

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>TODD A. FREALY (State Bar No. 198780)                  ANTHONY A. FRIEDMAN (State Bar No. 201955)                  LINDSEY L. SMITH (State Bar No. 265401)                  LEVENE, NEALE, BENDER, YOO &amp; BRILL L.L.P.                  10250 Constellation Boulevard, Suite 1700                  Los Angeles, CA 90067                  Telephone: (310) 229-1234                  Facsimile: (310) 229-1244                  Email: aaf@lnbyb.com; lls@lnbyb.com</p> <p><input type="checkbox"/> Individual appearing without attorney  <input checked="" type="checkbox"/> Attorney for: Steven M. Speier, 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:</p> <p>BRIAN GEORGE LENTZ,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 6:14-bk-24055-SY 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> 11/17/2016</p>	<p><b>Time:</b> 9:30 am</p>
<p><b>Location:</b> Courtroom 302, 3420 Twelfth Street, Riverside, CA 92501</p>	

**Type of Sale:**  Public  Private      **Last date to file objections:** 11/03/2016

**Description of property to be sold:**  
Vacant Lot located at 971 W. Via Livorno, Palm Springs, California 92262

**Terms and conditions of sale:** The property shall be sold "as is" and "where is" and without any representation or warranty, express or implied; 10% brokers' commission.

**Proposed sale price:** \$ 150,000.00

**Overbid procedure (if any):**

See attached Exhibit A

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

November 17, 2016 at 9:30 am, Courtroom 302, 3420 Twelfth Street, Riverside, CA 92501

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

Anthony A. Friedman  
Levene, Neale, Bender, Yoo & Brill L.L.P.  
10250 Constellation Blvd., Suite 1700  
Los Angeles, CA 90067  
Tele: 310-229-1234  
Fax: 310-229-1244  
E-mail: AAF@LNBYB.COM

Date: 10/26/2016

# **EXHIBIT A**

1 TODD A. FREALY (State Bar No. 198780)  
ANTHONY A. FRIEDMAN (State Bar No. 201955)  
2 LINDSEY L. SMITH (State Bar No. 265401)  
LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.  
3 10250 Constellation Boulevard, Suite 1700  
4 Los Angeles, CA 90067  
Telephone: (310) 229-1234  
5 Facsimile: (310) 229-1244  
Email: aaf@lnbyb.com; lls@lnbyb.com

6  
7 Attorneys for Steven M. Speier, Chapter 7 Trustee

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **RIVERSIDE DIVISION**

11 **In re**

12 **BRIAN GEORGE LENTZ,**  
13 **Debtor.**

Case No. 6:14-bk-24055-SY

Chapter 7

**NOTICE OF MOTION FOR ORDER:**

(1) **AUTHORIZING SALE OF  
ESTATE'S RIGHT, TITLE AND  
INTEREST IN REAL PROPERTY  
FREE AND CLEAR OF LIENS;**

(2) **APPROVING OVERBID  
PROCEDURE;**

(3) **APPROVING PAYMENT OF REAL  
ESTATE BROKERS' COMMISSIONS;  
AND**

(4) **FINDING PURCHASERS ARE  
GOOD FAITH PURCHASERS**

[971 W. Via Livorno, Palm Springs,  
California 92262]

**Date: November 17, 2016**

**Time: 9:30 a.m.**

**Place: Courtroom 302**

**U.S. Bankruptcy Court  
3420 Twelfth Street  
Riverside, CA 92501**

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1 **TO ALL INTERESTED PARTIES:**

2 **PLEASE TAKE NOTICE** as follows:

3 **(A) Date, Time, and Place of Hearing on the Proposed Sale:** November 17, 2016 at  
4 9:30 a.m. in Courtroom 302 of the United States Bankruptcy Court, located 3420 Twelfth Street,  
5 Riverside, California 92501.

6 **(B) Name and Address of Proposed Buyer:** John B. Meyer and Jason Freed, c/o  
7 Phillip Cass, Berkshire Hathaway Home Services, 2905 Tahquitz Canyon Way, Palm Springs,  
8 California 92264.

9 **(C) Description of Property to Be Sold:** 971 W. Via Livorno, Palm Springs, California  
10 92262 (the "Property").

11 **(D) Terms and Conditions of the Proposed Sale**

- 12 · Purchase Price: \$150,000 (the "Purchase Price");
- 13 · Condition of Property: Property purchased "as-is"  
14 without any representations or warranties of any kind;  
15 and
- 16 · Broker's Commissions: Ten percent (10% - Property is  
vacant land).

17 **(E) Liens:** The proposed sale is free and clear of the liens, claims and encumbrances of  
18 the items set forth in the chart, below. Notwithstanding that the proposed sale is free and clear,  
19 certain of the liens, claims and encumbrances will be paid directly from escrow, as described in  
20 detail in the Motion by each item number as indicated on the preliminary title report. The  
21 preliminary title report obtained from First American Title Company indicates the following  
22 liens, claims and encumbrances have been recorded against the Property:

Item No. on Title Report	Lienholder	Nature and Amount of Lien
6	JPMorgan Chase Bank, National Association ("Chase")	Lien recorded in favor of Washington Mutual Bank, N/A. on 10/13/99 and assigned to Chase by assignment recorded on 12/12/14. The Trustee is informed that an obligation of

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		<p>approximately \$16,512.06 (as of March 2015) is secured by this lien, according to Chase’s motion for relief from the automatic stay filed March 9, 2015 [Docket No. 22]. According to the Chase relief from stay motion, the monthly payments are in the amount of \$440.96. Thus, taking the balance of \$16,512.06, together with estimated monthly payment of \$440.96 for the past 18 months, the Trustee estimates the full extent of Chase’s claim to be in the approximate amount of \$24,449.34.</p>
7.	Kent Williams and Mireya Escalante Arriaza (“Williams”)	<p>An abstract of a judgment entered against Escalante-Lentz (the Debtor’s ex-wife) and recorded in favor of Williams on 10/02/12.”. As the Debtor and Escalante-Lentz commenced their Dissolution Case on February 29, 2012 and is the date of separation, the Trustee submits that the obligation of approximately \$10,135.00 secured by this abstract is allotted solely against Escalante-Lentz’s 50% portion of the Property.</p>
8.	United States of America (the “IRS”)	<p>A federal tax lien in favor of the IRS recorded on 10/24/13. The tax is for income taxes owed for the period ending December 31, 2011, which is prior to the date of separation of the Debtor and Escalante-Lentz. The Trustee is informed that an obligation of approximately \$65,745.61 is secured by this abstract. As discussed in the Motion, pursuant to the Motion, the Trustee seeks to avoid and recover \$4,962.77 of this lien pursuant to Section 724(a) of the Bankruptcy Code.</p>
10	Tax Collector of Riverside County (“Riverside County”)	<p>Lien recorded in favor of Riverside County recorded on 07/06/15 for 2015-2016 taxes.</p>

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		The Trustee is informed that an obligation of approximately \$2,331.27 is secured by this lien.
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**(F) Overbid Procedures:** (1) any person interested in submitting an overbid on the Property must attend the hearing on the Motion or be represented by an individual with authority to participate in the overbid process; (2) an overbid will be defined as an initial overbid of \$10,000.00 above the Purchase Price, with each additional bid in increments of \$1,000.00; (3) overbidders (except for the Purchasers) must deliver a deposit to the Trustee’s counsel by way of cashier’s check made payable to “Steven M. Speier, Chapter 7 Trustee,” in the amount of \$4,500.00 (the “Deposit”) and proof of ability to close escrow unconditionally in a form acceptable to the Trustee at least 7 calendar days prior to the hearing on the Motion; (4) overbidders must purchase the Property on the same terms and conditions as the Purchasers; (5) the Deposit of the successful overbidder shall be forfeited if such party is thereafter unable to complete the purchase of the Property within 30 calendar days of entry of an order confirming the sale; and (6) in the event the successful overbidder cannot timely complete the purchase of the Property, the Trustee shall be authorized to proceed with the sale to the next highest overbidder.

**(G) Consideration:** The Trustee estimates that the proposed sale will generate net proceeds of approximately \$44,436.55. From the net proceeds of \$44,436.55, the avoided and preserved penalties and interest from the IRS claim in the amount of \$4,962.77 will be deducted and allocated to the Debtor’s estate, leaving a balance of \$39,473.78. The remaining balance of \$39,473.78 shall then be divided in half so that \$19,736.89 will be due to the Debtor’s estate and \$19,736.89 will be allocated to Escalante-Lentz’s interest in the Property. As a result, the Debtor’s estate will receive \$4,962.77 plus \$19,736.89, for total net proceeds of \$24,699.66 on account of the estate’s 50% interest in the Property.

**(H) Commissions:** The Trustee will request that broker’s commissions of ten percent of the gross sale price be allowed and paid directly from escrow to HOM Sotheby’s International Realty, the Trustee’s real estate broker, and to the successful purchaser’s agent.

1           **(I) Tax Consequences:** Following an analysis conducted by the Trustee and Trustee’s  
2 accountant, the Trustee anticipates no tax consequence arising from the sale of the Property.

3           **(J) Deadline for Objection:** Pursuant to Local Bankruptcy Rule 9013-1(f), any  
4 interested party that wishes to oppose the relief requested in the motion must file not later than  
5 14 days prior to the scheduled hearing date, with the Clerk of the Bankruptcy Court, located at  
6 3420 Twelfth Street, Riverside, California 92501, and serve upon the Office of the United States  
7 Trustee and the Trustee’s counsel, located at the address indicated on the upper left corner of the  
8 first page of this notice, “[a] complete written statement of all reasons in opposition thereto ...,  
9 declarations and copies of all photographs and documentary evidence on which the responding  
10 party intends to rely and any responding memorandum of points and authorities.”

11           **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013-  
12 1(h), failure to file and serve a timely response may be deemed consent to the relief requested in  
13 the Motion.

14 DATED: October 26, 2016

LEVENE, NEALE, BENDER,  
YOO & BRILL L.L.P.

15  
16 By: /s/ Anthony A. Friedman  
TODD A. FREALY  
17 ANTHONY A. FRIEDMAN  
LINDSEY L. SMITH

18 Attorneys for Steven M. Speier, Chapter 7 Trustee  
19 for the Bankruptcy Estate of Brian George Lentz  
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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 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled **NOTICE OF MOTION FOR ORDER: (1) AUTHORIZING SALE OF ESTATE’S RIGHT, TITLE AND INTEREST IN REAL PROPERTY FREE AND CLEAR OF LIENS; (2) APPROVING OVERBID PROCEDURE; (3) APPROVING PAYMENT OF REAL ESTATE BROKERS’ COMMISSIONS; AND (4) FINDING PURCHASERS ARE GOOD FAITH PURCHASERS** 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 **October 27, 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:

- Patti H Bass ecf@bass-associates.com
- Robert L Firth attyrfirth@hotmail.com, avazfirthlaw@gmail.com
- Todd A Frealy taf@lnbrb.com
- Anthony A Friedman aaf@lnbyb.com
- Marian Garza ecfnotices@ascensioncapitalgroup.com
- James F Lewin james.lewin@mtglawfirm.com, jimlewin7@gmail.com;wade.tang@mtglawfirm.com
- Christina J O christinao@mclaw.org, erica@mclaw.org
- Carmela Pagay ctp@lnbyb.com
- Jason K Schrader jason.K.Schrader@usdoj.gov
- Steven M Speier (TR) Imorvant@glassratner.com, sms@trustesolutions.net
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
- 

**2. SERVED BY UNITED STATES MAIL:** On **October 27, 2016**, 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.

Brian George Lentz 2180 S Palm Canyon Dr, Apt 42 Palm Springs, CA 92264	The Honorable Scott H. Yun United States Bankruptcy Court 3420 Twelfth Street, Suite 345 / Courtroom 302 Riverside, CA 92501-3819
RSN Attn: BMW Financial Services NA, LLC Dept. Ascension Capital Group Account: XXXXX5343 P.O. Box 201347 Arlington, TX 76006	RSN Cavalry SPVI, LLC Bass & Associates, P.C. 3936 E. Ft. Lowell Road, Suite #200 Tucson, AZ 85712
Ana Maria Escalante Lentz 121 S. Palm Strings Canyon Dr., Ste. 222 Palm Springs, CA 92262	Ana Maria Escalante Lentz c/o Law Offices of Renell E. Bruch, APC 75-280 Highway 111, Suite 102 Indian Wells, California 92210
Ana Maria Escalante Lentz	Ana Maria Escalante Lentz

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

1 c/o James Jackson, Esq.  
 74-133 El Paseo Drive, Suite A  
 2 Palm Desert, CA 92260

1052 El Escudero Circle  
 Palm Springs, CA 92262

3 Kent Williams  
 77061 California Drive  
 4 Palm Desert, CA 92211

Internal Revenue Service by mail  
 Mary Sevilla  
 110 City Parkway M/S 5028 LVG  
 Las Vegas, Nevada 89106

5 IRS  
 6 Bankruptcy West  
 P.O. Box 7346  
 7 Philadelphia, PA 19101-7346

Service information continued on attached page

9 **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,  
 10 on **October 27, 2016**, I served the following persons and/or entities by personal delivery, overnight mail  
 11 service, or (for those who consented in writing to such service method), by facsimile transmission and/or  
 12 email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight  
 13 mail to, the judge will be completed no later than 24 hours after the document is filed.  
 I declare under penalty of perjury under the laws of the United States of America that the foregoing is  
 true and correct.

<b>October 27, 2016</b>	Lisa Masse	/s/ Lisa Masse
<i>Date</i>	<i>Type Name</i>	<i>Signature</i>

Label Matrix for local noticing

0973-6

Case 6:14-bk-24055-SY

Central District of California

Riverside

Thu Oct 27 11:17:25 PDT 2016

JPMorgan Chase Bank, National Association, a

Malcolm Cisneros a Law Corporation

2112 Business Center Drive

2nd Floor

Irvine, CA 92612-7135

Bank of America

NC4-105-02-99

P.O. Box 26012

Greensboro, NC 27420-6012

Chase

Attn: Bankruptcy Dept.

700 Kansas Lane

Monroe, LA 71203-4774

Digital Life - AT&amp;T

Att: Bankruptcy Dept.

P.O. Box 537104

Atlanta, GA 30353-7104

IRS

Bankruptcy West

P.O. Box 7346

Philadelphia, PA 19101-7346

Peter Vanderweden

1051 El Escudero Circle

Palm Springs, CA 92262-3249

United States Trustee (RS)

3801 University Avenue, Suite 720

Riverside, CA 92501-3255

Wells Fargo Card Services

Attn: Bankruptcy Dept.

P.O. Box 30086

Los Angeles, CA 90030-0086

Dean Sipe

HOM Sotheby's International Realty

500 S Palm Canyon Dr Ste 101

Palm Springs, CA 92264-7467

BMW Financial Services, NA, LLC

c/o Ascension Capital Group

P.O. Box 201347

Arlington, Tx 76006-1347

Riverside Division

3420 Twelfth Street,

Riverside, CA 92501-3819

Capital One

Attn: Bankruptcy Claims Servicer

P.O. Box 30285

Salt Lake City, UT 84130-0285

Chase - Mortgage

Attn: Bankruptcy Dept.

P.O. Box 15298

Wilmington, DE 19850-5298

Fidelity Law

c/o Brian Linnekins

3679 Motor Ave., Ste. 200

Los Angeles, CA 90034-6197

OrthoBanc

Attn: Billing Dept.

2835 Northpoint Blvd.

Chattanooga, TN 37421

Saks World Elite Master Card

Attn: Bankruptcy Dept.

P.O. Box 5896

Carol Stream, IL 60197-5896

Visterra Credit Union

Attn: Adrian - Bankruptcy Dept.

P.O. Box 9500

Moreno Valley, CA 92552-9500

Westside Recovery Services, LLC

c/o Leonard Gilbert

6200 Wilshire Blvd., #1100

Los Angeles, CA 90048-5812

Robert L Firth

68910 Adelina Road

Cathedral City, CA 92234-3747

Cavalry SPV I, LLC.

Bass &amp; Associates, P.C.

3936 E. Ft. Lowell Rd., Ste 200

Tucson, AZ 85712-1083

Alphera Financial Services

Attn: Bankruptcy Dept.

5550 Britton Parkway

Hilliard, OH 43026-7456

Chase

Attn: Bankruptcy Dept.

Mail Code AZ1-2516

P.O. Box 78035

Palatine, IL 60094-4014

Cooper MD, Martin

Attn: Billing Dept.

120 S. Spalding Dr. #400

Beverly Hills, CA 90212-1842

Franchise Tax Board

Bankruptcy Section, MS:A-340

P. O. Box 2952

Sacramento, CA 95812-2952

Patrick Rhoten M.D.

Attn: Billing Dept.

122 Sheldon Street

El Segundo, CA 90245-3915

Seterus

Attn: Bankruptcy Dept.

P.O. Box 4128

Beaverton, OR 97076-4128

Wells Fargo Card Services

1 Home Campus 3rd Floor

Des Moines, IA 50328-0001

Brian George Lentz

2180 S Palm Canyon Drive Apt. 42

Palm Springs, CA 92264-8994

Steven M Speier (TR)

Post Office Box 7637

Newport Beach, CA 92658-7637

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Courtesy NEF

(u)Seterus, Inc., As The Authorized Subservic

End of Label Matrix	
Mailable recipients	29
Bypassed recipients	2
Total	31

### PROOF OF SERVICE OF DOCUMENT

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- Anthony A Friedman aaf@lnbyb.com
- Marian Garza ecfnotices@ascensioncapitalgroup.com
- James F Lewin james.lewin@mtglawfirm.com, jimlewin7@gmail.com;wade.tang@mtglawfirm.com
- Christina J O christinao@mclaw.org, erica@mclaw.org
- Carmela Pagay ctp@lnbyb.com
- Jason K Schrader jason.K.Schrader@usdoj.gov
- Steven M Speier (TR) Imorvant@glassratner.com, sms@trustesolutions.net
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
- 

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The Honorable Scott H. Yun  
United States Bankruptcy Court  
3420 Twelfth Street, Suite 345 / Courtroom 302  
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 **October 27, 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.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

<b>October 27, 2016</b>	Lisa Masse	/s/ Lisa Masse
<i>Date</i>	<i>Type Name</i>	<i>Signature</i>