



**Overbid procedure (if any):** The overbid terms, overbid protection, and break-up fee are attached hereto as Exhibit "1".

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

Date: April 13, 2016

Time: 11:00 a.m.

Location: 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):**

David M. Reeder, Esq.

Valensi Rose, PLC

1888 Century Park East, Ste. 1100

Los Angeles, CA 90067

Telephone: (310) 277-8011

Fax: (310) 277-1706

Email: dmr@vrmlaw.com

Date: 03/22/2016

# EXHIBIT " 1 "

In re Monge Property Investments, Inc., United States Bankruptcy Court, Central District of California, Los Angeles Division, Case No. 2:12-bk-29275-TD; Notice of Sale of Estate Property

### **OVERBID PROCEDURES**

The Debtor-in-Possession has established the following overbid procedures (the “Overbid Procedures”) regarding his sale of the 1890 Marney Avenue Property, and is giving notice to parties in interest regarding the Overbid Procedures, as follows:

1. The sale of the Marney Avenue Property is subject to overbid by a qualified overbidder (“Qualified Overbidder”). The overbid terms, overbid protection, and break-up fee shall be as follows:
  - a. The minimum overbid will be in the amount of \$425,000.
  - b. Subsequent bids will be in minimum increments of \$2,000.
  - c. In order to be designated as a Qualified Overbidder, persons wishing to bid on the 1890 Marney Avenue Property must provide the following by 3:00 p.m. on the second calendar day prior to the hearing on the sale of the Marney Avenue Property at the offices of Valensi Rose, PLC, 1888 Century Park East, Suite 1100, Los Angeles, California 90067:
    - 1) A cashier’s check in the amount equal to the deposit paid by Purchaser, \$10,000, regarding the purchase of the Marney Avenue Property.
    - 2) Financial data satisfactory to MPI, in its sole discretion, showing that the potential overbidder would be able to close the purchase of the Marney Avenue Property. This must be in the form of an unconditional loan commitment in a form acceptable to MPI, or bank account or brokerage account statements covering a period ending not more than 15 days prior to the hearing on the Sale

Motion, showing liquid assets sufficient to close  
the purchase of the Marney Avenue Property.

- d. In the event that Purchaser is not the successful bidder, and a Qualified Overbidder purchases the Marney Avenue Property, and actually closes escrow, Purchaser shall receive a “break-up fee” of \$2,500, paid directly to Purchaser within 10 days of the closing of the escrow.
  - e. In the event that Purchaser is not the successful bidder, the Purchaser’s deposit shall be refunded in full, unless the Purchaser agrees, at the hearing, to be back-up bidder for the Marney Avenue Property, at an amount equal to her last bid regarding the Marney Avenue Property, in the event that the successful overbidder does not close escrow. In that event, if the successful overbidder closes escrow on the Marney Avenue Property, Purchaser shall receive her deposit, and her break-up fee within 10 days of the closing of the escrow.
2. Overbids will not be contingent on any inspection of the Marney Avenue Property by or due diligence by an overbidder. Any and all due diligence will have to be completed by the date of the hearing on the sale of the Marney Avenue Property.
  3. The terms of the sale of the Marney Avenue Property to an overbidder shall be identical to the terms of the sale agreed to between MPI and the Purchaser, except for 1) the identity of the buyer, 2) the purchase price 3) the absolute absence of any contingencies.
  4. In order for a sale to a Qualified Over bidder to qualify to purchase the Marney Avenue Property, a Qualified Over bidder, upon being determined to be the successful bidder by the Bankruptcy Court at the hearing, must, within 5 days of the date of the entry of the order approving the sale of the

Marney Avenue Property, execute a Purchase Agreement and addenda thereto, in the same form as that entered into between Debtor-in-Possession and Purchaser, except for 1) the identity of the buyer, 2) the purchase price 3) the absolute absence of any contingencies.

## 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:  
Valensi Rose, PLC, 1888 Century Park East, Ste. 1100, Los Angeles, CA 90067

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)* 03/22/2016, 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 *(date)* \_\_\_\_\_, 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 *(date)* 03/22/2016, 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.

03/22/2016  
Date

Jessica L. Evans  
Printed Name

/s/ JESSICA L. EVANS  
Signature

In re: <b>MONGE PROPERTY INVESTMENTS, INC.</b>  Debtor-in-Possession.	CHAPTER: 11 CASE NUMBER: 2:12-bk-29275-TD
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**SERVICE LIST**

**Served by Electronic Mail**

**Served by Personal Delivery**

- Bradley S Behrens efcacb@piteduncan.com
- Todd S Garan ch11ecf@aldridgepite.com, TSG@ecf.inforuptcy.com;tgaran@aldridgepite.com
- Paul H Kim Pkim@counsel.lacounty.gov
- Nancy L Lee bknotice@rcolegal.com, nlee@rcolegal.com;RCO@ecf.inforuptcy.com
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- Jason W Short jshort@piteduncan.com
- Bill Taylor ecfnotices@4stechnologies.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
- Edward T Weber bknotice@rcolegal.com
- Kristi M Wells bknotice@rcolegal.com, RCO@ecf.inforuptcy.com

Honorable Thomas B. Donovan  
United States Bankruptcy Court  
Central District of California  
255 E. Temple St., Ste. 1352  
Los Angeles, CA 90012

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