

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>ERIC P. ISRAEL (State Bar No. 132426) eisrael@dgdk.com ZEV SHECHTMAN (State Bar No. 266280) zshechtman@dgdk.com DANNING, GILL, DIAMOND & KOLLITZ, LLP 1900 Avenue of the Stars, 11th Floor Los Angeles, CA 90067-4402 Telephone: (310) 277-0077 Facsimile: (310) 277-5735</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Brad D. Krasnoff, Chapter 7 Trustee</p>	<p>FOR COURT USE ONLY</p>
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<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>DARREN D. PYNN,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 2:14-bk-28537-TD CHAPTER: 7</p> <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>

<p>Sale Date: 01/14/2015</p>	<p>Time: 10:00 am</p>
<p>Location: Courtroom 1345, United States Bankruptcy Court, 255 East Temple St., Los Angeles, CA 90012</p>	

Type of Sale: Public Private **Last date to file objections:** 12/31/2014

Description of property to be sold:

The estate's right, title and interest in an automobile described as follows: 1966 Porsche Model No. 911, with California VIN No. 304572 and California License No. 1MXT334.

Terms and conditions of sale: SEE THE ATTACHED NOTICE

Proposed sale price: \$ 50,000.00

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

Overbid procedure (if any): SEE THE ATTACHED NOTICE.

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

January 14, 2015
10:00 a.m.
United States Bankruptcy Court
Courtroom 1345
255 East Temple Street
Los Angeles, CA 90012

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

ZEV SHECHTMAN
zshechtman@dgd.com
DANNING, GILL, DIAMOND & KOLLITZ, LLP
1900 Avenue of the Stars, 11th Floor
Los Angeles, CA 90067-4402
(310) 277-0077 - Tel.
(310) 277-5735 - Fax

Date: 12/23/2014

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6 Attorneys for Brad D. Krasnoff, Chapter 7 Trustee

7
8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **LOS ANGELES DIVISION**

11 In re

12 DARREN D. PYNN,

13 Debtor.

Case No. 2:14-bk-28537-TD

Chapter 7

**TRUSTEE'S NOTICE OF MOTION FOR
ORDER: (1) AUTHORIZING SALE OF
ESTATE'S RIGHT, TITLE AND
INTEREST IN 1966 PORSCHE 911; (2)
APPROVING OVERBIDDING
PROCEDURES; (3) AUTHORIZING
PAYMENT OF DEBTOR'S EXEMPTION;
AND (4) FINDING BUYER TO BE A
GOOD FAITH PURCHASER**

Date: January 14, 2015

Time: 10:00 a.m.

Ctrm.: "1345"

United States Bankruptcy Court
255 East Temple Street
Los Angeles, California 90012

22 **TO THE HONORABLE THOMAS B. DONOVAN, UNITED STATES**

23 **BANKRUPTCY JUDGE, AND INTERESTED PARTIES:**

24 **PLEASE TAKE NOTICE THAT** On January 14, 2015, at 10:00 a.m. in Courtroom 1345
25 of the United States Bankruptcy Court, located at 255 East Temple Street, Los Angeles, California
26 90012, Brad D. Krasnoff, the Chapter 7 trustee (the "Trustee") for the estate of Darren Pynn (the
27 "Debtor"), will move the Court, and contemporaneously herewith has filed a motion (the "Sale
28 Motion"), for an order: (1) authorizing the sale, pursuant to 11 U.S.C. § 363, of the estate's right,

1 title and interest in an automobile described as follows: 1966 Porsche Model No. 911, with
2 California VIN No. 304572 and California License No. 1MXT334 (the "Property"); (2) approving
3 overbid procedures; (3) authorizing the payment of the Debtor's \$5,000 exemption claim with
4 respect to the Property; and (4) finding the Buyer to be a good faith purchaser.

5 **PLEASE TAKE FURTHER NOTICE THAT** the Sale Motion is set for hearing pursuant
6 to Local Bankruptcy Rule 9013-1 and 6004-1. Pursuant to LBR 6004-1(c)(3) the Trustee provides
7 notice of the following information regarding the sale:

8 **A. The Date, Time and Place of the Hearing on the Proposed Sale:** January 14,
9 2015, at 10:00 a.m., Courtroom 1345, United States Bankruptcy Court, 255 East Temple Street,
10 Los Angeles, California 90012.

11 **B. The Name and Address of the Proposed Buyer:** Beverly Hills Car Club, Inc.,
12 Attn: Alex Manos, 4576 Worth Street, Los Angeles, California 90063 (the "Buyer").

13 **C. A Description of the Property to be Sold:** the estate's right, title and interest in an
14 automobile described as follows: 1966 Porsche Model No. 911, with California VIN No. 304572
15 and California License No. 1MXT334.

16 **D. The Terms and Conditions of the Proposed Sale, Including the Price and All**
17 **Contingencies:** All terms are specifically and exclusively set forth in the Purchase and Sale
18 Agreement (the "PSA") attached to the Sale Motion as Exhibit "1" to the Declaration of Brad D.
19 Krasnoff. Without limiting the specificity thereof, salient terms include:

- 20 • **Purchase Price:** \$50,000 all cash;
- 21 • **Initial Deposit:** \$5,000 cashier's check, non-refundable unless the Property
22 is sold to an overbidder other than the Buyer;
- 23 • **Closing Deadline:** Fifteen Calendar days after entry of order approving Sale
24 Motion;
- 25 • **Transfer:** The Seller shall execute the pink slip, or duplicate title, as
26 necessary, to transfer the estate's title or interest to the Buyer;

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- 1 • **No Contingencies, etc.:** Notwithstanding the foregoing, there are no
2 Contingencies, and the sale is “as is” and “where is” with no warranty or
3 recourse whatsoever; and
- 4 • **Subject to Overbids:** See Section F below.

5 **E. Whether the Sale is Free and Clear of Liens, Claims or Interests, or Subject to**
6 **Them, and a Description of all such Liens, Claims or Interests:** Trustee is not aware of any
7 liens, claims or interests affecting the Property.

8 **F. Whether the Sale is Subject to Higher and Better Bids:** The sale is subject to
9 higher and better bids (“Overbids”). Overbidding procedures are set forth in the overbid form (the
10 “Overbid Form”), Exhibit “2” to the Declaration of Brad D. Krasnoff, and are summarized and/or
11 supplemented as follows:

- 12 • **Minimum Overbid:** \$51,000;
- 13 • **Overbidding Increments:** \$500;
- 14 • **Initial Deposit:** \$5,000 Cashier’s Check payable to Brad Krasnoff, Chapter
15 7 Trustee (the “Initial Deposit”);
- 16 • **Inspection Date, Time and Place:** January 5, 2015, 2:00 p.m. to 4:00 p.m.,
17 4612 Ostrom Ave., Lakewood, California 90713, subject to the Trustee’s
18 discretion in scheduling.
- 19 • **Overbid Form:** All terms for Overbidders are set forth in the Overbid Form,
20 this Notice, the Sale Motion and the PSA and Overbidders must accept all
21 such terms.
- 22 • **Qualifications for Overbidding:** The Initial Deposit and executed Overbid
23 Form must be delivered to Danning, Gill, Diamond & Kollitz, LLP, Attn:
24 Zev Shechtman, 1900 Avenue of the Stars, 11th Floor, Los Angeles,
25 California, 90067-4402 by January 13, 2015 at 5:00 p.m. The Trustee has
26 sole discretion to waive such deadline. In any event, no party will be
27 allowed to participate in the Court sale absent timely delivery of the Initial
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1 Deposit and Overbid Form, in a form acceptable to the Trustee, prior to the
2 commencement of the auction.

- 3 • **Evidence Supporting Good Faith Finding:** Qualified bidders must sign
4 declarations appended to the Overbid Form disclosing any connection with
5 the Debtor or the Trustee.
- 6 • **Back-up Bidder:** Any qualified Overbidder who is not the successful
7 Overbidder may opt to be a back-up bidder, in which case such back-up
8 bidder's Initial Deposit will be retained by the Trustee until the sale closes.
9 The Trustee will select the best and highest back-up bidder(s) in the
10 Trustee's discretion.
- 11 • **Sales Tax:** Buyer to pay any applicable sales tax.

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13 **G. The Consideration to be Received by the Estate, Including Estimated**
14 **Commissions, Fees, and other Costs of Sale:** The estate will receive the entire sale proceeds, less
15 the debtor's \$5,000 exemption claim.

16 **H. If Authorization is Sought to Pay a Commission, the Identity of the Auctioneer,**
17 **Broker, or Sales Agent and the Amount or Percentage of the Proposed Commission to be**
18 **Paid:** Not Applicable.

19 **I. A Description of the Estimated or Possible Tax Consequences to the Estate, if**
20 **Known, and how any Tax Liability Generated by the Sale of the Property will be Paid:** The
21 Trustee is informed that the cost basis for capital gains tax purposes is approximately \$9,000 and,
22 therefore, based on a \$50,000 sale price, the taxable gain is estimated at \$41,000 (or more
23 depending on the results of auction). Accordingly, with a 15% effective federal capital gains rate,
24 the Trustee estimates a \$6,150 federal tax liability, in addition to state capital gains in an amount to
25 be determined, which would be reduced by deductions for administrative claims for professional
26 fees incurred in the case. This analysis remains subject to the review of an accountant to be
27 retained by the Trustee.

28 **J. The Date by which an Objection must be Filed and Served:** December 31, 2014.

1 The Sale Motion is based on this notice of Sale Motion, the contemporaneously filed Notice
2 of Sale Motion and Sale Motion, the accompanying memorandum of points and authorities,
3 declarations of Brad Krasnoff and Alex Manos and request for judicial notice, and such other
4 evidence properly presented to the Court at or before the hearing on the Sale Motion.

5 NOTICE IS ALSO GIVEN that the motion is being heard on regular notice pursuant to
6 LBR 9013-1. If you wish to oppose the motion, you must file a written response with the Court
7 and serve a copy of it upon the Trustee no less than fourteen (14) days prior to the above hearing
8 date. If you fail to file a written response to the motion within such time period, the Court may treat
9 such failure as a waiver of your right to oppose the motion and may grant the requested relief.

10 If you fail to file a written response in accord with these requirements, the Court may treat
11 such failure as a waiver of your right to oppose the motion and may grant the requested relief.

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13 DATED: December 23, 2014

DANNING, GILL, DIAMOND & KOLLITZ, LLP

14
15 By:



16 ZEV SHECHTMAN

17 Attorneys for Brad D. Krasnoff, Chapter 7 Trustee
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067-4402.

A true and correct copy of the foregoing document entitled (*specify*): NOTICE OF SALE OF ESTATE PROPERTY will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On December 23, 2014 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL: On December 23, 2014, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on December 23, 2014, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Personal Delivery (Alissi) – to be delivered 12/24/14.
The Honorable Thomas B. Donovan
U.S. Bankruptcy Court
Roybal Federal Building
Bin outside of Suite 1352
255 E. Temple Street
Los Angeles, CA 90012

Service information continued on attached page.

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

December 23, 2014
Date

Patricia Morris
Printed Name

/s/ PATRICIA MORRIS
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

Marc Andrews on behalf of Creditor Wells Fargo Bank, National Association
sandra.g.mcmasters@wellsfargo.com

J Sheldon Capeloto on behalf of Creditor Wells Fargo Bank, National Association
jcapeloto@capelotolaw.com

Melanie Scott Green on behalf of U.S. Trustee United States Trustee (LA)
Melanie.green@usdoj.gov

Brad D Krasnoff (TR)
joyce.mcdaniel@lewisbrisbois.com, bkrasnoff@ecf.epiqsystems.com

Nam Le on behalf of Debtor Darren D Pynn
nam@jlglawyers.com, cynthia@jlglawyers.com

United States Trustee (LA)
ustpregion16.la.ecf@usdoj.gov

2. SERVED BY U.S. MAIL

Debtor
Darren D Pynn
4612 Ostrom Avenue
Lakewood, CA 90713-2828