

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>Daniel A. Lev (CA Bar No. 129622)                  Marcus A. Tompkins (CA Bar No. 190922)                  SulmeyerKupetz                  A Professional Corporation                  333 South Hope Street, Thirty-Fifth Floor                  Los Angeles, California 90071-1406                  Telephone: 213.626.2311 Facsimile: 213.629.4520</p> <p><input type="checkbox"/> Individual appearing without attorney  <input checked="" type="checkbox"/> Attorney for: Larry D. Simons, Chapter 7 Trustee</p>	<p>FOR COURT USE ONLY</p>
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION**

<p>In re: DOUGLAS TODD BURDICK dba DIRT DAWGS, and MARY ANNE KABEL-BURDICK dba MARY A. KABEL BURDICK</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 6:11-bk-46960-MJ CHAPTER: 7</p> <p style="text-align: center;"><b>NOTICE OF SALE OF ESTATE PROPERTY</b></p>
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<p><b>Sale Date:</b> January 21, 2014</p>	<p><b>Time:</b> 10:00 a.m.</p>
<p><b>Location:</b> U.S. Bankruptcy Court, Courtroom 301, 3420 Twelfth Street, Riverside, CA 92501-3819</p>	

**Type of Sale:**  Public  Private **Last date to file objections:** January 7, 2013

**Description of property to be sold:** real property commonly known as 3075 Jane Street, Riverside, California 92506, bearing Assessor's Parcel No. 235-063-034

**Terms and conditions of sale:** See attached

**Proposed sale price:** \$210,000.00, subject to overbids

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:

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

Daniel A. Lev  
Marcus A. Tompkins  
SulmeyerKupetz, A Professional Corporation  
333 South Hope Street, 35th Floor  
Los Angeles, California 90071-140  
Tel.: 213.626.2311 Fax: 213.629.4520  
E-mail: dlev@sulmeyerlaw.com  
mtompkins@sulmeyerlaw.com

Date: December 30, 2013

ATTACHMENT TO NOTICE OF SALE OF ESTATE PROPERTY

Description of Property to be Sold: Larry D. Simons, the duly appointed, qualified, and acting Chapter 7 Trustee (the "Trustee") for the estate of the debtors Douglas Todd Burdick dba Dirt Dawgs, and Mary Anne Kabel-Burdick dba Mary A. Kabel Burdick (the "Debtors"), intends to move for an order approving the sale (the "Sale") of the estate's interest in real property commonly known as 3075 Jane Street, Riverside, California 92506, bearing Assessor's Parcel No. 235-063-034 (the "Real Property"), on the terms and conditions stated in a "California Residential Purchase Agreement and Joint Escrow Instructions" and the accepted Counter Offer and addendum thereto (the "Written Offer"), which is attached as Exhibit "C" to the concurrently filed "Chapter 7 Trustee's Motion for Order (1) Authorizing Sale of Real Property (3075 Jane Street, Riverside, CA 92506), (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(h) 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 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 Real Property is being sold on an "as is" "where is" basis, with no warranties, recourse, contingencies or representations of any kind. The Trustee will also 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 bidder is entitled to 11 U.S.C. § 363(m) protection, and (iv) waiving the fourteen (14) day stay prescribed by Rule 6004(h) of the Federal Rules of Bankruptcy Procedure.

Method of Sale: Existing cash offer of \$210,000.00, subject to qualified overbids.

Sale Description: Date of Sale: January 21, 2014, 10:00 a.m. (subject to continuances)  
Place: 3420 Twelfth Street, Courtroom "301" (the Honorable Meredith Jury, United States Bankruptcy Judge), Riverside, CA 92501

Offer Received: The Trustee has received and accepted an offer from Riviera Property Group, LLC (the "Buyer"), for \$210,000.00, cash, but will consider an offer from 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 "Larry D. Simons, Chapter 7 Trustee," in the amount of \$10,000.00 (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 shall not be refundable if the successful overbidder is thereafter unable or unwilling to complete the purchase of the Real Property. Subject to Court approval, the Trustee recommends the first overbid be in the amount of \$215,000.00, cash, which is \$5,000.00 higher than the initial sales price of \$210,000.00. Overbids shall be made in minimal increments of \$5,000.00 thereafter such that the next highest minimum overbid would need to be an amount no less than \$220,000.00. 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 escrow documents or otherwise within ten (10) days from the date the Order approving the Motion becomes a final order, unless extended by the parties in writing. 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 Burdick  
Case Number: 6:11-bk-46960-MJ

## 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: **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) December 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:

Donald T Fife  
gusmars@aol.com

Richard C Harris on behalf of Debtor Douglas Todd Burdick  
rharris@richharrislaw.com

Richard C Harris on behalf of Joint Debtor Mary Anne Kabel-Burdick  
rharris@richharrislaw.com

Elizabeth Jiang on behalf of Plaintiff Larry D Simons  
ejiang@sulmeyerlaw.com, elizabeth.z.jiang@gmail.com, kfox@sulmeyerlaw.com

Daniel A Lev on behalf of Interested Party Courtesy NEF  
dlev@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com

Daniel A Lev on behalf of Trustee Larry D Simons (TR)  
dlev@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com

Mark C Schnitzer on behalf of Defendant Dean E Burdick  
mschnitzer@rhlaw.com, mcschnitzer@gmail.com

Mark C Schnitzer on behalf of Defendant Pamela M Harris  
mschnitzer@rhlaw.com, mcschnitzer@gmail.com

Mark C Schnitzer on behalf of Defendant Pamela M Iman  
mschnitzer@rhlaw.com, mcschnitzer@gmail.com

Mark C Schnitzer on behalf of Defendant Warren K Burdick, Jr  
mschnitzer@rhlaw.com, mcschnitzer@gmail.com

Mark C Schnitzer on behalf of Interested Party Reid & Hellyer, APC  
mschnitzer@rhlaw.com, mcschnitzer@gmail.com

Larry D Simons (TR)  
larry@lsimonslaw.com, c119@ecfcbis.com

Larry D Simons (TR) on behalf of Trustee Larry D Simons (TR)  
larry@lsimonslaw.com, c119@ecfcbis.com

Scott Talkov on behalf of Creditor Dean E. Burdick  
stalkov@rhlaw.com

Scott Talkov on behalf of Creditor Pamela M Harris

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MTOMPKINS\2419537. This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

stalkov@rhlaw.com

Scott Talkov on behalf of Creditor Warren K. Burdick  
stalkov@rhlaw.com

Scott Talkov on behalf of Defendant Dean E Burdick  
stalkov@rhlaw.com

Scott Talkov on behalf of Defendant Pamella M Harris  
stalkov@rhlaw.com

Scott Talkov on behalf of Defendant Pamella M Iman  
stalkov@rhlaw.com

Scott Talkov on behalf of Defendant Warren K Burdick, Jr  
stalkov@rhlaw.com

Marcus Tompkins on behalf of Plaintiff Larry D Simons  
mtompkins@sulmeyerlaw.com, jbartlett@sulmeyerlaw.com

Marcus Tompkins on behalf of Trustee Larry D Simons (TR)  
mtompkins@sulmeyerlaw.com, jbartlett@sulmeyerlaw.com

Marcus Tompkins on behalf of Trustee Larry D Simons (TR)  
mtompkins@sulmeyerlaw.com, jbartlett@sulmeyerlaw.com

United States Trustee (RS)  
ustpregion16.rs.ecf@usdoj.gov

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) December 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 Meredith A. Jury  
U.S. Bankruptcy Court  
3420 Twelfth Street, Suite 325  
Riverside, CA 92501-3819

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.

12/30/13                      Maria R. Viramontes                      /s/ Maria R. Viramontes  
*Date*                                      *Printed Name*                                      *Signature*