNT 62

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine might be filed, registered, and recorded under the law of this state or the United States. To wit: Deed of Trust purporting to show the accurate state of interests in the property known as APN 26-490-16.

COUNT 63

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 331, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer transaction without such sale and offer for sale having first been qualified under sections 25111, 25112, and 25113 of said Code and did not comply with all the provisions of Business and Professions Code 10237 et seq.

COUNT 64

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 331, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul

1 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
2 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
3 statement of material fact or omitted to state a material fact in order to make the statements
4 misleading in light of the circumstances under which they were made.

5 **COUNT 65**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
9 and knowingly procure and offer a false and forged instrument to be filed, registered, and
10 recorded in a public office within this state, which instrument, if genuine might be filed,
11 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
12 purporting to show the accurate state of interests in the property known as APN 26-490-16.

13 **COUNT 66**

14 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
15 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
16 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
17 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
18 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 334, a series of notes secured
19 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
20 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
21 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
22 transaction without such sale and offer for sale having first been qualified under sections 25111,
23 25112, and 25113 of said Code and did not comply with all the provisions of Business and
24 Professions Code 10237 et seq.

25 **COUNT 67**

26 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
27 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
28 violation of California Corporations Code sections 25401/25540 (sale of securities by means of

1 oral or written communications containing false statements or omissions), in that he willfully,
2 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
3 LOAN NUMBER 334, a series of notes secured directly by an interest in the same property (APN
4 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
5 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
6 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
7 statement of material fact or omitted to state a material fact in order to make the statements
8 misleading in light of the circumstances under which they were made.

9 **COUNT 68**

10 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
11 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
12 violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully
13 and knowingly procure and offer a false and forged instrument to be filed, registered, and
14 recorded in a public office within this state, which instrument, if genuine might be filed,
15 registered, and recorded under the law of this state or the United States. To wit: Deed of Trust
16 purporting to show the accurate state of interests in the property known as APN 26-490-16.

17 **COUNT 69**

18 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
19 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
20 violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered
21 and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for
22 sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 338, a series of notes secured
23 directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson,
24 Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.
25 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
26 transaction without such sale and offer for sale having first been qualified under sections 25111,
27 25112, and 25113 of said Code and did not comply with all the provisions of Business and
28 Professions Code 10237 et seq.

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COUNT 70

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25401/25540 (sale of securities by means of oral or written communications containing false statements or omissions), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE, LOAN NUMBER 338, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani by means of written or oral communication which included an untrue statement of material fact or omitted to state a material fact in order to make the statements misleading in light of the circumstances under which they were made.

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COUNT 71

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Penal Code section 115 (filing a false instrument) in that he did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine might be filed, registered, and recorded under the law of this state or the United States. To wit: Deed of Trust purporting to show the accurate state of interests in the property known as APN 26-490-16.

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COUNT 72

The Attorney General of the State of California hereby accuses THOMAS HASTERT did on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a violation of California Corporations Code sections 25110/25540 (offer and sale of unregistered and unqualified securities), in that he willfully, unlawfully, and feloniously offered securities for sale and sold securities, to wit, LOAN SENSE, LOAN NUMBER 360, a series of notes secured directly by an interest in the same property (APN 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul K. Nielsen, James Hagele, M.D., Gerald E.

1 Berger, William Diemer, Jr., Arthur W. Silvera, Pamela & Michael Bazzani in an issuer
2 transaction without such sale and offer for sale having first been qualified under sections 25111,
3 25112, and 25113 of said Code and did not comply with all the provisions of Business and
4 Professions Code 10237 et seq.

5 **COUNT 73**

6 The Attorney General of the State of California hereby accuses THOMAS HASTERT did
7 on or about 4/28/2005, at and in Nevada County, State of California, commit a Felony, namely a
8 violation of California Corporations Code sections 25401/25540 (sale of securities by means of
9 oral or written communications containing false statements or omissions), in that he willfully,
10 unlawfully, and feloniously offered securities for sale and sold securities of LOAN SENSE,
11 LOAN NUMBER 360, a series of notes secured directly by an interest in the same property (APN
12 26-490-16) in this state to Thomas F. Wilson, Alexander & Deborah Lewis, Brad A. Prowse, Poul
13 K. Nielsen, James Hagele, M.D., Gerald E. Berger, William Diemer, Jr., Arthur W. Silvera,
14 Pamela & Michael Bazzani by means of written or oral communication which included an untrue
15 statement of material fact or omitted to state a material fact in order to make the statements
16 misleading in light of the circumstances under which they were made.

17 **SPECIAL ALLEGATION – MULTIPLE 115 VIOLATIONS**

18 It is further alleged that in the commission of the offenses set forth in COUNTS ONE
19 through SEVENTY-THREE said defendant's committed multiple violations of Penal Code
20 section 115, and the loss exceeds \$100,000 – both within the meaning of Penal Code section
21 115(c).

22 **SPECIAL ALLEGATION – EXCESSIVE LOSS OVER \$1,000,000**

23 It is further alleged that in the commission of the offenses set forth in COUNTS ONE
24 through SEVENTY-THREE said defendant's, with the intent to do so, took, damaged, and
25 destroyed property of a value exceeding \$1,000,000 within the meaning of Penal Code sections
26 12022.6(a)(3) and (b).

1 **SPECIAL ALLEGATION – EXCESSIVE LOSS OVER \$100,000**

2 It is further alleged that in the commission of the offenses set forth in COUNTS ONE
3 through SEVENTY-THREE is a theft of over \$100,000 within the meaning of Penal Code section
4 1203.045(a).

5 **SPECIAL ALLEGATION – AGGRAVATED WHITE COLLAR CRIME**

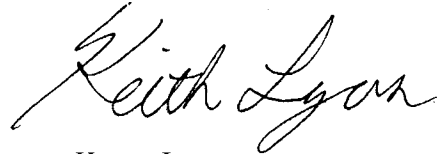
6 It is further alleged, pursuant to Penal Code section 186.11(a), that the offenses set forth in
7 COUNTS ONE through SEVENTY-THREE are related felonies, a material element of which is
8 fraud and embezzlement, which involves a pattern of related felony conduct, and the pattern of
9 related conduct involves the taking of more than five-hundred thousand dollars (\$500,000).

10 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
11 AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 73 COUNTS.

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13 Dated: January 28, 2009

Respectfully Submitted,

14 EDMUND G. BROWN JR.
15 Attorney General of California

16 

17 KEITH LYON
18 Deputy Attorney General
19 *Attorneys for People*

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