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| Elissa D. Miller (CA Bar No. 120029)<br>emiller@sulmeyerlaw.com<br>Elizabeth Z. Jiang (CA Bar No. 280733)<br>ejiang@sulmeyerlaw.com<br><b>SulmeyerKupetz</b><br>A Professional Corporation<br>333 South Hope Street, Thirty-Fifth Floor<br>Los Angeles, California 90071-1406<br>Telephone: 213.626.2311<br>Facsimile: 213.629.4520<br><input type="checkbox"/> Individual appearing without attorney<br><input checked="" type="checkbox"/> Attorneys for Sam S. Leslie, Ch 7 Trustee |  |
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

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| In re:<br><br><b>CONSOLIDATED ENTITIES OF EDGAR REINOSO,</b><br><br><br>Debtor. | CASE NO.: 2:12-bk-30218-RN<br>CHAPTER: 7<br><br><br><p style="text-align: center;"><b>NOTICE OF SALE OF ESTATE PROPERTY</b></p> |
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| <b>Sale Date:</b> January 28, 2014  | <b>Time:</b> 9:00 a.m. |
| <b>Location:</b> U.S. Bankruptcy Court, Courtroom 1645, 255 E. Temple Street, Los Angeles, CA 90012 |                        |

**Type of Sale:**  Public  Private      **Last date to file objections:** January 14, 2014

**Description of property to be sold:** Right, title, and interest of the Estate in the following: Certain vacant land bearing APN 3137-008-114 (the "Property")

**Terms and conditions of sale:** Subject to liens, claims, encumbrances and/or interests and attached overbid procedures; the Property is being sold on an "as is, where is" basis, with no warranties, recourse, contingencies, or representations of any kind.

**Proposed sale price:** \$20,750.00

**Overbid procedure (if any):** To qualify to overbid, interested parties must provide the Trustee with a cashier's check in the amount of \$2,575.00, made payable to "Sam S. Leslie, Chapter 7 Trustee", in care of Elizabeth Jiang, at the address below, by no later than 12:00 p.m., Pacific Daylight Savings Time, on January 27, 2014. The initial overbid will be \$25,750.00. Subsequent overbids may be made in increments of not less than \$1,000.00.

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

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

January 28, 2014

9:00 a.m.

U.S. Bankruptcy Court, Los Angeles Division

Courtroom 1645

255 E. Temple Street

Los Angeles, CA 90012

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

Elizabeth Jiang, Esq.

ejiang@sulmeyerlaw.com

SulmeyerKupetz, A Professional Corporation

333 S. Hope St., 35<sup>th</sup> Floor

Los Angeles, CA 90071-1406

Telephone: (213) 626-2311

Facsimile: (213) 629-4520

DATED: January 7, 2014

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## **PROPOSED OVERBID PROCEDURES**

The proposed Sale to the Buyer is subject to approval of the United States Bankruptcy Court and to qualified overbids. The Trustee's proposed overbid procedures are as follows:

The Buyer has offered to purchase the Property for \$20,750.00 (the "Purchase Price"), cash, \$2,000.00 of which has been tendered, with the \$18,750.00 balance to be paid within fourteen (14) calendar days following entry of the order approving the sale of the Property. As noted above, however, the sale of the Property is subject to overbid pursuant to the following proposed overbid procedures (the "Overbid Procedures"):

### **(1) Intent to Bid and Overbid Amount**

Any party wishing to bid on the Property ("Overbidder") shall advise the Trustee of their intent to bid on the Property and the amount of their overbid (which must be at least \$5,000.00 more than the current selling price of \$20,750.00) (the "Initial Overbid"), by no later than 12:00 p.m., PST, on January 27, 2013 (the "Overbid Deadline"). In his absolute and sole discretion, the Trustee shall have the right to accept additional overbids submitted prior to the hearing but after the Overbid Deadline.

Any Overbids subsequent to the Initial Overbid of \$25,750.00 will be in additional increments of not less than \$1,000.00, commencing with the bid amount of \$26,750.00.

### **(2) Payment of Deposit**

Any Overbidder shall provide the Trustee with a cashier's check, payable to "Sam S. Leslie, Chapter 7 Trustee," in an amount of \$2,575.00 to serve as a deposit, representing 10% of the Initial Overbid price (the "Deposit"). The Deposit must be delivered so that it is received by the Trustee's counsel (whose name and address is set forth on the upper left corner of the first page of this Motion) by no later than the Overbid Deadline.

In the event of any Overbid, the \$2,000.00 deposit from the Buyer shall serve as the Buyer's Deposit.

### **(3) Evidence of Financial Ability to Perform**

Any Overbidder must provide the Trustee with evidence of the proposed buyer's financial ability to pay the full amount of the Overbid so that such evidence is received by the Trustee's counsel by no later than the Overbid Deadline.

### **(4) Multiple Bids and Auction**

In the event the Trustee receives multiple Overbids in the same amount, the Trustee will accept the Overbids in the order they are received and shall advise the party who submitted such Overbid last that it must make a higher Overbid to be eligible to purchase the Property.

All parties who have submitted timely bids and otherwise satisfied the foregoing requirements will be able to participate in an auction to be conducted at the hearing on the

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Motion as is necessary in order to increase their bid. As stated previously, the Initial Overbid will be in the amount of \$25,750.00, and any subsequent overbids will be in increments of \$1,000.00.

The Trustee will request authority to sell the Property to the bidder who makes the highest Overbid (the "Winning Bidder"), and for authority to sell the Property to the next highest bidder if the Winning Bidder fails to perform.

**(5) Tender of Balance of Purchase Price**

The Winning Bidder's Deposit shall be applied towards the total purchase price. The Winning Bidder must tender the balance of the total purchase price to the Trustee via cashier's check within fourteen (14) calendar days following entry of the order approving the sale of the Property to such buyer. To the extent the Winning Bidder fails to tender the balance of the purchase price by such date, that bidder's entire Deposit shall be non-refundable and forfeited to the Trustee.

To the extent the Buyer or another Overbidder is not the Winning Bidder, that party's Deposit will be refunded by the Trustee.

**(6) Agreement to Terms and Overbid Procedures**

Any Overbidder's tender of the Deposit to the Trustee shall serve as that Overbidder's agreement with these proposed overbid procedures and the terms of sale of the Property discussed herein.

As stated previously, the Trustee seeks an order approving the Sale free and clear of certain liens, claims, and interests, with said liens, claims, and interests to attach to the sales proceeds in the same manner and priority as under applicable law. The Property is being sold on an "as is, where is" basis, with no warranties, recourse, contingencies, or representations of any kind.

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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 333 South Hope Street, Thirty-Fifth Floor, Los Angeles, California 90071-1406.

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 (*date*) January 7, 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:

- Jason Balitzer — Sam S Leslie (TR) jbalitzer@sulmeyerlaw.com
- Mark M Clairmont — Deutsche Bank National Trust Company mclairmont@gersonlaw.com
- Jennifer Witherell Crastz — Courtesy NEF jcrastz@hemar-rousso.com
- John Eggum — Axis Insurance Company jeggum@fgppr.com
- Brian M Grossman — Linda Reinso bmg@bgrolaw.com
- Robert A Hessling — Whitehorse & Company, CPA rhessling@gmail.com
- Joshua R Holden — First Tennessee Bank National Association jholden@wsfa-law.com
- Kevin Hutty — Creditor Franchise Tax Board BKClaimConfirmation@ftb.ca.gov
- Elizabeth Jiang — Sam S Leslie (TR) ejiang@sulmeyerlaw.com
- Shervin Lalezary — Courtesy NEF shervin1@gmail.com
- Sam S Leslie (TR) — Chapter 11 Trustee sleslie@trusteeleslie.com
- Elissa Miller — Sam S. Leslie (TR) emiller@sulmeyerlaw.com
- Jennifer L Nassiri — CW Capital Asset Management LLC, as Special Servicer jnassiri@venable.com
- Christina J O — JPMorgan Chase Bank, National Association asokolowski@sulmeyerlaw.com
- Randy P Orlik — Courtesy NEF christinao@aol.com
- Joshua K Partington — Union Bank, N.A. rorlik@coxcastle.com
- Eric S Pezold — Courtesy NEF efilings@amlegalgroup.com
- Brett Ramsaur — Bank of America, N.A. epezold@swlaw.com
- Allan D Sarver — Peter Cho dwlewis@swlaw.com
- Jaime K Shean — Union Bank, N.A. bramsaur@swlaw.com
- Andrew Edward Smyth — Edgar Reinoso kcollins@swlaw.com
- United States Trustee (LA) ADSarver@aol.com
- Hatty K Yip — United States Trustee efilings@amlegalgroup.com
- office@smythandsmyth.com
- ustpreion16.la.ecf@usdoj.gov
- hatty.yip@usdoj.gov

Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (date) January 7, 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.

**Debtor**

Edgar Reinoso  
1334 E. Palmdale Boulevard, #E  
Palmdale, CA 93550

**Interested Parties**

Thomas Standen  
Equity Holding Corporation  
3275 East Robertson Boulevard, Suite B  
Chowchilla, CA 93610

Jonathan Steele  
Rodeo Realty  
202 N. Canon Dr.  
Beverly Hills, CA 90210

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 (date) January 7, 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.

Jeff Russell  
Counsel and Land Asset Manager  
Silverado Power  
44 Montgomery Street, Suite 3065  
San Francisco, CA 94104  
**Via email:** jeff@silveradopower.com

Cohen Financial  
c/o Mark Clairmont  
Gerson Law Firm APC  
9255 Town Center Drive, Suite 300  
San Diego, CA 92121  
**Via email:** mclairmont@gersonlaw.com

Jeff Dulberg, Esq.  
Pachulski Stang Ziehl & Jones  
**Via email:** jdulberg@pszjlaw.com

Dario Svidler  
**Via email:** dario@triadrealtygroup.com

Adam Zunder  
**Via email:** adamzunder@gmail.com

Jacqueline Tebben  
Waste Management-RMC  
Via email: jtebben@wm.com

Phil Hopper  
Wendi Page  
O'Reilly Auto Parts  
233 South Patterson Avenue  
Springfield, MO 65802-229  
Via email: phopper@oreillyauto.com  
wpage@oreillyauto.com

The Honorable Richard M. Neiter  
U.S. Bankruptcy Court  
Roybal Federal Building  
255 E. Temple Street, Suite 1652  
Los Angeles, CA 90012-3332  
Via Personal Delivery

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.

January 7, 2014  
Date

Patricia Penn  
Printed Name

/s/Patricia Penn  
Signature