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A Professional Corporation
333 South Hope Street, Thirty-Fifth Floor
Los Angeles, California 90071-1406
Telephone: 213.626.2311
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☐ *Individual appearing without attorney*
☒ *Attorneys for Sam S. Leslie, Ch 7 Trustee*

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re: **CONSOLIDATED ENTITIES OF EDGAR REINOSO,** Debtor.	CASE NO.: 2:12-bk-30218-RN CHAPTER: 7 **AMENDED NOTICE OF SALE OF ESTATE PROPERTY**

Sale Date:	January 28, 2014	**Time:**	9:00 a.m.
Location:	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 261-322-13 (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: **$100,000.00**

Overbid procedure (*if any*): To qualify to overbid, interested parties must provide the Trustee with a cashier's check in the amount of $3,450.00, 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 $115,000. Subsequent overbids may be made in increments of not less than $5,000.00.

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., 35th Floor
Los Angeles, CA 90071-1406
Telephone: (213) 626-2311
Facsimile: (213) 629-4520

DATED: January 16, 2014

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 $100,000.00 (the "Purchase Price"), cash, $10,000.00 of which has been tendered, with the $90,000.00 balance to be paid within fourteen (14) calendar days following entry of the order approving the sale of the Property. The Sale is also subject to the assumption and assignment an unexpired Lease of the Property, on the terms and conditions stated in a lease agreement. 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 $15,000.00 more than the current selling price of $100,000.00) (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 $115,000.00 will be in additional increments of not less than $5,000.00, commencing with the bid amount of $120,000.00.

(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 $3,450.00 to serve as a deposit, representing 3% 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 $10,000.00 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 Motion as is necessary in order to increase their bid. As stated previously, the Initial Overbid will be in the amount of $115,000.00, and any subsequent overbids will be in increments of $5,000.00.

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) Winning Bidder Will Purchase Property Subject To The Lease

As stated above, the Trustee is seeking to assume the Lease, and assign it to the Buyer or the Winning Bidder, as the case may be. The Trustee requests Court authority to assume the Lease and sell the Property to the Winning Bidder or to the next highest bidder if the Winning Bidder fails to perform.

Accordingly, the Property, whether purchased by the Buyer or a Winning Bidder, shall be purchased subject to the Lease and the Estate will be released from any obligation under the Lease thereafter.

(7) 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. In addition, to qualify as an Overbidder, an Overbidder must acknowledge in writing the Overbidder's agreement to assume the Lease pursuant to its terms.

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*): **AMENDED 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 16, 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
• Carol J Fogleman — Rosamond Community Services District	mfrost@bwslaw.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 elizabeth.z.jiang@gmail.com kfox@sulmeyerlaw.com
• Shervin Lalezary — Courtesy NEF	shervin1@gmail.com
• Sam S Leslie (TR) — Chapter 11 Trustee	sleslie@trusteeleslie.com sleslie@ecf.epiqsystems.com trustee@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 asokolowski@sulmeyerlaw.com
• Christina J O — JPMorgan Chase Bank, National Association	christinao@aol.com
• Randy P Orlik — Courtesy NEF	rorlik@coxcastle.com
• Joshua K Partington — Union Bank, N.A.	efilings@amlegalgroup.com
• Eric S Pezold — Courtesy NEF	epezold@swlaw.com dwlewis@swlaw.com
• Brett Ramsaur — Bank of America, N.A.	bramsaur@swlaw.com kcollins@swlaw.com
• Allan D Sarver — Peter Cho	ADSarver@aol.com
• Jaime K Shean — Union Bank, N.A.	efilings@amlegalgroup.com
• Andrew Edward Smyth — Edgar Reinoso	office@smythandsmyth.com
• United States Trustee (LA)	ustpregion16.la.ecf@usdoj.gov
• Hatty K Yip — United States Trustee	hatty.yip@usdoj.gov

☐ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:
On (*date*) January 16, 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 Drive
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 16, 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.

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

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 16, 2014	Patricia Penn	/s/Patricia Penn
Date	*Printed Name*	*Signature*