

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>Charles W Daff, Bar No 76178 2009 N. Broadway Santa Ana, Ca, 92706 Tel: 714-541-0301 Fax: 714-569-0515</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: 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: SAUL HUMBERTO PENA-MELGAR</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 6:13-BK-16887 WJ 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> 05/20/2014</p>	<p><b>Time:</b> 10:00 am</p>
<p><b>Location:</b> 2704 LILA AVENUE, BLOOMINGTON, CALIFORNIA</p>	

**Type of Sale:**  Public  Private      **Last date to file objections:** 05/14/2014

**Description of property to be sold:**

Among the assets of the estate is personal property described as a 2006 Peterbuilt Truck bearing vehicle identification number ending in 3135; a 2006 Peterbuilt Truck bearing vehicle identification number ending in 3160; and a 2003 Utility Trailer bearing vehicle identification number ending in 9314.

**Terms and conditions of sale:**

The terms of the public auction are that the auctioneer, Van Horn Auctions and Appraisal Group, Inc., will liquidate said assets and conduct said auction as ALL CASH with a request for a bulk bids first and piece meal auction second, if necessary, with the assets offered "as is, where is", with no warranties or guarantees as to condition or operation.

**Proposed sale price:** \_\_\_\_\_

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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 MOTION

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

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

CHARLES W. DAFF  
TRUSTEE  
2009 N BROADWAY  
SANTA ANA, CA. 92706  
TEL: 714-541-0301  
FAX: 714-569-0515  
charleswdaff@gmail.com

Date: 4/27/14

Label Matrix for local noticing  
0973-6  
Case 6:13-bk-16887-WJ  
Central District Of California  
Riverside  
Sun Apr 27 17:04:53 PDT 2014

Employment Development Dept.  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

Franchise Tax Board  
Bankruptcy Section MS: A-340  
P.O. Box 2952  
Sacramento, CA 95812-2952

Mercedes-Benz Financial Services USA LLC f/k  
c/o BK Servicing, LLC  
PO Box 131265  
Roseville, MN 55113-0011

Riverside Division  
3420 Twelfth Street,  
Riverside, CA 92501-3819

Bank of America  
Post Office Box 45224  
Jacksonville, FL 32232-5224

Daimler Chrysler  
1011 Warrenville Rd.  
Lisle, IL 60532-0903

Ge Capital  
P.o.Box 981491  
El Paso, TX 79998-1491

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

United States Trustee (RS)  
3801 University Avenue, Suite 720  
Riverside, CA 92501-3255

Wells Fargo  
P.O. Box 5445  
Portland, OR 97228

Wells Fargo Bank  
c/o Professional Bureau of Collect  
c/o Law Offices of Harris & Zide  
1445 Huntington Dr., #300  
South Pasadena, CA 91030-5475

Wells Fargo Card Services  
1 Home Campus  
3rd Floor  
Des Moines, IA 50328-0001

Charles W Daff (TR)  
2009 N. Broadway  
Santa Ana, CA 92706-2611

Michael H Colmenares  
Colmenares & Tomilowitz  
1321 Post Ave Ste 201  
Torrance, CA 90501-2641

Saul Humberto Pena-Melgar  
25680 Vespucci Ave  
Moreno Valley, CA 92557-7631

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Portfolio Recovery Associates, LLC  
c/o Bank Of America  
POB 41067  
Norfolk VA 23541

End of Label Matrix	
Mailable recipients	15
Bypassed recipients	0
Total	15

1 CHARLES W. DAFF, BAR NO. 76178  
2009 N. BROADWAY  
2 SANTA ANA, CA 92706  
Telephone: (714)541-0301  
3 Facsimile: (714)569-0515

4 Chapter 7 Trustee

5

UNITED STATES BANKRUPTCY COURT

6

CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION

7

In re:	)	Case No:6:13-bk-16887 WJ
	)	Chapter 7
8 SAUL HUMBERTO PENA-MELGAR	)	
	)	TRUSTEE'S MOTION FOR AUTHORITY
	)	TO CONDUCT PUBLIC AUCTION FOR
10	)	SALE OF PROPERTY OF THE ESTATE
	)	RE: PERSONAL PROPERTY
11	)	
	)	No Hearing Set
12	)	

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14 **TO THE HONORABLE, WAYNE E. JOHNSON, UNITED STATES BANKRUPTCY**  
15 **JUDGE:**

16 The Chapter 7 Trustee, Charles W. Daff,  
17 moves this court for an order to authorize the sale of personal  
18 property of the bankruptcy estate by public auction. The trustee  
19 intends to conduct the public auction on May 20, 2014 at 10:00  
20 a.m. at the location of 2704 Lilac Avenue, Bloomington,  
21 California 92316.

22 **BACKGROUND INFORMATION**

- 23 1. On April 17, 2013, the debtor filed a voluntary  
24 petition for relief under chapter 7 of the Bankruptcy Code.
- 25 2. Charles W. Daff is the duly appointed, qualified  
26 and acting chapter 7 trustee for the bankruptcy cases.
- 27 3. The motion to sell assets of the estate is made  
28 pursuant to Bankruptcy Code section 363(b); Federal Bankruptcy

1 Rule 6004 and Local Bankruptcy Rule 9013-1 and Local Bankruptcy  
2 Rule 6004.

3 **THE PROPERTY**

4 4. Among the assets of the estate is personal  
5 property described as a 2006 Peterbuilt Truck bearing vehicle  
6 identification number ending in 3135; a 2006 Peterbuilt Truck  
7 bearing vehicle identification number ending in 3160; and a 2003  
8 Utility Trailer bearing vehicle identification number ending in  
9 9314. The two 2006 Peterbuilt Trucks and the 2003 Utility  
10 Trailer are located at 2704 Lilac Avenue, Bloomington, California  
11 92316. A true and correct copy of the Schedule B-Personal  
12 Property is attached hereto as Exhibit A and incorporated by  
13 reference.

14 5. On or about November 7, 2013, the trustee requested  
15 that the auctioneer, Van Horn Auctions and Appraisal Group, Inc  
16 to inspect the assets described above for the purpose of  
17 obtaining the liquidation value of these assets at a public  
18 auction. The auctioneer provided an opinion that the sale of the  
19 assets would bring a total value in the range from \$17,000 to  
20 \$20,000 in sale proceeds to the estate. A true and correct copy  
21 of the letter dated March 26, 2014, is attached hereto as Exhibit  
22 B and incorporated by reference.

23 6. The debtor stated that each of these vehicles were  
24 encumbered by secured liens. A true and correct copy of Schedule  
25 D-Secured Claims is attached hereto as Exhibit C and incorporated  
26 by reference. The trustee upon his personal inspection of the  
27 trucks and trailers and personal inspection of the Certificates  
28 of Titles has determined that each of the described vehicles are

1 free and clear of liens. The trustee has in his immediate  
2 possession a Texas Certificate of Title issued by the State of  
3 Texas for each of the two 2006 Peterbuilt Trucks. The lienholder  
4 in each of the Texas Certificate of Title executed the release of  
5 lien for the two 2006 Peterbuilt Trucks. The trustee has in his  
6 immediate possession a Certificate of Title for the State of  
7 California for the 2003 Utility Trailer. The debtor omitted to  
8 claim any of the vehicles subject to this motion as exempt  
9 property. A true and correct copy of Schedule C-Property Claimed  
10 Exempt is attached hereto as Exhibit D and hereby incorporated by  
11 reference.

#### 12 **BENEFIT TO THE ESTATE**

13 7. The last day for general unsecured creditors to  
14 file a proof of claim is January 6, 2014. (claims bar date). The  
15 debtor has scheduled no priority creditors. The debtor has  
16 scheduled general unsecured credits in Schedule F in sum of  
17 \$53,900. The total amount of unsecured claims on file with the  
18 court at this time is \$11,352.37. After cost of administration  
19 of the estate, the general unsecured creditors in all likelihood  
20 will receive a dividend in this case.

#### 21 **THE SALE OF PROPERTY**

22 8. The Trustee proposes to sell the estate's right,  
23 title and interest in the personal property of the debtor as  
24 described in Schedule B- Personal Property by public auction.

25 9. The trustee intends to conduct the public auction  
26 on May 20, 2014 at 10:00 a.m. at 2704 Lilac Avenue, Bloomington,  
27 California 92316. The inspection of the assets will commence at  
28 8:00 am on May 20, 2014 and conclude at the time of commencement

1 of the auction.

2 10. On April 11, 2014, the trustee filed with the  
3 court and noticed to creditors an application to employ the  
4 company, Scott Van Horn of Van Horn Auctions & Appraisal Group,  
5 Inc., (docket #42) to conduct the public auction. The terms of  
6 employment of the auctioneer include a thirteen percent (13%)  
7 buyers premium to be charged to the purchaser and expenses to be  
8 paid by the estate not to exceed \$3,900. It is the opinion of  
9 the Auctioneer that the auction sale of the assets will result in  
10 \$17,000 to \$20,000 in gross proceeds, should all the assets be  
11 sold. The valuation of the assets is determined as follows: 1)  
12 based upon the values listed in the debtor's Schedule B, and 2)  
13 the Auctioneer's estimation of value. A copy of the letter dated  
14 March 26, 2014, from Van Horn Auctions and Appraisal Group, Inc.  
15 is attached hereto as Exhibit C and hereby incorporated by  
16 reference.

17 **TERMS OF THE AUCTION AND BIDDING PROCEDURES**

18 11. The terms of the public auction are that the  
19 auctioneer, Van Horn Auctions and Appraisal Group, Inc., will  
20 liquidate said assets and conduct said auction as ALL CASH with a  
21 request for a bulk bids first and piece meal auction second, if  
22 necessary, with the assets offered "as is, where is", with no  
23 warranties or guarantees as to condition or operational capacity  
24 upon the following terms and conditions:

25 a. Said sale may be subject to California Sales Tax.

26 b. Buyer is to assume any and all hazardous and or  
27 toxic chemicals or materials, as well as any State, County and  
28 City regulations and licenses.

1           c. The trustee and Van Horn Auctions and Appraisal  
2 Group, Inc have no other obligation to the bidder in the event  
3 the sale is cancelled, postponed or sold at a Court overbid than  
4 to return the bulk bidder's deposit or other deposits on hand.

5           d. Van Horn Auctions and Appraisal Group, Inc receive  
6 as compensation a commission of 13% of the gross sales of the  
7 bulk auction.

8           e. In the event a piece meal auction becomes  
9 necessary, Van Horn Auctions and Appraisal Group, Inc will  
10 receive a commission of 13% of the gross sales and be reimbursed  
11 expenses which are not to exceed \$3,900.

12           f. The trustee intends to conduct the public auction  
13 on May 20, 2014 at 10:00 a.m. at 2704 Lilac Avenue, Bloomington,  
14 California 92316. The inspection of the assets will commence at  
15 8:00 am on May 20, 2014 at the same location and conclude at the  
16 time of commencement of the auction.

17           12. Van Horn Auctions and Appraisal Group, Inc will  
18 advertise the proposed auction in major newspapers in Orange  
19 County, Riverside and Los Angeles County. A brochure advertising  
20 the auction of the personal property will be forwarded to parties  
21 on established mailing lists and notice of the proposed auction  
22 will be forwarded to all creditors.

23           13. The estate's right, title and interest in the  
24 personal property are to be sold as is, where is and without  
25 warranty. The Auctioneer's compensation, as described in the  
26 Trustee's Application to Employ Auctioneer, is sole commission of  
27 thirteen percent commission, buyers' premium, to be charged to  
28 the purchaser, plus the reimbursement of his actual and necessary

1 expenses, in an amount not to exceed \$3,900.

2 **AUCTIONEER ACCOUNTING AND PAYMENT PROCEDURES**

3 14. The auctioneer will collect and deliver all gross  
4 proceeds to the trustee pursuant to the Application To Employ  
5 Auctioneer (docket #42) and Order Thereon. The auctioneer will  
6 collect all gross proceeds from the auction sale. In compliance  
7 with Federal Rules of Bankruptcy Procedure 6004(4) and Local  
8 Bankruptcy Rule 2016-1(1)(a), the proposed auctioneer will file a  
9 sold item and expense report with the Court and serve a copy of  
10 the Report on the U.S. Trustee and the Trustee prior to receiving  
11 final compensation. Following the filing and service of the  
12 Report and absent any objection to the Report by the Trustee, the  
13 Trustee will file a notice with the Court and serve it on the  
14 U.S. Trustee, the Debtor, the Debtor's counsel, the 20 largest  
15 unsecured creditors, and parties requesting special notice. The  
16 Notice will state that (1) the proposed Auctioneer's Report has  
17 been filed with the Court, (2) copies of the Auctioneer's Report  
18 may be obtained from the Trustee or the Court, and (3) if no  
19 objection to the auctioneer's fees and expenses is received by  
20 the Trustee within 10 days of service of the Notice, the Trustee  
21 may pay the auctioneer's reasonable fees and expenses without  
22 further notice or order of the Court.

23 **WHEREFORE, the Trustee requests that the Court enter an**  
24 **Order:**

- 25 1. Granting the Motion;  
26 2. Approving the proposed sale and bidding procedures  
27 at an auction of the personal property as described above  
28 pursuant to 11 U.S.C. §363(b).

1           3. Approving the Payment Procedure for the Auctioneer  
2 described herein; and

3           4. For such other and further relief as the Court  
4 deems just and proper.

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6 DATE: 04/27/14



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CHARLES W. DAFF  
Chapter 7 Trustee

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1 **POINTS AND AUTHORITIES**

2 A. THE TRUSTEE MAY SELL DEBTOR'S ASSETS PURSUANT TO 11 U.S.C.  
3 §363(b)

4 11 U.S.C. §363(b)(1) provides:

5 "The trustee, after notice and a hearing, may use, sell, or  
6 lease, other than in the ordinary course of business, property of  
7 the estate."

8 The sale proposed by the trustee meets with the requirement  
9 of Bankruptcy Code section 704(1) which states, "The trustee  
10 shall- (1) collect and reduce to money the property of the estate  
11 for which such trustee serves, and close the estate as  
12 expeditiously as is compatible with the best interest of the  
13 parties."

14 Accordingly, an order approving the auction sale  
15 pursuant to 11 U.S.C. Section 363(b) is appropriate.

16 B. THERE IS A SOUND BUSINESS PURPOSE FOR THE SALE.

17 There must be some articulated business purpose for a  
18 proposed sale outside the ordinary course of business. In re  
19 Walter, 83 B.R. 14, 19-20 (9th Cir. BAP 1988). The standards for  
20 whether a sale is supported by a sound business purpose was set  
21 forth In In re Continental Air Lines, Inc., 780 F.2d 1223, 1226  
22 (5th Cir. 1986), wherein the Fifth Circuit states:

23 Whether the proffered business justification is  
24 sufficient depends on the case. As the Second Circuit  
25 held In Lionel, the bankruptcy judge should consider  
26 all salient factors pertaining to the proceeding and  
27 accordingly act to further the diverse interest of the  
28 debtor, creditors and equity holders, alike. He might  
for example look to such relevant factors as the  
proportionate value of the asset to the estate as a  
whole, the amount of elapsed time since the filing, the  
likelihood that a plan of reorganization will be  
proposed and confirmed In the near future, the effect  
of the proposed disposition on future plans of

1 reorganization, the proceeds to be obtained from the  
2 disposition vis a vis any appraisals of the property,  
3 which of the alternatives use, sale or lease proposal  
4 envisions and most importantly perhaps whether the  
5 assets is increasing or decreasing in value. This list  
is not intended to be exclusive, but merely to provide  
guidance to the bankruptcy judge.  
Id. citing In re Lionel Corp., 722 F.2d 1063, 1071 (2d  
Cir 1983).

6 The standards set forth in In re Continental Airlines,  
7 Inc. were adopted by the Ninth Circuit Bankruptcy Appellate Panel  
8 In re Walter, 83 B.R. 14, 19-20.

9 In the present case there is a sound business purpose  
10 for the sale. The sale as proposed will provide for a means to  
11 pay creditors of the estate from the liquidation of the debtor's  
12 community property interest. "The primary consideration ... is  
13 the benefit bestowed upon the estate as a result of the transfer,  
14 In particular the benefit to the unsecured creditors." In re  
15 P.R.T.C., Inc., 177 F.3d 774, 783 (9th Cir. 1999). On the other  
16 hand, if the sale is not approved, the trustee may lose a buyer  
17 thereby causing the estate to incur additional expenses in trying  
18 to locate a new buyer or litigate the matter.

19 Therefore, the trustee respectfully submits that if  
20 this court applies the good business reason standard suggested by  
21 the Second Circuit in Lionel, the transaction should be approved.

22 Based upon the good business reasons that exist to  
23 grant the motion, the Trustee believes that the sale must be  
24 approved without delay to avoid losing this opportunity to  
25 successfully sell the property  
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1 C. THE SALE IN THE BEST INTEREST OF THE ESTATE.

2 The benefits to the estate as set forth above are  
3 tremendous as it is anticipated that the sale will generate  
4 substantial funds for payment of creditors.

5 D. ACCURATE AND REASONABLE NOTICE HAS BEEN GIVEN.

6 It is anticipated that the Notice of hearing on this  
7 motion will meet the requirements for accurate and reasonable  
8 notice under the circumstances.

9 E. THE SALE IS MADE IN GOOD FAITH.

10 The court In In re Wilde Horse Enterprise, Inc., set  
11 forth the factors In considering whether a transaction is In good  
12 faith. The court stated:

13 Good faith encompasses fair value, and further  
14 speaks to the integrity of the transaction. Typical  
15 bad faith or misconduct would include collusion between  
16 the seller and buyer or any attempt to take unfair  
17 advantage of other potential purchasers. And, with  
18 respect to making such determinations, the court and  
19 creditors must be provided with sufficient information  
20 to allow them to take a position on the proposed sale.

21 In the present case, the proposed sale is an arms  
22 length transaction by public auction. As set forth In the Notice  
23 of Motion, the creditors will have been provided with sufficient  
24 notice of sale. The public auction will be advertised in a major  
25 newspaper, advertised by specific mailing lists maintained by the  
26 auctioneer, and conducted in a place open to the public. The  
27 public auction provides the greatest exposure to the market for  
28 the assets to obtain the highest price. It is in the best  
interest of the creditors to authorize the Trustee to conduct the  
auction.

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Respectfully Submitted:

DATE: 04/27/14



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CHARLES W. DAFF  
Chapter 7 Trustee

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**DECLARATION OF CHARLES W. DAFF**

I, Charles W. Daff, declare:

1. I am the duly qualified and acting trustee for the debtor bearing case number 6:13-bk-16887 WJ. The facts contained herein are within my personal knowledge and, if called as a witness, I could and would testify competently to the same. The personal knowledge is obtained by my personal inspection of the vehicles subject to this motion for sale by public auction. I also personally took delivery of the Certificates of Title to the vehicles at the debtor's residence. I plan to personally attend the public auction on May 20, 2014 and supervise pursuant to the terms described in this motion. This declaration is made in support of the Trustee's Motion for Authority to Conduct Public Auction for Sale of Property of the Estate Re: Personal Property.

2. On April 17, 2013, the debtor filed a voluntary petition for relief under chapter 7 of the Bankruptcy Code.

3. Charles W. Daff is the duly appointed, qualified and acting chapter 7 trustee for the bankruptcy cases.

4. The motion to sell assets of the estate is made pursuant to Bankruptcy Code section 363(b); Federal Bankruptcy Rule 6004 and Local Bankruptcy Rule 9013-1 and Local Bankruptcy Rule 6004.

**THE PROPERTY**

5. Among the assets of the estate is personal property described as a 2006 Peterbuilt Truck bearing vehicle identification number ending in 3135; a 2006 Peterbuilt Truck bearing vehicle identification number ending in 3160; and a 2003 Utility Trailer bearing vehicle identification number ending in

1 9314. The two 2006 Peterbuilt Trucks and the 2003 Utility  
2 Trailer are located at 2704 Lilac Avenue, Bloomington, California  
3 92316. A true and correct copy of the Schedule B-Personal  
4 Property is attached hereto as Exhibit A and incorporated by  
5 reference.

6 6. On or about November 7, 2013, the trustee requested  
7 that the auctioneer, Van Horn Auctions and Appraisal Group, Inc  
8 to inspect the assets described above for the purpose of  
9 obtaining the liquidation value of these assets at a public  
10 auction. The auctioneer provided an opinion that the sale of the  
11 assets would bring a total value in the range from \$17,000 to  
12 \$20,000 in sale proceeds to the estate. A true and correct copy  
13 of the letter dated March 26, 2014, is attached hereto as Exhibit  
14 B and incorporated by reference.

15 7. The debtor stated that each of these vehicles were  
16 encumbered by secured liens. A true and correct copy of Schedule  
17 D-Secured Claims is attached hereto as Exhibit C and incorporated  
18 by reference. The trustee upon his personal inspection of the  
19 trucks and trailers and personal inspection of the Certificates  
20 of Titles has determined that each of the described vehicles are  
21 free and clear of liens. The trustee has in his immediate  
22 possession a Texas Certificate of Title issued by the State of  
23 Texas for each of the two 2006 Peterbuilt Trucks. The lienholder  
24 in each of the Texas Certificate of Title executed the release of  
25 lien for the two 2006 Peterbuilt Trucks. The trustee has in his  
26 immediate possession a Certificate of Title for the State of  
27 California for the 2003 Utility Trailer. The debtor omitted to  
28 claim any of the vehicles subject to this motion as exempt

1 property. A true and correct copy of Schedule C-Property Claimed  
2 Exempt is attached hereto as Exhibit D and hereby incorporated by  
3 reference.

4 **BENEFIT TO THE ESTATE**

5 8. The last day for general unsecured creditors to  
6 file a proof of claim is January 6, 2014. (claims bar date). The  
7 debtor has scheduled no priority creditors. The debtor has  
8 scheduled general unsecured credits in Schedule F in sum of  
9 \$53,900. The total amount of unsecured claims on file with the  
10 court at this time is \$11,352.37. After cost of administration  
11 of the estate, the general unsecured creditors in all likelihood  
12 will receive a dividend in this case.

13 **THE SALE OF PROPERTY**

14 9. The Trustee proposes to sell the estate's right,  
15 title and interest in the personal property of the debtor as  
16 described in Schedule B- Personal Property by public auction.

17 10. The trustee intends to conduct the public auction  
18 on May 20, 2014 at 10:00 a.m. at 2704 Lilac Avenue, Bloomington,  
19 California 92316. The inspection of the assets will commence at  
20 8:00 am on May 20, 2014 and conclude at the time of commencement  
21 of the auction.

22 11. On April 11, 2014, the trustee filed with the  
23 court and noticed to creditors an application to employ the  
24 company, Scott Van Horn of Van Horn Auctions & Appraisal Group,  
25 Inc., (docket #42) to conduct the public auction. The terms of  
26 employment of the auctioneer include a thirteen percent (13%)  
27 buyers premium to be charged to the purchaser and expenses to be  
28 paid by the estate not to exceed \$3,900. It is the opinion of

1 the Auctioneer that the auction sale of the assets will result in  
2 \$17,000 to \$20,000 in gross proceeds, should all the assets be  
3 sold. The valuation of the assets is determined as follows: 1)  
4 based upon the values listed in the debtor's Schedule B, and 2)  
5 the Auctioneer's estimation of value. A copy of the letter dated  
6 March 26, 2014, from Van Horn Auctions and Appraisal Group, Inc.  
7 is attached hereto as Exhibit C and hereby incorporated by  
8 reference.

9 **TERMS OF THE AUCTION AND BIDDING PROCEDURES**

10 12. The terms of the public auction are that the  
11 auctioneer, Van Horn Auctions and Appraisal Group, Inc., will  
12 liquidate said assets and conduct said auction as ALL CASH with a  
13 request for a bulk bids first and piece meal auction second, if  
14 necessary, with the assets offered "as is, where is", with no  
15 warranties or guarantees as to condition or operational capacity  
16 upon the following terms and conditions:

17 a. Said sale may be subject to California Sales Tax.

18 b. Buyer is to assume any and all hazardous and or  
19 toxic chemicals or materials, as well as any State, County and  
20 City regulations and licenses.

21 c. The trustee and Van Horn Auctions and Appraisal  
22 Group, Inc have no other obligation to the bidder in the event  
23 the sale is cancelled, postponed or sold at a Court overbid than  
24 to return the bulk bidder's deposit or other deposits on hand.

25 d. Van Horn Auctions and Appraisal Group, Inc receive  
26 as compensation a commission of 13% of the gross sales of the  
27 bulk auction.

28 e. In the event a piece meal auction becomes

1 necessary, Van Horn Auctions and Appraisal Group, Inc will  
2 receive a commission of 13% of the gross sales and be reimbursed  
3 expenses which are not to exceed \$3,900.

4 f. The trustee intends to conduct the public auction  
5 on May 20, 2014 at 10:00 a.m. at 2704 Lilac Avenue, Bloomington,  
6 California 92316. The inspection of the assets will commence at  
7 8:00 am on May 20, 2014 at the same location and conclude at the  
8 time of commencement of the auction.

9 13. Van Horn Auctions and Appraisal Group, Inc will  
10 advertise the proposed auction in major newspapers in Orange  
11 County, Riverside and Los Angeles County. A brochure advertising  
12 the auction of the personal property will be forwarded to parties  
13 on established mailing lists and notice of the proposed auction  
14 will be forwarded to all creditors.

15 14. The estate's right, title and interest in the  
16 personal property are to be sold as is, where is and without  
17 warranty. The Auctioneer's compensation, as described in the  
18 Trustee's Application to Employ Auctioneer, is sole commission of  
19 thirteen percent commission, buyers' premium, to be charged to  
20 the purchaser, plus the reimbursement of his actual and necessary  
21 expenses, in an amount not to exceed \$3,900.

22 **AUCTIONEER ACCOUNTING AND PAYMENT PROCEDURES**

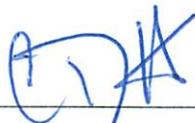
23 15. The auctioneer will collect and deliver all gross  
24 proceeds to the trustee pursuant to the Application To Employ  
25 Auctioneer (docket #42) and Order Thereon. The auctioneer will  
26 collect all gross proceeds from the auction sale. In compliance  
27 with Federal Rules of Bankruptcy Procedure 6004(4) and Local  
28 Bankruptcy Rule 2016-1(1)(a), the proposed auctioneer will file a

1 sold item and expense report with the Court and serve a copy of  
2 the Report on the U.S. Trustee and the Trustee prior to receiving  
3 final compensation. Following the filing and service of the  
4 Report and absent any objection to the Report by the Trustee, the  
5 Trustee will file a notice with the Court and serve it on the  
6 U.S. Trustee, the Debtor, the Debtor's counsel, the 20 largest  
7 unsecured creditors, and parties requesting special notice. The  
8 Notice will state that (1) the proposed Auctioneer's Report has  
9 been filed with the Court, (2) copies of the Auctioneer's Report  
10 may be obtained from the Trustee or the Court, and (3) if no  
11 objection to the auctioneer's fees and expenses is received by  
12 the Trustee within 10 days of service of the Notice, the Trustee  
13 may pay the auctioneer's reasonable fees and expenses without  
14 further notice or order of the Court.

15 16. It is my request that the court grant the motion  
16 for authority to conduct the public auction of property of the  
17 estate.

18 17. I have attached true and correct copy of the  
19 debtor's scheduled as described in Exhibits A through D,  
20 inclusive, as obtained from the court's file.

21  
22 I declare under the penalty of perjury that the foregoing is  
23 true and correct as executed on April 27, 2014, at Santa Ana,  
24 California.

25  
26 

27 \_\_\_\_\_  
CHARLES W. DAFF

## EXHIBIT A

B6B (Official Form 6B) (12/07)

In re Saul Humberto Pena-Melgar,  
 Debtor

Case No. \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petitioner is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand		cash on hand	-	20.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Wells Fargo Bank Checking & Savings acct.	-	152.00
		Wells Fargo Bank Business Checking acct. 3 Brothers Transport	-	3,700.00
		Wells Fargo Bank Business Checking acct. A & M Transport	-	1.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Miscellaneous household goods furnishings & personal effects	-	3,000.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Clothing and other personal effects.	-	500.00
7. Furs and jewelry.		Personal jewelry	-	250.00
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			

Sub-Total > **7,623.00**  
 (Total of this page)

3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re Saul Humberto Pena-Melgar

Case No. \_\_\_\_\_

Debtor

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	NONE	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.	X			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			

Sub-Total > **0.00**  
(Total of this page)

Sheet 1 of 3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re Saul Humberto Pena-Melgar, Debtor Case No. \_\_\_\_\_

**SCHEDULE B - PERSONAL PROPERTY**  
 (Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other general intangibles. Give particulars.	X			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2001 Peterbuilt 379 2'000,000 Miles	-	6,500.00
		2004 Peterbuilt 1'200,000 Miles	-	8,000.00
		2006 Peterbuilt 387 1'180,000 Miles	-	10,000.00
		2006 Peterbuilt 387 1'180,000 Miles	-	10,000.00
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
			Sub-Total >	<b>34,500.00</b>
			(Total of this page)	

Sheet 2 of 3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re Saul Humberto Pena-Melgar, Case No. \_\_\_\_\_  
 Debtor

**SCHEDULE B - PERSONAL PROPERTY**  
 (Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
35. Other personal property of any kind not already listed. Itemize.	X			

Sub-Total > 0.00  
 (Total of this page)  
 Total > 42,123.00

(Report also on Summary of Schedules)

Sheet 3 of 3 continuation sheets attached  
 to the Schedule of Personal Property

## **EXHIBIT B**

*Van Horn Auctions*  
APPRAISAL GROUP, LLC

26895 Allso Creek Road • Suite B, # 569 • Allso Viejo, California 92656-5301  
Email: [vanhornauctions@cox.net](mailto:vanhornauctions@cox.net) • Website: [www.vanhornauctions.com](http://www.vanhornauctions.com)  
Tel: (949) 206-2525 • Fax: (949) 831-1975

March 26, 2014

Charles W. Daff  
2009 N. Broadway  
Santa Ana, California 92706

Dear Mr. Daff;

As you are aware, on November 7th, 2013, I had the opportunity to physically inspect the assets belonging to Saul Humberto Pena-Melgar, Bankruptcy Case Number: 6:13-bk-16887 WJ, for the purpose of establishing a liquidation, opinion of value, of the assets, and to submit my proposal to conduct a public auction sale of if such action is forthcoming.

It is my opinion the (2) 2006 Peterbuilt tractor trucks, and (1) 2003 Utility trailer will bring approximately \$17,000.00 to \$20,000.00 at a piece-meal auction sale. This is an opinion of value at the present time (today).

If an auction sale is imminent, our sole commission will be derived from a 13% buyers premium charged to each purchaser, however we will require an expense allowance not to exceed \$3,900.00 for the following:

(2) Los Angeles Times Display Advertisements (2 Columns By 2 Inches; \$350.00 Per Column Inch)	1,400.00
(1) Single Auction Performance Bond	300.00
(1000) Half Card Brochures Printing, Mail List, Postage	850.00
(5) Days Labor Asset Preparation and Set Up, Sale Day Personnel, Check Out & Removal Supervision, Post Sale Reports	1,350.00
<b>Expenses Not To Exceed:</b>	<b>3,900.00</b>

Please be aware that all costs will be incurred by VAN HORN AUCTION GROUP, LLC, prior to the auction and will be re-paid from the proceeds of the sale. All invoices and receipts of actual expenses will be provided with a total recapitulation of the sale.

Sincerely,

  
Scott R. Van Horn

**LIMITING CONDITIONS:**

An appraisal is an estimate of value only. The amount is considered a reasonable and proper value under the concept of a definition and it is applied. For this reason, the value is, in most cases, an even number.

No additional values or appraisals have been made requiring such tangibles as patents, rights to manufacture, trademarks, goodwill, going concern, product line, customer lists, etc. The values made a part of this report are for the items listed only and are subject to the definition of the report itself.

Physical condition in most instances has been determined either by the appraiser or based on information provided by others. Any known or hidden conditions existing at the time of the inspection could alter the value.

In most cases, equipment is grouped in terms of cursory values, although certain areas may require an itemized listing and/or value.

All facts and data set forth in this report are true and accurate to the best of the appraiser's knowledge and belief. Neither the appraisers, nor any of their employees, have financial interest in the equipment appraised.

Since conclusions by the appraiser are based upon judgments, isolations of any single element as the sole basis of comparison to the whole appraisal may be inaccurate.

As the addressee has purchased this report, we assume it is to be used by the addressee in determination of the value at that point and time. Use of this report by others should be done so with the understanding that no risk or guarantees have been purchased by the owner of the report nor through the fee paid to the appraiser.

The fee for the appraisal report is neither contingent upon the values reported nor any court appearances either by the appraiser or his associates as part of the appraisal fee. If a court appearance in the future were needed, a separate fee would be established.

No investigation of legal fee or title to the equipment has been made by owner's claim to the equipment has been assumed to be valid. No consideration has been given to liens, or encumbrances, which may be against the equipment.

All opinions as to values are the opinions of the appraiser and his associate's based on the facts and data set forth in the report. The appraisers and their associates assume no responsibility for the changes in the market conditions or for the inability of the owner to locate a purchaser at the appraised value. Inspection of all equipment has been made by either on-site inspection or by photograph, or unless otherwise noted.

The appraisers and their associates are not responsible for changes that may develop in the market place or possible changes in the state of the art of certain machinery and equipment which could substantially change the assigned values.

Van Horn Auction Group is not responsible for market changes in the values of the appraised equipment, which may be affected by, but not limited to:

- 1) Technological obsolescence
- 2) Economic changes
- 3) Comparable equipment sales which may saturate market values
- 4) OSHA regulations affecting market values
- 5) Environmental rules affecting business

The appraiser and Van Horn Auction Group reserve the right to recall all copies of the report to correct any omission or error.

This valuation study has been made by Van Horn Auction Group and will be held as confidential. It has been prepared by an experienced appraiser and is based on information, where possible, from contractors, manufacturers, sales comparables, dealers, etc. the analysis and final conclusion is arrived at from our experience in the appraisal of new and used equipment.

It is further understood that although individual values are placed upon each item, or a specific category, the individual sales are established by the entire composition of the plant. If any part of the plant were to be sold verses the entire plant, it is possible that the appraised value may be lessened for both the parts sold and the remaining equipment to be sold.

We trust the enclosed meets with your needs; however, should you have any questions or require any additional

## EXHIBIT C

B6D (Official Form 6D) (12/07)

In re **Saul Humberto Pena-Melgar**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor" ,include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. 1510  Daimler Chrysler 1011 Warrenville Rd. Lisle, IL 60532	-		2009 Security Agreement 2005 Reefer Utility Trailer  Value \$ 15,000.00				3,500.00	0.00
Account No. 1510  Daimler Chrysler 1011 Warrenville Rd. Lisle, IL 60532	-		2009 Security Agreement 2005 Reefer Utility Trailer  Value \$ 2,500.00				3,500.00	1,000.00
Account No. 1520  Daimler Chrysler 1011 Warrenville Rd. Lisle, IL 60532	-		2009 Security Agreement 2006 Lufkin Trailer  Value \$ 3,000.00				3,150.00	150.00
Account No. 2720  Ge Capital P.o.Box 981491 El Paso, TX 79998	-		2009 Security Agreement 2006 Peterbuilt 387 1'180,000 Miles  Value \$ 10,000.00				10,080.00	80.00
Subtotal (Total of this page)							20,230.00	1,230.00

1 continuation sheets attached

B6D (Official Form 6D) (12/07) - Cont.

In re Saul Humberto Pena-Melgar  
 Debtor

Case No. \_\_\_\_\_

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
 (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B Y C R E D I T O R H W J C	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN						
Account No. 2720  Ge Capital P.o.Box 981491 El Paso, TX 79998		2007						
		Security Agreement						
		2006 Peterbuilt 387 1'180,000 Miles						
		Value \$ 10,000.00					10,080.00	80.00
Account No. xxxxxx8001  Ge Capital P.o.Box 981491 El Paso, TX 79998		2009						
		Security Agreement						
		2008 Peterbuilt 389 800,000 Miles						
		Value \$ 40,000.00					70,524.00	30,524.00
Account No. xxxxxx8001  Ge Capital P.o.Box 981491 El Paso, TX 79998		2011						
		Security Agreement						
		2008 Peterbuilt 389 600,000 Miles (Oscar Suchite does the truck payments)						
		Value \$ 40,000.00					64,654.26	24,654.26
Account No.								
		Value \$						
Account No.								
		Value \$						
Subtotal (Total of this page)							145,258.26	55,258.26
Total (Report on Summary of Schedules)							165,488.26	56,488.26

Sheet 1 of 1 continuation sheets attached to  
 Schedule of Creditors Holding Secured Claims

## EXHIBIT D

B6C (Official Form 6C) (4/13)

In re Saul Humberto Pena-Melgar

Case No. \_\_\_\_\_

Debtor

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims the exemptions to which debtor is entitled under:  
 (Check one box)

Check if debtor claims a homestead exemption that exceeds \$155,675. (Amount subject to adjustment on 4/1/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.)

- 11 U.S.C. §522(b)(2)
- 11 U.S.C. §522(b)(3)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Cash on Hand</u></b> cash on hand	C.C.P. § 703.140(b)(5)	20.00	20.00
<b><u>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</u></b> Wells Fargo Bank Checking & Savings acct.	C.C.P. § 703.140(b)(5)	152.00	152.00
Wells Fargo Bank Business Checking acct. 3 Brothers Transport	C.C.P. § 703.140(b)(5)	3,700.00	3,700.00
Wells Fargo Bank Business Checking acct. A & M Transport	C.C.P. § 703.140(b)(5)	1.00	1.00
<b><u>Household Goods and Furnishings</u></b> Miscellaneous household goods furnishings & personal effects	C.C.P. § 703.140(b)(3)	3,000.00	3,000.00
<b><u>Wearing Apparel</u></b> Clothing and other personal effects.	C.C.P. § 703.140(b)(3)	500.00	500.00
<b><u>Furs and Jewelry</u></b> Personal jewelry	C.C.P. § 703.140(b)(4)	250.00	250.00
<b><u>Automobiles, Trucks, Trailers, and Other Vehicles</u></b> 2001 Peterbuilt 379 2'000,000 Miles	C.C.P. § 703.140(b)(2) C.C.P. § 703.140(b)(5)	5,100.00 1,400.00	6,500.00
2004 Peterbuilt 1'200,000 Miles	C.C.P. § 703.140(b)(5)	8,000.00	8,000.00

Total: **22,123.00** **22,123.00**

0 continuation sheets attached to Schedule of Property Claimed as Exempt

### 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:  
2009 N. Broadway  
Santa Ana, CA 92706

A true and correct copy of the foregoing document entitled (*specify*): Notice of Motion for Order without Hearing Pursuant to LBR 9013-1(o) and Trustee's Motion for Authority to Conduct Public Auction for Sale of Property of the Estate Re: Personal 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*) 04/27/14, 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:

- Michael H Colmenares mhcanrmt@aol.com, solucioneslegale@aol.com
- Charles W Daff (TR) charlesdaff@yahoo.com, c122@ecfcbis.com
- Charles W Daff (TR) charleswdaff@gmail.com, c122@ecfcbis.com
- Ed J Gezel Notices@bkservicing.com
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On (*date*) 04/27/14, 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.

HON. WAYNE E . JOHNSON, US BANKRUPTCY JUDGE, 3420 TWELFTH ST., RIVERSIDE, CA. 92501

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 of America that the foregoing is true and correct.

04/27/14

Charles W. Daff

Date

Printed Name

Signature

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