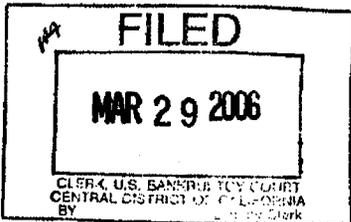


Thomas H. Casey 22342 Avenida Empresa, Ste. 260 Rancho Santa Margarita, CA 92688 Tel: (949) 766-8787 Fax: (949) 766-9896  Chapter 7 Bankruptcy Trustee	FOR COURT USE ONLY  
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA</b>	
In re:  <b>TODD MICHAEL ALLEN, fdba ALLEN'S LANDSCAPE CONSTRUCTION,</b>  <div style="text-align: right;">Debtor(s).</div>	CHAPTER 7  CASE NO.: SA 06-10141 JB

## NOTICE OF SALE OF ESTATE PROPERTY

<b>Sale Date:</b> April 12, 2006	<b>Time:</b> 2:00 P.M.
<b>Location:</b> U.S. Bankruptcy Court, Courtroom 5B, 411 W. 4 <sup>th</sup> St., Santa Ana, CA 92701	

Type of Sale:  Public     Private    Last date to file objections: Up to the time of hearing

Description of Property to be Sold:

**Residential real property known as 882 South Esplanade, Orange, California, 92869, APN 094-121-15**

Terms and Conditions of Sale:

**See the Chapter 7 Trustee's Motion for Order Approving (1) Sale of Real Property (882 South Esplanade, Orange, CA 92869) Pursuant to 11 U.S.C. Section 363(b); (2) Overbid Procedure; (3) Employment and Compensation of Real Estate Agent; (4) Surcharge of Debtor's Homestead for Unpaid, Post-petition Mortgage Payments; (5) Distribution of Sale Proceeds on file with the Bankruptcy Court ("Sale Motion"). A copy of the Sale Motion may be obtained by contacting the Trustee, Thomas H. Casey, at the address indicated above.**

Proposed Sale Price: **\$755,000.00, subject to overbid**

Overbid Procedure (If Any): **TRUSTEE MUST RECEIVE BIDS PRIOR TO HEARING – see the Sale Motion for the full bidding procedures.**

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing: **See above sale date.**

Contact Person for Potential Bidders (include name, address, telephone, fax and/or e-mail addresses:

**Roni Raczkowski  
Century 21 Beachside Realtors  
6100 Warner Ave.  
Huntington Beach, CA 92647**

**Phone: 714-878-3796  
Fax: 714-374-7731  
E-mail: ronir@msn.com**

Date: **March 28, 2006**

ORIGINAL

FILED  
MAR 24 2006  
CLERK, U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY Deputy Clerk

1 Thomas H. Casey  
2 22342 Avenida Empresa, Suite 260  
3 Rancho Santa Margarita, CA 92688  
4 Telephone: (949) 766-8787  
5 Facsimile: (949) 766-9896

6 Chapter 7 Bankruptcy Trustee

ENTERED  
MAR 24 2006  
CLERK, U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY Deputy Clerk

LODGED  
MAR 23 2006  
CLERK, U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
BY Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA / SANTA ANA DIVISION

11 In re ) Case No. SA 06-10141 JB

) Chapter 7

12 )  
13 )  
14 TODD MICHAEL ALLEN fdba ALLEN'S )  
15 LANDSCAPE CONSTRUCTION, )

16 )  
17 ) Debtor. )  
18 )  
19 )

~~PROPOSED~~  
ORDER SHORTENING TIME FOR HEARING ON CHAPTER 7 TRUSTEE'S MOTION FOR ORDER APPROVING (1) SALE OF REAL PROPERTY (882 South Esplanade, Orange, CA 92869) PURSUANT TO 11 U.S.C. §363(b); (2) OVERBID PROCEDURE; (3) EMPLOYMENT AND COMPENSATION OF REAL ESTATE AGENT; (4) SURCHARGE DEBTOR'S HOMESTEAD FOR UNPAID, POST-PETITION MORTGAGE PAYMENTS; (5) DISTRIBUTION OF SALE PROCEEDS

) Date:  
) Time:  
) Ctrm: 5B

22 Upon review of the *Ex Parte* Application for Order Shortening Time for Hearing on Chapter  
23 7 Trustee's Motion for Order Approving Sale of Real Property of Thomas H. Casey, Chapter 7  
24 Trustee ("Trustee") for the estate of Todd Michael Allen fdba Allen's Landscape Construction  
25 ("Debtor") and good cause appearing therefor, it is

26 ORDERED that time is shortened for hearing of the Chapter 7 Trustee's Motion for Order  
27 Approving (1) Sale of Real Property (882 South Esplanade, Orange, CA 92869) Pursuant to 11  
28 U.S.C. §363(b); (2) Overbid Procedure; (3) Employment and Compensation of Real Estate Agent;

1 (4) Surcharge of Debtor's Homestead for Unpaid, Post-Petition Mortgage Payments and (5)  
 2 Distribution of Sale Proceeds ("Trustee's Motion" and/or "Motion"). The hearing shall be held on  
 3 <sup>April</sup> March 12, 2006, at 2:00 P. M. before the Honorable James N. Barr, in Courtroom 5-B,  
 4 411 West Fourth Street, Santa Ana, California; and

5 **IT IS FURTHER ORDERED** that telephonic notice of the hearing shall be made on  
 6 counsel for the Debtor, the U.S. Trustee, and any parties requesting special notice, no later than  
 7 March 29, 2006;

8 **IT IS FURTHER ORDERED** that Notice of the Hearing and the Motion shall be served  
 9 via overnight mail on counsel for the Debtor, the U.S. Trustee, the Secured Creditor, and any parties  
 10 requesting special notice, no later than March 24, 2006.

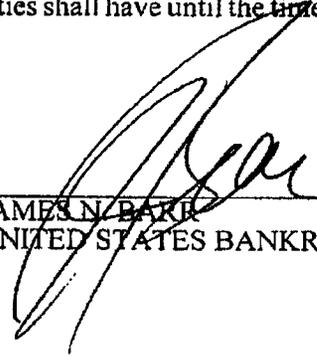
11 **IT IS FURTHER ORDERED** that Notice of the Hearing and the Motion shall be served  
 12 on all creditors and parties in interest by regular U.S. Mail no later than March 24, 2006.

13 **IT IS FURTHER ORDERED** that overbids and "earnest money" deposits may be submitted  
 14 to the Trustee up to the time of the hearing on the Motion.

15 **IT IS FURTHER ORDERED** that Parties shall have until the time of the hearing to file and  
 16 serve opposition to the Trustee's Motion.

17  
 18 DATED: \_\_\_\_\_, 2004

19 **MAR 24 2006**

  
 \_\_\_\_\_  
 JAMES N. BARR  
 UNITED STATES BANKRUPTCY JUDGE

20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

COPY

FILED

MAR 23 2006

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SANTA ANA DIVISION

In re:

TODD MICHAEL ALLEN fdba  
ALLEN'S LANDSCAPE  
CONSTRUCTION,

Debtor.

Case No. SA 06-10141 JB  
Chapter 7

**NOTICE OF CHAPTER 7 TRUSTEE'S  
MOTION FOR ORDER APPROVING (1) SALE  
OF REAL PROPERTY (882 South Esplanade,  
Orange, CA 92869) PURSUANT TO 11 U.S.C.  
SECTION 363(b); (2) OVERBID PROCEDURE;  
(3) EMPLOYMENT AND COMPENSATION OF  
REAL ESTATE AGENT; (4) SURCHARGE OF  
DEBTOR'S HOMESTEAD FOR UNPAID,  
POST-PETITION MORTGAGE PAYMENTS; (5)  
DISTRIBUTION OF SALE PROCEEDS**

Date:  
Time:  
Ctm: 5B

**PLEASE TAKE NOTICE** that Thomas H. Casey, Chapter 7 Trustee ("Trustee") for the bankruptcy estate of Todd Michael Allen ("Debtor"), will bring a Motion for Order Approving (1) Sale of Real Property (882 South Esplanade, Orange, CA 92869) Pursuant to 11 U.S.C. Section 363(b); (2) Overbid Procedure; (3) Employment and Compensation of Real Estate Agent; (4) Surcharge of Debtor's Homestead for Unpaid, Post-petition Mortgage Payments; (5) Distribution of Sale Proceeds ("Motion"). In support thereof, Trustee respectfully represents:

**SUMMARY**

When this bankruptcy case was filed the residential real property known as 882 South Esplanade, Orange, California, 92869 ("Property") was in escrow and the Trustee seeks to complete the sale. Subject to Court approval, the Trustee has accepted an offer from Luis Hernandez, a single man ("Buyer") to purchase the Property for the amount of \$755,000.00 subject to overbid. The Trustee requests approval of the overbid procedures, and authority to distribute the sale proceeds and the employment and compensation of the Trustee's real estate agent. The Trustee also requests authority to surcharge the Debtor's \$75,000 homestead exemption the amount of \$5,775.45, representing the one and one-half months of post-petition, unpaid mortgage payments and late charges due while the Debtor has resided in the Property.

**BACKGROUND INFORMATION**

This case was commenced by the filing of a voluntary Chapter 7 petition on February 15, 2006 ("Petition Date"). Thomas H. Casey is the duly appointed, qualified and acting Chapter 7 Trustee.

**THE PROPERTY TO BE SOLD**

Among the assets listed by the Debtor is the Property. The Debtor's Schedule "A" listed the value of the Property at \$750,000. (See Debtor's Schedule A attached as Exhibit "1" to the Motion and incorporated herein by reference.)

The Real Property is legally described as follows:

That portion of Lot 7 in Block M of the Chapman Tract, in the City of Orange, County of Orange, State of California, as shown on a map of Messrs. Glassell and Chapman, recorded in Book 1, Pages 23 and 24 of Miscellaneous Maps, records of Orange County, California, described as follows:

1 Beginning at a point of the Easterly line of said Lot 7, distant South 0°12'00" West  
2 930.00 feet from the Northeast corner of said Lot 7, said Easterly line being the  
3 center line of Esplanade Street, as shown on a map of Tract No. 440, recorded in  
4 Book 16, Pages 21 and 22 of Miscellaneous Maps, records of Orange County,  
5 California; Thence South 89°49'47" West 140.00 feet; Thence South 0°12'00" West  
6 90.31 feet to the Northerly line of that certain strip of land 12.00 feet in width,  
7 described as "Parcel F7-903" in a Notice of Action Entitled Orange County Flood  
8 Control District Verdugo Service Corporation, a California Corporation, a subsidiary  
9 of Glenfed, Inc., a Delaware Corporation, John J. Jicha and Others, a copy of which  
10 was recorded June 22, 1961 in Book 5762, Page 986K, of Official Records; Thence  
11 North 86°35'40" East 140.28 feet along said Northerly line to the Easterly line of  
12 said Lot 7; Thence North 0°12'00" East 82.88 feet to the point of beginning.

13 Excepting therefrom the east 30.00 feet for road purposes, as reserved in deed of  
14 record.

15 Also excepting therefrom the West 10 feet of the East 40 feet for street purposes, as  
16 conveyed by deed to the City of Orange recorded July 31, 1961 in Book 5800, Page  
17 926, Official Records.

18 Assessor's Parcel No.: 094-121-15.

19 The Debtor, Todd Michael Allen, holds title to the Real Property as "Todd Allen, a married  
20 man as his sole and separate property". Copies of the Grant Deeds conveying the Real Property to  
21 the Debtor as "Todd Allen, a married man as his sole and separate property", recorded on December  
22 24, 2003, are attached to the Motion as collective **Exhibit "2"** and are incorporated herein by this  
23 reference.

24 The Debtor's Schedule "D" states that Chase Manhattan Mortgage is the holder of the  
25 mortgage against the Real Property dated June 1, 2005, with a balance owing of \$577,255. A copy  
26 of Debtor's Schedule "D" is attached to the Motion as **Exhibit "3"** and incorporated herein by  
27 reference.

28 **THE PROPOSED SALE OF THE PROPERTY IS  
FOR FAIR MARKET VALUE**

Subject to Court approval, the Trustee has accepted an offer from Luis Hernandez, a single  
man, to purchase the Property for the amount of \$755,000.00 (the "Offer"). A copy of the Purchase  
Agreement and Joint Escrow Instructions, with Addendum to Purchase Agreement, are attached to  
the Motion as **Exhibit "4"** and incorporated herein by reference.

Fair market value for the Property is being realized. The Trustee's Real Estate Agent has  
reviewed comparable sales in the area and determined that \$755,000.00 is a fair market value. The  
Property has been actively marketed by the Trustee's Real Estate Agent since approximately January  
10, 2006. See the Declaration of proposed real estate agent Roni Raczkowski attached to the  
Motion.

**SALE TERMS**

The Trustee proposes to sell the Property to Luis Hernandez, a single man ("Buyer") for the  
amount of \$755,000.00. Pursuant to the terms of the Trustee's Counter-Offer, the Buyer has  
deposited \$10,000.00 into escrow (see **Exhibit "4"** attached to the Motion). The Purchase  
Agreement and Joint Escrow Instructions and Addendum to Purchase Agreement provide in  
pertinent part as follows:

- a. The Buyer acknowledges that he is buying the Real Property as is and where  
is without warranties of any kind, express or implied, being given by the Trustee or his agents  
concerning the condition of the Real Property or the quality of title;
- b. The Buyer is aware the offer is contingent upon Bankruptcy Court approval;
- c. The Buyer has no contingencies in this transaction, except as to obtaining loan  
approval for financing; and

1 d. Any and all disputes which involve in any manner the bankruptcy estate or  
2 the Trustee arising from the Purchase Agreement shall be resolved only in the U.S. Bankruptcy  
3 Court.

4 e. The Buyer will be reimbursed \$13,000 from escrow for, among other things,  
5 repairs needed to the driveway, to install fixtures throughout the residence, and to paint the interior.

#### 6 THE OVERBID PROCEDURE

7 In order to obtain the highest and best offer for the benefit of the creditors of the estate, the  
8 Trustee proposes that the foregoing Offer be subject to overbid. Notice is being provided of the  
9 opportunity for overbidding to all interested parties in this matter.

10 The Trustee requests that the Court approve the following overbid procedure:

11 a. Only Qualified Bidders may submit an overbid. A "Qualified Bidder" is one  
12 who provides a financial statement and such business and banking references as are required in  
13 Trustee's reasonable discretion, sufficient to assure Trustee of the bidder's ability (based on  
14 availability of financing, experience or other conditions) to consummate the purchase of the Subject  
15 Property, AND one who can consummate the purchase of the Property on the same terms and  
16 conditions, other than price, as those proposed in the Offer.

17 b. Each bid must be received by the Trustee prior to the hearing on this Motion.

18 c. The initial overbid must exceed the purchase offer by a minimum of Five  
19 Thousand U.S. dollars (\$5,000.00). For instance, the first bid must be at least Seven Hundred Eighty  
20 Thousand and 00/100 U.S. dollars (\$780,000.00). Each subsequent bid must then be in increments  
21 of \$1,000.00. For instance, the first subsequent bid must be at least Seven Hundred Eighty-One  
22 Thousand and 00/100 U.S. dollars (\$781,000.00).

23 d. Each bid must be all cash, non-contingent, and on the same terms and  
24 conditions, other than price, as those proposed in the Offer.

25 e. Each bidder must match all terms and conditions of the original bid. Thus,  
26 an "earnest money" deposit of at least \$10,000.00 PLUS the amount of the overbid must be made.  
27 Said deposit must be received by the Trustee prior to the hearing on this Motion. Said deposit must  
28 be in cash, cashier's check, certified check or irrevocable letter of credit, and must be deposited with  
the Trustee so that the Trustee will have access to said funds prior to the hearing on this Motion.

f. In the event an overbidder is the successful buyer, the Trustee is authorized  
to reimburse the original proposed Buyer no more than the amount of \$500.00 for expenses incurred.  
The original proposed Buyer shall provide evidence of out-of-pocket costs to the Trustee. The  
Trustee's reimbursement of the out-of-pocket costs is subject to the Trustee's review of the evidence  
of the out-of-pocket costs, and is subject to the discretion of the Trustee.

The foregoing procedures will provide for an orderly completion of the sale of the Property  
by permitting all bidders to compete on similar terms, and will allow interested parties and the Court  
to compare competing bids in order to realize the highest benefit for the estate.

#### 21 EMPLOYMENT OF REAL ESTATE AGENT

22 The Trustee seeks authority to retain Roni Raczkowski of Century 21 Beachside Realtors  
23 ("Trustee's Real Estate Agent") as a real estate agent to market the Property on behalf of the estate.  
24 On the Trustee's behalf, the Trustee's Real Estate Agent has examined the interior and exterior of  
25 the Property and has agreed to advertise the Property at her expense, to show the Property to  
26 interested parties, to represent the estate as seller in connection with the sale of the Property, and to  
27 advise the Trustee with respect to obtaining the highest and best offers available in the present  
28 market for the Property.

Based on the foregoing agreements, the Trustee desires to employ Roni Raczkowski of  
Century 21 Beachside Realtors as the estate's real estate agent to procure and submit to the Trustee  
offers to purchase the Property. The Trustee's acceptance of any particular offer would be subject  
to Court approval.

Attached to the Motion as **Exhibit "5"** and incorporated herein by reference is a copy of the  
Residential Listing Agreement - Exclusive, and the Addendum to Listing Agreement entered into  
by the parties relating to the Property, setting forth the terms upon which the Agent's employment  
and compensation is to be based. Summarizing the terms in consideration for said services, the

1 Trustee's Real Estate Agent will receive, upon consummation of any such sales, a commission in  
2 an amount not to exceed one per cent (1%) of the respective purchase price, provided that the estate  
3 nets a like amount. The Buyer's agent shall receive a commission of three and one-half per cent  
4 (3½%) of the purchase price.

5 Roni Raczkowski has been informed and understands that no sale may be consummated until  
6 after notice and a hearing. Further, the Agent is aware of the provisions of 11 U.S.C. §328(a), and  
7 understands and accepts, notwithstanding the terms and conditions of employment and compensation  
8 set forth herein, that the Court may allow compensation different from the compensation provided  
9 in the Bid for Purchase of Property and Addendum thereto if such terms and conditions prove to  
10 have been improvident in light of developments not anticipated at the time of the fixing of such  
11 terms and conditions.

12 The Trustee is informed and believes that the employment of Roni Raczkowski on the terms  
13 and conditions provided for herein is in the best interest of the estate.

14 Ms. Raczkowski was previously the Debtor's real estate agent and acknowledges that she  
15 now represents the Trustee. The Trustee is satisfied from the Declaration of Roni Raczkowski that  
16 she is a disinterested person with the meaning of 11 U.S.C. § 101(14).

#### 17 **PROPOSED COMPENSATION FOR REAL ESTATE AGENT**

18 Accordingly, through this Motion, and assuming an overbid is received over the original  
19 Debtor's Bid, the Trustee seeks authorization to pay a real estate agent fee to the Trustee's Real  
20 Estate Agent of 1%, and the Buyer's agent 3½%, and in a total amount not greater than four and one-  
21 half percent (4½%) of the Sale price or applicable overbid, provided that the estate nets a like  
22 amount

#### 23 **LIMITED OBJECTION AND REQUEST TO 24 SURCHARGE HOMESTEAD EXEMPTION**

25 The regular monthly mortgage payments continue to accrue at the rate of \$3,667 per month,  
26 plus monthly late charges of \$183.30, for total monthly charges of \$3,850.30. The loan is  
27 due for the January, February and March 2006 payments.

28 As of March 16, 2006, the payoff of the trust deed was \$608,926.71.

29 With the original filing of the bankruptcy petition, the Debtor filed an exemption in the  
30 Property in the amount of \$75,000.00. The Debtor's Schedule "C" is attached to the Motion as  
31 Exhibit "6" and is incorporated herein by reference.

32 The Debtor's bankruptcy petition was filed on February 15, 2006 and assuming the Trustee's  
33 Motion to Shorten Time is granted, the Trustee anticipates a hearing date by the end of March. The  
34 Debtor has failed to make any post-petition mortgage payments and the Trustee requests authority  
35 to surcharge the Debtor's homestead exemption claim the amount of \$5,775.45, representing one and  
36 one-half months of unpaid mortgage payments and late charges. See FRBP 4003. The Debtor  
37 continues to reside in the residence without making mortgage payments. If the Debtor's homestead  
38 was not surcharged in the requested amount, the bankruptcy estate would be prejudiced and the  
39 Debtor would receive a windfall.

#### 40 **BENEFIT TO THE ESTATE**

41 The sale of the Real Property would benefit the estate by the amount of approximately  
42 \$15,000 plus the amount surcharged against the Debtor's \$75,000 homestead exemption. See copy  
43 of the Estimated Closing Statement attached to the Motion as Exhibit "7" and incorporated herein  
44 by this reference.

#### 45 **PROPOSED DISTRIBUTION OF SALE PROCEEDS**

46 The Trustee seeks authority for distribution of sale proceeds as follows:

- 47 a. For normal closing costs.
- 48 b. To the trust deed holder, Chase Mortgage, the amount of approximately  
49 \$608,926.71 of the net sale proceeds, pursuant to its demand in escrow, and subject to the Trustee's  
50 review and approval prior to distribution.
- 51 c. In accordance with the terms of employment and compensation of the

1 Trustee's Real Estate Agent, subject to the Trustee's review and approval prior to distribution  
2 provided that the estate nets a like amount, the real estate commissions will be divided as follows:  
3 i. To Roni Raczkowski of Century 21 Beachside Realtors, one per cent  
4 (1%) of the sale price; and  
5 ii. To Jesus Elias of Re/Max All Stars, three and one-half per cent (3½%)  
6 of the sale price.  
7 d. To the Debtor, the net amount of his \$75,000.00 homestead exemption claim,  
8 assuming the Trustee's request to surcharge the homestead is granted.  
9 e. The remaining net proceeds to the Trustee.

6 **DETERMINATION OF GOOD FAITH PURCHASER**

7 The Trustee further seeks an Order determining that the proposed Buyer is a "good faith  
8 purchaser" within the context of 11 U.S.C. Section 363(m), such that any appeal of the Order  
9 granting this Motion, even if successful, will not affect the validity of the sale unless a stay pending  
10 appeal is obtained.

11 The proposed Buyer, Luis Hernandez, a single man, participated in the negotiation of the  
12 Purchase Agreement and the Addendum. The proposed Buyer is not an "insider" as that term is  
13 defined in 11 U.S.C. Section 101(31), in that he is not a relative or general partner of the Debtor, nor  
14 is the Debtor his partner, director, officer, or person in control of him.

15 There is no relationship between the Trustee and the proposed Buyer, and the Buyer is not  
16 an insider of the Debtor. Thus, the proposed sale is an arms-length transaction and is in good faith.

17 The Purchase Agreement was an arms-length transaction negotiated in good faith between  
18 the parties.

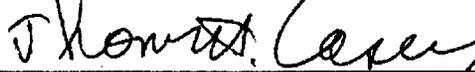
19 Requests for a copy of the Motion should be in writing and directed to Thomas H. Casey,  
20 Chapter 7 Trustee at the address indicated below.

21 **PLEASE TAKE FURTHER NOTICE** that if you wish to contest the Trustee's Motion,  
22 you must appear at the hearing on the motion. Any responses not timely made shall be deemed  
23 waived.

24 Thomas H. Casey, Chapter 7 Trustee  
25 22342 Avenida Empresa, Suite 260  
26 Rancho Santa Margarita, CA 92688

27 Telephone: (949) 766-8787  
28 Facsimile: (949) 766-9896

Dated: March 22, 2006



Thomas H. Casey, Chapter 7 Trustee for the  
bankruptcy estate of Todd Michael Allen

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the City of Rancho Santa Margarita, County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 22342 Avenida Empresa, Suite 260, Rancho Santa Margarita, California 92688.

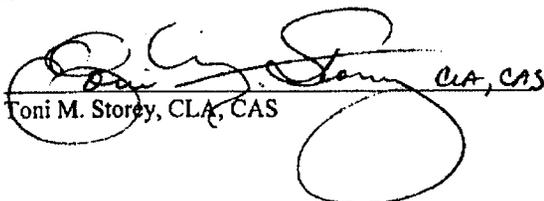
On March 22, 2006, I served the documents named below on the parties in this action as follows:

DOCUMENT(S) SERVED:           **NOTICE OF CHAPTER 7 TRUSTEE'S MOTION FOR ORDER APPROVING (1) SALE OF REAL PROPERTY (882 South Esplanade, Orange, CA 92869) PURSUANT TO 11 U.S.C. SECTION 363(b); (2) OVERBID PROCEDURE; (3) EMPLOYMENT AND COMPENSATION OF REAL ESTATE AGENT; (4) SURCHARGE OF DEBTOR'S HOMESTEAD FOR UNPAID, POST-PETITION MORTGAGE PAYMENTS; (5) DISTRIBUTION OF SALE PROCEEDS**

SERVED UPON:                   **[SEE ATTACHED LIST]**

- (BY MAIL)** I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Rancho Santa Margarita, California. I am readily familiar with the practice of the Law Office of Thomas H. Casey, Inc. for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.
- (BY FACSIMILE)** The above-referenced document was transmitted by facsimile transmission and the transmission was reported as completed and without error. Pursuant to C.R.C. 2009(i), I either caused, or had someone cause, the transmitting machine to properly transmit the attached documents to the facsimile numbers shown on the service list.
- (BY FEDERAL EXPRESS)** I am readily familiar with the practice of the Law Office of Thomas H. Casey, Inc. for collection and processing of documents for overnight delivery and know that the document(s) described herein will be deposited in a box or other facility regularly maintained by Federal Express for overnight delivery.
- (BY PERSONAL SERVICE)** I delivered to an authorized courier or driver authorized by Janney & Janney Attorney Service, Inc. to receive documents to be delivered on the same date.
- (STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (FEDERAL)** I declare that I am employed in the office of a member of the bar of this court, at whose direction this service was made.

Executed on March 22, 2006, at Rancho Santa Margarita, California.

  
Toni M. Storey, CLA, CAS

**OFFICE OF THE US TRUSTEE**  
411 W 4TH ST #9041  
SANTA ANA, CA 92701

**MICHAEL N NICASTRO**  
2331 W LINCOLN AVENUE  
SUITE 200  
ANAHEIM CA 92801-5103

**TODD MICHAEL ALLEN**  
882 S ESPLANADE STREET  
ORANGE CA 92869

Chase Home Finc % John M. Sorich  
Alvarado, Shapiro & Wilson  
4 Park Plaza #1230  
Irvine, CA 92614

**ADOLFO CHAVEZ**  
1419 W 7TH ST  
SANTA ANA CA 92703

**ALEX BELTRON**  
823 VIEW POINT  
CORONA CA 92881

**ALLENS LANDSCAPE  
CONSTRUCTION**  
882 S ESPLANADE ST  
ORANGE CA 92869-5312

**AMERIQUEST**  
PO BOX 21550  
TULSA OK 74121-1550

**ANDY GUMP TEMP SITE SERVICES**  
533A W COLLINS AVENUE  
ORANGE CA 92867

**ASPIRE**  
PO BOX 105555  
ATLANTA GA 30348-5555

**B&B MILL SALES**  
1700 N MAIN ST  
ORANGE CA 92865

**BANK OF AMERICA**  
PO BOX 60069  
CITY OF INDUSTRY CA 91716-0069

**BENDER READY MIX CONCRETE**  
4461 LA PAZ CIRCLE  
YORBA LINDA CA 92886

**BILL BISCH**  
27792 CAMINO LAS RAMBLES  
SAN JUAN CAPISTRANO CA 92675-  
5219

**BOB DAVIS**  
2 VAN GOGH WAY  
COTO DE CAZA CA

**BRIAN STUCK**  
8 WALTHAM  
LADERA RANCH CA 92694

**CASH CALL**  
17360 BROOKHURST ST  
FOUNTAIN VALLEY CA 92708

**CHRYSLER FINANCIAL**  
PO BOX 9223  
FARMINGTON MI 48333-9223

**CITY OF ORANGE FINC DEPT  
UTILITY SERVICES DIVISION**  
300 E CHAPMAN AVENUE  
ORANGE CA 92866-159

**CROOKS TRUCK AND EQUIPMENT  
RENTAL INC**  
PO BOX 831  
CYPRESS CA 90630

**EMPLOYMENT DEVELOPMENT  
DEPT**  
PO BOX 826805  
SACRAMENTO CA 94246-000

**GEHL FINANCE**  
BIN 88512  
MILWAUKEE WI 53288-0512

**INSURANCE LIABILITY BANKERS**  
PO BOX 15707  
SAINT PETERSBURG FL 33733

**INTERNAL REVENUE SERVICE**  
INSOLV GRP 1 MAILSTOP 5501  
24000 AVILA ROAD  
LAGUNA NIGUEL CA 92677

**JEFF JONES**  
511 CALLE DE SOTO  
SAN CLEMENTE CA 92672

**JEFF WILFONG**  
PO BOX 1527  
LAKE FOREST CA 92609

**JOSE RODRIGUEZ**  
819 N LOARA  
ANAHEIM CA 92801

**KAREN CATRELL**  
322 MANILA  
LONG BEACH CA 90808

**KENNA CONSTRUCTION**  
6251 VATCHER  
HUNTINGTON BEACH CA 92647

**KIRK HARMON**  
4 BELL PASTURE  
LADERA RANCH CA 92694

**LIRIO MARBLE**  
2100 E HOWELL AVE SUITE 303  
ANAHEIM CA 92806

**LONG BEACH ACCEPTANCE**  
PO BOX 60570  
LOS ANGELES CA 90060

**MARTINE CORONA**  
11537 RINGWOOD  
NORWALK CA 90650

**MENDOZA PLASTERING**  
15264 TYLER ST  
SYLMAR CA 91342

**MIKE ADAMS**  
6 BELL PASTURE  
LADERA RANCH CA 92694

**MIKE ZUMBO AND GINA ZUMBO**  
2 BELL PASTURE  
LADERA RANCH CA 92694

**MOE GRANITE MAN**  
C/O ROMA MARBEL  
2007 REYMER AVE UNIT H  
FULLERTON CA 92633

**MORALES OLIVE TREES**  
24631 SETH CIRCLE  
DANA POINT CA 92629

**MUNOZ HAULING**  
1933 N HIGHLAND APT A  
ORANGE CA 92865

**PATRICK MCBRIDE**  
34 VELA COURT  
COTO DE CAZA CA

**R ZEBULON LAW ESQ**  
3070 BRISTOL ST SUITE 190  
COSTA MESA CA 92626

**RAINBOW DISPOSAL CO INC**  
PO BOX 1026  
HUNTINGTON BEACH CA 92647-1026

**RALPH LERMAN PLUMBING**  
1424 E BORCHARD  
SANTA ANA CA 92705

**RAMIRO RODRIGUES**  
2175 S MALLUL APT 135  
ANAHEIM CA 92802

**ROBERTS WASTE**  
1580 EDINGER SUITE I  
SANTA ANA CA 92705

**SOUTH COAST SUPPLY**  
3626 CERRITOS  
LOS ALAMITOS CA 90720

**STATE FUND POLICY**  
1750 E FOURTH ST  
SANTA ANA CA 92705-3923

**SURETY COMPANY OF THE  
PACIFIC**  
PO BOX 10289  
VAN NUYS CA 91410

**SY NURSERY**  
19900 S PIONEER BLVD  
CERRITOS CA 90703

**TARGET NATIONAL BANK**  
PO BOX 59317  
MINNEAPOLIS MN 55459-0317

**THE GAS COMPANY**  
PO BOX C  
MONTEREY PARK CA 91756

**THE HOME DEPOT**  
PO BOX 6028  
THE LAKES NV 88901-6028

**TMA LANDSCAPE**  
882 S ESPLANADE ST  
ORANGE CA 92869

**TOM MONTANEZ**  
7367 COBBLECREEK  
CORONA CA 92879

**UNITED SITE SERVICES INC**  
4 511 N ROWLAND AVE  
EL MONTE CA 91731

**VERIZON WIRELESS**  
PO BOX 9622  
MISSION HILLS CA 91346-9622

**VERN ANTHONY GUNITE**  
1514 S BON VIEW AVE  
ONTARIO CA 91761

**WATER SAVERS CO**  
17 8 0 MCFADDEN AVE UNIT 13  
SANTA ANA CA 92705

Roni Raczkowski  
Century 21 Beachside Realtors  
6100 Warner Ave.  
Huntington Beach, CA 92647

Jesus Elias  
Re/Max All Stars Realty  
765 N. Main St.  
Corona, CA 92880-1440