

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  Peter Susi Susi & Gura 7 West Figueroa Street, 2nd Floor Santa Barbara, CA 93101  805-965-1011 805-965-7351 (fax) Bar No. 62957 peter@susigura.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor & Debtor-in-Possession	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION**

In re: PETER CAPONE          Debtor(s).	CASE NO.: 9:10-bk-10782-RR CHAPTER: 11          <p style="text-align: center;"><b>NOTICE OF SALE OF ESTATE PROPERTY</b></p>
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<b>Sale Date:</b> July 9, 2013	<b>Time:</b> 10:00 a.m.
<b>Location:</b> 1415 State Street, Courtroom 201, Santa Barbara, California	

**Type of Sale:**  Public  Private      **Last date to file objections:** June 25, 2013

**Description of property to be sold:** A condominium residence known as 103 Black Banks Lane (Unit 3 Black Banks River Residence), Sea Island, Georgia

**Terms and conditions of sale:** \$3,000,000 cash on close of escrow, with an initial deposit of \$50,000 pursuant to a Purchase and Sale Agreement

**Proposed sale price:** \$3,000,000

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

Overbid procedure (if any): [SEE ATTACHED]

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

N/A

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

Peter Susi

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Susi & Gura

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7 West Figueroa Street, 2nd Floor

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Santa Barbara, CA 93101

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805-965-1011; 805-965-7351 (fax)

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peter@susigura.com

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Date: 6/14/2013

OVERBID PROCEDURES

Any party wishing to overbid shall deposit a Cashier's Check in the amount of \$50,000 with Debtor's counsel, Peter Susi, payable to Susi & Gura Trust Account, at least 48 hours prior to the scheduled hearing on this motion.

The sale shall be for all cash and on the same terms as the proposed sale to Buyer as reflected in Exhibit B to the Motion to Sell Real Property.

First minimum overbid shall be \$3,050,000, or as otherwise may be fixed by the court at the hearing, with subsequent overbid intervals as fixed by the court, and shall be on the same terms as the proposed sale to Danforth. The overbidder shall have no further due diligence period, and the sale will be as is and where is, without warranty.

Successful overbidders to open escrow within three business days following the hearing.

Overbidder's \$50,000 deposit shall be forfeited if the overbidder fails to close the purchase in a timely manner, through no fault of seller.

## 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:  
7 West Figueroa Street, 2nd Floor  
Santa Barbara, CA 93101

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)* 6/14/13, 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)* 6/14/13, 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)* 6/14/13, 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.

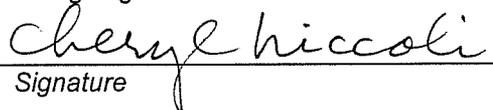
By Personal Delivery  
U.S. Bankruptcy Judge Robin Riblet  
1415 State Street  
Santa Barbara, California

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.

6/14/2013  
Date

CHERYL NICCOLI  
Printed Name

  
Signature

SERVICE LIST

Peter Capone

Chapter 11 Case No.: 9:10-bk-10782-RR

**SERVED ELECTRONICALLY**

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United States Trustee (ND) [ustpreion16.nd.ecf@usdoj.gov](mailto:ustpreion16.nd.ecf@usdoj.gov)

**SERVED BY U.S. MAIL**

**Manual Notice List (CM/ECF)**

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1482 East Valley Road, Box 702  
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Santa Barbara, CA 93101