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9  
10 Attorneys for Nancy Hoffmeier Zamora,  
11 Chapter 7 Trustee

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SAN FERNANDO VALLEY DIVISION**

11 In re

12 PETER DRECHSLER,

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Debtor.

Case No. 1:08-bk-10457-GM

Chapter 7 Case

**NOTICE OF HEARING ON MOTION FOR ORDER:**

- (1) **AUTHORIZING SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS, CLAIMS, AND INTERESTS PURSUANT TO 11 U.S.C. §§ 363(b) AND (f);**
- (2) **APPROVING OVERBID PROCEDURES;**
- (3) **APPROVING BUYER, SUCCESSFUL BIDDER, AND BACK-UP BIDDER AS GOOD-FAITH PURCHASER PURSUANT TO 11 U.S.C. § 363(m); AND**
- (4) **AUTHORIZING PAYMENT OF UNDISPUTED LIENS, REAL ESTATE BROKER'S COMMISSIONS AND OTHER ORDINARY COSTS OF SALE**

[20445 Orey Place, Winnetka, California 91306]

**DATE: July 16, 2008**

**TIME: 10:00 a.m.**

**CTRM: 303**

1           **PLEASE TAKE NOTICE** that Nancy Hoffmeier Zamora, the chapter 7 trustee (the  
2 "Trustee") of the estate (the "Estate") of Peter Drechsler (the "Debtor") has filed a motion  
3 for an order (the "Motion"):

- 4           (1)    approving the sale of the real property located at 20445 Orey Place,  
5                Winnetka, California 91306 (the "Property"), as-is, where-is, with all faults,  
6                and without any representation or warranty, implied or express, but free  
7                and clear of any and all liens, claims, and interests pursuant to 11 U.S.C.  
8                §§ 363(b) and (f);
- 9                (a)    to Kevin Kang and/or his assigns (the "Buyer") for \$330,000.00 (the  
10                "Purchase Price") pursuant to the terms of the Purchase and Sale  
11                Agreement and Escrow Instructions (Residential Property) (the  
12                "Purchase Agreement") attached as Exhibit "2" to the Motion; or
- 13                (b)    to the successful bidder whose purchase offer for the Property  
14                exceeds the offer tendered by the Buyer by not less than \$5,000.00  
15                and is accepted by the Trustee at the hearing on the Motion;
- 16           (2)    approving the Buyer, the successful bidder, and the back-up bidder as a  
17                "good faith" purchaser under § 363(m) of the Bankruptcy Code;
- 18           (3)    approving the overbid procedures set forth in the Motion as summarized  
19                below;
- 20           (4)    authorizing the Trustee to pay the lien of Mortgage Electronic Registration  
21                Systems, Inc. (solely as nominee for Calabasas Funding Corporation, dba  
22                CFC Mortgage Bankers, a Corporation) (or the undisputed portion thereof)  
23                (the "Mers Lien"), the lien of Citibank (West), FSB (or the undisputed  
24                portion thereof) (the "Citibank Lien"), undisputed property tax liens, costs of  
25                sale, real estate broker's commission, and the Estate's pro rata share of  
26                real property taxes in full from the proceeds of the sale;
- 27           (5)    any unpaid portion of the Mers Lien and the Citibank Lien shall attach to  
28                the sales proceeds in the same priority and scope as such lien currently  
               exists against the Property, subject to any and all of the Trustee's rights to  
               object to, dispute, or subordinate such lien;
- (6)    authorizing the Trustee to take any and all necessary actions to  
               consummate the sale of the Property;
- (7)    granting such other and further relief as this Court deems necessary and  
               proper.

23           **PLEASE TAKE FURTHER NOTICE** that the Motion is scheduled for hearing in  
24 Courtroom 303 of the United States Bankruptcy Court located at the 21041 Burbank  
25 Boulevard, Woodland Hills, California 91367, on July 16, 2008, at 10:00 a.m.

26           **PLEASE TAKE FURTHER NOTICE that overbids shall be submitted to the**  
27 **Trustee at or before the hearing on the Motion on July 16, 2008, at 10:00 a.m.**

28           **PLEASE TAKE FURTHER NOTICE** that the overbid procedures sought be  
approved by the Court are as follows:

1.       Any qualifying bidder ("Qualifying Bidder") shall:

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- a. bid at least \$335,000.00 in cash for the Property;
  - b. set forth in writing the terms and conditions of the offer that are at least as favorable to the Trustee as those set forth in the Purchase Agreement attached as Exhibit "2" to the Motion;
  - c. be a party financially qualified, in the Trustee's exercise of her sound business judgment, to close by no later than 11 days after entry of an order granting the Motion;
  - d. submit an offer that does not contain any contingencies to closing the sale, including, but not limited to, financing, inspection, or repair contingencies; and
  - e. submit a cash deposit in the amount of Ten Thousand Dollars (\$10,000.00) payable to the Trustee in the form of a cashier's check, which deposit shall be non-refundable if the bid is deemed to be the Successful Bid, as defined in ¶4 below (the "Deposit"). The Deposit, written offer and evidence of financial qualification must be delivered to the Trustee on or before July 16, 2008, at 10:00 a.m.
2. At the hearing on the Motion, only the Buyer and any party who is deemed a Qualifying Bidder shall be entitled to bid.
  3. Any incremental bid in the bidding process shall be at least One Thousand Dollars (\$1,000.00) higher than the prior bid.
  4. At the hearing on the Motion, and upon conclusion of the bidding process, the Trustee shall decide, subject to Court approval, which of the bids is the best bid, and such bid shall be deemed to be the "Successful Bid." The bidder who is accepted by the Trustee as the successful bidder (the "Successful Bidder") must pay all amounts reflected in the Successful Bid in cash at the closing of the sale. At the hearing on the Motion, and upon conclusion of the bidding process, the Trustee may also acknowledge a back-up bidder ("Back-Up Bidder") which shall be the bidder with the next best bid. Should the Successful Bidder fail to close escrow on the sale of the Property, the Trustee may sell the Property to the Back-Up Bidder without further Court order.
  5. Overbids shall be all cash and no credit shall be given to the purchaser or overbidder(s).

The Motion is based upon the Memorandum of Points and Authorities, the Declarations of Nancy Hoffmeier Zamora, Lei Lei Wang Ekvall, Behnaz Tavakoli, and Kevin Kang attached to the Motion, all pleadings, papers and records on file with this Court, and on such other evidence, oral or documentary, as may be presented to this Court at the time of the hearing on the Motion.

**PLEASE TAKE FURTHER NOTICE** that a complete copy of the Motion is on file at the Bankruptcy Court.

**PLEASE TAKE FURTHER NOTICE** that Local Bankruptcy Rule 9013-1(a)(7) provides:

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Unless otherwise ordered by the Court, each interested party opposing, joining, or responding to the motion shall file and serve not later than fourteen (14) days before the date designated for hearing either:

(i) A brief but complete written statement of all reasons in opposition thereto or in support or joinder thereof, and answering memorandum of points and authorities, declarations and copies of all photographs and documentary evidence on which the responding party intends to rely. The opposing papers shall advise the adverse party that any reply to the opposition shall be filed with the Court and served on the opposing party not later than seven (7) calendar days (not excluding Saturdays, Sundays, and legal holidays) prior to the hearing on the motion; or

(ii) A written statement that the motion will not be opposed.

**PLEASE TAKE FURTHER NOTICE** that papers not timely filed and served may be deemed by the Court to be consent to the granting or denial of the motion, as the case may be. See Local Bankruptcy Rule 9013-1(a)(11).

DATED: June 21, 2008

WEILAND, GOLDEN,  
SMILEY, WANG EKVALL & STROK, LLP

By:   
LEI LEI WANG EKVALL  
Attorneys for Nancy Hoffmeier  
Zamora, Chapter 7 Trustee

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA,  
3 COUNTY OF ORANGE

4 I am employed in the County of Orange, State of California. I am over the age of  
5 18 and not a party to the within action; my business address is 650 Town Center Drive,  
6 Suite 950, Costa Mesa, California 92626.

7 On June 20, 2008, I served the foregoing document described as **NOTICE OF**  
8 **HEARING ON MOTION FOR ORDER: (1) AUTHORIZING SALE OF REAL PROPERTY**  
9 **FREE AND CLEAR OF LIENS, CLAIMS, AND INTERESTS PURSUANT TO 11 U.S.C.**  
10 **§§ 363(b) AND (f); (2) APPROVING OVERBID PROCEDURES; (3) APPROVING**  
11 **BUYER, SUCCESSFUL BIDDER AND BACK-UP BIDDER AS GOOD-FAITH**  
12 **PURCHASER PURSUANT TO 11 U.S.C. § 363(m); AND (4) AUTHORIZING PAYMENT**  
13 **OF UNDISPUTED LIENS, REAL ESTATE BROKER'S COMMISSIONS AND OTHER**  
14 **ORDINARY COSTS OF SALE** on the interested parties in this action by placing true  
15 copies thereof enclosed in sealed envelopes addressed as stated on the attached  
16 mailing list.

17  BY MAIL

18  I deposited such envelope in the mail at Costa Mesa, California. The  
19 envelope was mailed with postage thereon fully prepaid.

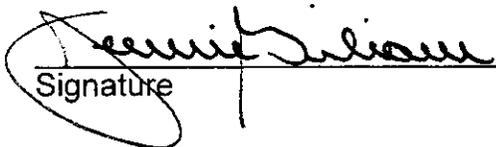
20  I deposited such envelope with the firm for collection and processing. I am  
21 "readily familiar" with the firm's practice of collection and processing  
22 correspondence for mailing. It is deposited with U.S. postal service on that  
23 same day with postage thereon fully prepaid at Costa Mesa, California in  
24 the ordinary course of business. I am aware that on motion of the party  
25 served, service is presumed invalid if postal cancellation date or postage  
26 meter date is more than one day after date of deposit for mailing in  
27 affidavit.

28 Executed on June 20, 2008, at Costa Mesa, California.

(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 the service was made. I declare under the penalty of  
perjury under the laws of the United States of America that the above is true and  
correct.

25 Jennie Giliam  
26 Type or print name

  
Signature

SERVICE LIST

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**Office of the U.S. Trustee**  
21051 Warner Center Lane, Ste 115  
Woodland Hills, CA 91367

Nancy Hoffmeier Zamora  
Zamora & Hoffmeier  
Citibank Center  
444 South Flower Street, Suite 1550  
Los Angeles, CA 90071

**Chapter 7 Trustee**

Peter Drechsler  
20445 Orey Place  
Winnetka, CA 91306  
**Debtor Pro Se**

Peter Drechsler  
P.O. Box 7411  
Northridge, CA 91327  
**Debtor**

SUPPLEMENTAL SERVICE LIST

Rodeo Realty, Inc.  
Behnaz Tavakoli  
23528 Calabasas Road  
Calabasas, CA 91302

Team Spirit Realty, Inc.  
Hatty Hong  
6301 Beach Blvd., Suite 225  
Buena Park, CA 90621

Team Escrow, Inc.  
Escrow Officer: Susie Han  
17300 Redhill Avenue, #110  
Irvine, CA 92614

Encore Escrow  
Escrow Officer: Jennifer Pivnik  
17509 Ventura Boulevard  
Encino, CA 91316

Recontrust Company, and Samuel I. White, P.C.  
Attn: Angelica Del Toro  
1757 Tapo Canyon Road, SVW-88  
Simi Valley, CA 93063

Citimortgage, Inc.  
f/k/a Citibank (West) FSB  
c/o Law Offices of Les Zieve  
Attn: Foreclosure Dept.  
17682 Beach Blvd., Suite 204  
Huntington Beach, CA 92647

California Financial Mortgage Company  
Aaran Kahlon  
17531 Mayall  
Northridge, CA 91325

Paul Stafford  
23528 Calabasas Road  
Calabasas, CA 91302

In re Peter Drechsler  
Case No. 1:08-10457 GM  
Created April 16, 2008 (KMR)  
MCL - #248278

**Office of the U.S. Trustee**  
21051 Warner Center Lane, Ste 115  
Woodland Hills, CA 91367

Nancy Hoffmeier Zamora  
Zamora & Hoffmeier  
444 South Flower Street, Suite 1550  
Los Angeles, CA 90071  
**Chapter 7 Trustee**

Peter Drechsler  
P.O. Box 7411  
Northridge, CA 91327  
**Debtor Pro Se**

PETER DRECHSLER  
20445 OREY PLACE  
WINNETKA, CA 91306  
**Debtor**

AT&T  
P.O. Box 9039  
South San Francisco, CA 94083

AT&T  
Payment Center  
Sacramento, CA 95887

BMW Financial Services  
Customer Service Center  
P.O. Box 3608  
Dublin, OH 43016

BMW Financial  
P.O. Box 78103  
Phoenix, AZ 85062

Chase Bank USA  
c/o Weinstein & Riley, PS  
2001 Western Avenue, Suite 400  
Seattle, WA 98121

Chase Cardmember Service  
P.O. Box 15298  
Wilmington, DE 19850

Chase Card  
P.O. Box 94014  
Palantine, IL 60094

Citi Mortgage  
Attn: Les Zieve  
17682 Beach Boulevard, #264  
Huntington Beach, CA 92647

City Mortgage, Inc.  
Mail Station 314  
P.O. Box 790014  
St. Louis, MO 63179

Countrywide Home Loans Inc.  
400 Countrywide Way SV-35  
Simi Valley, CA 93065

LA Treasurer and Tax Collector  
P.O. Box 512102  
Los Angeles, CA 90051

LADWP  
P.O. Box 515407  
Los Angeles, CA 90051

LADWP  
P.O. Box 30808  
Los Angeles, CA 90030

Law Offices of Les Zieve  
17682 Beach Boulevard, #204  
Huntington Beach, CA 92647

Recon Trust Company  
Samuel I. White PC  
1757 Tapo Canyon Road, SVW-88  
Simi Valley, CA 93063

Southern California Gas Company  
P.O. Box 653  
Monterey Park, CA 91754

Southern California Gas Company  
P.O. Box C  
Monterey Park, CA 91756

Southern California Gas Company  
Mass Markets Credit & Collections  
The Gas Company  
P.O. Box 30337  
Los Angeles, CA 90030-0337

Franchise Tax Board  
Attention: Bankruptcy  
P.O. Box 2952  
Sacramento, CA 95812-2952

Internal Revenue Service  
P.O. Box 21126  
Philadelphia, PA 19114

Employment Development  
Department  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

State Board of Equalization  
P.O. Box 942879  
Sacramento, CA 94279-0090

Lawrence J. Buckley  
Brice, Vander, Linden & Wernick, PC  
P.O. Box 829009  
Dallas, TX 75382-9009  
**Authorized Agent for Capital One Auto**

John Clark Brown, Jr., Esq.  
5701 West Slauson Avenue, Suite 120  
Culver City, California 90230  
**Attorney for Mayra Torres and  
Value Home Loan, Inc.**

REQUEST FOR SPECIAL NOTICE:

**Authorized Agent for Capital One Auto**

Lawrence J. Buckley  
Brice, Vander, Linden & Wernick, PC  
F# 7900-N-6735  
9441 LBJ Freeway, Suite 350  
Dallas Texas 75243