

Howard M. Ehrenberg (CA Bar No. 125527) hehrenberg@sulmeyerlaw.com Marcus A. Tompkins (CA Bar No. 190922) mtompkins@sulmeyerlaw.com SulmeyerKupetz A Professional Corporation 333 South Hope Street, Thirty-Fifth Floor Los Angeles, California 90071-1406 Telephone: 213.626.2311 Facsimile: 213.629.4520 <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorneys for Alberta P. Stahl, Ch 7 Trustee	
---	--

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

In re: JEFFREY M. KLEIN AND SUSAN A. OESTREICH-KLEIN, Debtors.	CASE NO.: 2:09-bk-39975-ER CHAPTER: 7 <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>
---	---

Sale Date: September 4, 2013	Time: 10:00 a.m.
Location: U.S. Bankruptcy Court, Courtroom 1568, 255 E. Temple Street, Los Angeles, CA 90012	

Type of Sale: Public Private **Last date to file** August 21, 2013

objections: _____

Description of property to be sold: Estate's interest in the certain residual payments resulting from a remake of a film entitled "Day Of The Woman a/k/a I Spit On Your Grave"

Terms and conditions of sale: Free and clear of liens, claims, encumbrances and/or interests and attached overbid procedures

Proposed sale price: \$3,500.00

Overbid procedure (if any): To qualify to overbid, interested parties must provide the Trustee with a cashier's check in the amount of \$3,500.00, made payable to "Alberta P. Stahl, Chapter 7 Trustee of the Bankruptcy Estate of Jeffrey M. Klein and Susan A. Eostreich-Klein" , in care of Elizabeth Z. Jiang, at the address below, by no later than 12:00 p.m., Pacific Daylight Savings Time, on September 3, 2013. The initial overbid will be \$4,000.00.

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:

September 4, 2013

10:00 a.m.

U.S. Bankruptcy Court, Los Angeles Division

Courtroom 1568

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., 35th Floor

Los Angeles, CA 90071-1406

Telephone: (213) 626-2311

Facsimile: (213) 629-4520

DATED: August 12, 2013

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:

(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 \$500.00 more than the current selling price of \$3,500.00) (the "Initial Overbid"), by no later than 12:00 p.m., Pacific Standard Time, on September 3, 2013 (the "Overbid Deadline"). In her absolute and sole discretion, the Trustee shall have the right to accept additional overbids submitted prior to the hearing but after the Overbid Deadline.

(2) Payment Of Deposit

Any Overbidder shall provide the Trustee with a cashier's check, payable to "Alberta P. Stahl, Chapter 7 Trustee of the Bankruptcy Estate of Jeffrey M. Klein and Susan A. Eostreich-Klein" in the amount of \$3,500.00 to serve as a deposit towards the total purchase 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 right corner of the first page of this Motion) by no later than the Overbid Deadline.

In the event of any Overbid, the \$3,500.00 tender from the Buyer shall serve as the Buyers' 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 Motion as is necessary in order to increase their bid.

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 five 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.

###