Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address	FOR COURT USE ONLY
Daniel A. Lev (CA Bar No. 129622) dlev@sulmeyerlaw.com SulmeyerKupetz, A Professional Corporation 333 South Hope Street, 35th Floor Los Angeles, CA 90071 Telephone: 213.626.2311 Facsimile: 213.629.4520 ☐ *Individual appearing without attorney* ☒ *Attorney for:* Howard M. Ehrenberg, Chapter 7 Trustee	

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re: CLAIRE LEVINE Debtor(s).	CASE NO.: 2:12-bk-22639-ER CHAPTER: 7 **NOTICE OF SALE OF ESTATE PROPERTY**

Sale Date: February 20, 2013	**Time:** 11:00 a.m.
Location: 255 East Temple Street, Los Angeles, CA 90012, Courtroom "1568"	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** February 6, 2013

Description of property to be sold: See Attachment

Terms and conditions of sale: See Attachment

Proposed sale price: See Attachment

Overbid procedure (*if any*): See Attachment

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

February 20, 2013
11:00 a.m.
255 East Temple Street
Los Angeles, California 90012
Courtroom "1568"

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

Daniel A. Lev, Esq.
SulmeyerKupetz, A Professional Corporation
333 South Hope Street, 35th Floor
Los Angeles, California 90071
Telephone: 213.626.2311

Date: January 30, 2013

ATTACHMENT TO NOTICE OF SALE OF ESTATE PROPERTY

Description of Property to be Sold: Howard M. Ehrenberg, the duly appointed, qualified, and acting Chapter 7 Trustee (the "Trustee") for the estate of the debtor Claire Levine (the "Debtor"), intends to move for an order approving the sale (the "Sale") of the estate's interest in that certain real property more commonly known as 15 East 69th Street, Unit 4D, New York, New York (the "Real Property"), which consists of an apartment residence, together with a 1.76733 % interest in the "common elements", on the terms and conditions stated in the written offer (the "Written Offer"), which is attached as Exhibit "A" to the concurrently filed "Chapter 7 Trustee's Motion for Order (1) Authorizing Sale of Real Property (15 East 69th Street, Unit 4D, New York, New York) Free and Clear of Liens, Claims and Interests, (2) Confirming Sale to Third Party or the Highest Bidder Appearing at the Hearing; (3) Determining That Buyer is a Good Faith Purchaser; and (4) Waiving the Fourteen (14) Day Stay Prescribed By Rule 6004(g) of the Federal Rules of Bankruptcy Procedure" (the "Motion"). As part of the Motion, the Trustee seeks an order approving the Sale free and clear of certain unknown liens, claims, interests, or encumbrances which may be asserted against the Real Property at or prior to the hearing on the Motion, which would be the subject of bona fide disputes, with such liens, claims, interests, or encumbrances, if any, attaching to the net sales proceeds in the same manner and with the same effect, if any, under applicable federal and state law. The Real Property is being sold on an "as is" "where is" basis, with no warranties, recourse, contingencies or representations of any kind. The Trustee also will seek an order (i) confirming the Sale to the Buyer or to the highest bidder appearing at the hearing, (ii) authorizing the Trustee to execute any and all documents that may be necessary to consummate the Sale, (iii) determining that the Buyer or the successful overbidder is entitled to 11 U.S.C. § 363(m) protection, and (iv) waiving the fourteen (14) day stay prescribed by Rule 6004(g) of the Federal Rules of Bankruptcy Procedure.

Method of Sale: Existing cash offer of $5,454,000.00, subject to qualified overbids.

Sale Description: Date of Sale: February 20, 2013, 11:00 a.m. (subject to continuances)

Place: 255 East Temple Street, Courtroom "1568" (the Honorable Ernest Robles, United States Bankruptcy Judge), Los Angeles, CA 90012

Offer Received: The Trustee has received and accepted an offer from the Jason E. Phillips Trust (the "Buyer"), for $5,454,000.00, cash, or to any person or entity who appears at the hearing and submits a higher acceptable bid.

Overbid Terms: The proposed sale to the Buyer is subject to approval of the United States Bankruptcy Court and to qualified overbids, and any person or entity desiring to submit an overbid must submit (i) a cashier's check, made payable to "Howard M.

Ehrenberg, Chapter 7 Trustee," in the amount of $547,400.00 (the "Deposit") and (ii) evidence of the financial wherewithal to close the contemplated sale, to counsel for the Trustee, at the hearing, before their initial bid. The Deposit represents ten percent (10%) of $5,474,000.00, which sum represents the initial sales price of $5,454,000.00, plus the $20,000.00 initial overbid amount. The Buyer has paid the initial deposit of $545,400.00 to the Trustee. The Deposit shall not be refundable if the successful overbidder is thereafter unable or unwilling to complete the purchase of the Real Property. Subject to approval of the Bankruptcy Court, after the initial overbid, subsequent overbids shall be made in minimal increments of $10,000.00 thereafter such that the next highest minimum overbid would need to be an amount no less than $5,484,000.00. All due diligence is to be completed prior to the hearing as the Sale is on an "as-is" "where is" basis with no warranties, representations, recourse or contingencies of any kind. Each party, including the Buyer, must pay the full amount of the successful overbid to the Trustee within the terms and conditions set forth in the Written Offer or otherwise on or before March 19, 2013 (60 days after the execution of the Written Offer), unless extended by the parties pursuant to the Written Offer. In the event that the successful bidder cannot make such payment within that time, the Trustee shall be authorized to accept the offer made by the second highest overbidder. The Trustee reserves the right to reject any and all overbids that, in his business judgment, are insufficient.

Contact Name:	Daniel A. Lev, Esq.
Contact Number:	(213) 626-2311
Case Name:	In re Claire Levine
Case Number:	LA 12-22639-ER

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

A true and correct copy of the foregoing document entitled: **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 30, 2013, 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:

- Sean D Allen sda@sghoalaw.com
- Richard J Bauer rbauer@mileslegal.com
- Mark Domeyer mdomeyer@mileslegal.com
- Howard M Ehrenberg (TR) ehrenbergtrustee@sulmeyerlaw.com, ca25@ecfcbis.com;C123@ecfcbis.com
- Joseph A Eisenberg jae@jmbm.com
- Michelle R Ghidotti mghidotti@ghidottilaw.com
- Asa S Hami ahami@sulmeyerlaw.com
- Mehrdaud Jafarnia bknotice@mccarthyholthus.com, mjafarnia@mccarthyholthus.com
- Dare Law dare.law@usdoj.gov
- Daniel A Lev dlev@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com
- Anne C Manalili acmecf@laklawyers.com
- Dennis E Mcgoldrick dmcgoldricklaw@yahoo.com
- Krsto Mijanovic kmijanovic@hbblaw.com
- Kelly M Raftery bknotice@mccarthyholthus.com
- Peter J Rudinskas pjr.legal@gmail.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
- Jennifer C Wong bknotice@mccarthyholthus.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:
On (*date*) January 30, 2013, 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.

The Honorable Ernest M. Robles
U.S. Bankruptcy Court
Roybal Federal Building
Bin outside of Suite 1560
255 E. Temple Street
Los Angeles, CA 90012-3332

☐ 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*) _____, 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.

☐ 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 30, 2013	Denise Givens	/s/Denise Givens
Date	*Printed Name*	*Signature*