Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address

Alan G. Tippie (CA Bar No. 89587)
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☐ *Individual appearing without attorney*
☒ *Attorney for:* Crown Plaza Development, LLC

FOR COURT USE ONLY

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re:
CROWN PLAZA DEVELOPMENT, LLC

Debtor(s).

CASE NO.: 8:08-bk-10776-CB

CHAPTER: 11

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: January 30, 2013 **Time:** 1:30 p.m.

Location: U.S. Bankruptcy Court, Courtroom 5D, 411 W. Fourth Street, Santa Ana, CA 92701

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** **January 16, 2013**

Description of property to be sold: Real property located on Lakewood Blvd., Downey, California, comprised of 8 parcels identified by 11 parcel numbers as follows:
(1) Parcels 1 and 2 are identified as 11215 Lakewood Blvd and 11214 Nash Ave., Downey, California, APN: 6255-005-018 and 6255-005-028, and
(2) The remaining 6 parcels are identified by APN: 6255-005-019, 6255-005-020, 6255-005-021, 6255-005-022, 6255-005-023, 6255-005-024, 6255-005-025, 6255-005-026, 6255-005-027 (collectively, the "Property").

Terms and conditions of sale: Crown Plaza Development, LLC, Debtor and Debtor-In-Possession, proposes to sell the Property on the terms and conditions described in its *Motion Of Debtor To Sell Real Property (11215 Lakewood Blvd.–11 Parcels–1.76 Acres) Free And Clear Of Liens And Other Interests And Approve Overbid Procedures*, on file with the United States Bankruptcy Court *[Dkt. No. 110]*

Proposed sale price: $1,675,000.00 cash

Overbid procedure (*if any*): **SEE RIDER "1" ATTACHED HERETO**

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

DATE: January 30, 2013
TIME: 1:30 p.m.
PLACE: U.S. Bankruptcy Court
Courtoom 5D
511 W. Fourth Street
Santa Ana, CA 92701-4593

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

Jason D. Balitzer, Esq.
jbalitzer@sulmeyerlaw.com
SulmeyerKupetz, A Professional Corporation
333 South Hope Street, Thirty-Fifth Floor
Los Angeles, California 90071
Tel: (213) 626-2311
Fax: (213) 629-4520

Date: January 9, 2013

RIDER "1"

The overbid procedures shall be as follows:

1. Only Qualified Bidders may submit an overbid. A "qualified bidder" is one who provides evidence of pre-qualification for any loan upon which the bidder will rely in funding a purchase of the Property, financial statements and such business and banking references as are required in Debtor's reasonable discretion sufficient to assure Debtor of the bidder's ability (based upon availability of financing, experience or other conditions) to consummate the purchase of the Property, AND such other proof that the bidder is one who can consummate the purchase of the Property on the same terms and conditions, other than the Purchase Price, as those proposed in the attached Purchase Agreement (collectively, the "Supporting Documents");

2. The initial bid and the Supporting Documents of any Qualified Bidder must be received by the Debtor no later than three (3) business days prior to the hearing on this Motion;

3. The initial minimum overbid price shall be no less than $25,000.00 over the gross amount of the original offer, or $1,700,000.00. Subsequent bidding increments thereafter shall be no less than $10,000.00 or such minimum increments as the Court may fix;

4. Each bid must be all cash, non-contingent, and on the same terms and conditions other than price;

5. Each Qualified Bidder must make an "earnest money" deposit of $83,750.00. The deposit must be in cash, cashier's check, certified check, or irrevocable letter of credit, and must be deposited with the Debtor so that the Debtor will have access to said funds no later than three (3) business days prior to the hearing on this Motion; and

6. Each Qualified Bidder must agree, to the extent such Overbidder fails to timely consummate the purchase of the Property, the Estate shall retain as liquidated damages for such failure, the $83,750.00 deposit tendered to the Debtor in connection with such Overbid, which deposit shall be retained free and clear of any and all claims and interests.

Any person interested in submitting an overbid should contact the Debtor's counsel, as provided in the foregoing Notice of Sale of Estate Property, prior to close of business on Friday, January 25, 2013.

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

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*) January 9, 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:

- Emery F. El Habiby — L.A. County Treasurer & Tax Collector — eelhabiby@counsel.lacounty.gov
- Lazaro E. Fernandez — Courtesy NEF — lef17@pacbell.net, lef-karina@pacbell.net, lef-liz@pacbell.net
- Elissa D. Miller — Debtor — emiller@sulmeyerlaw.com
- Office of the U.S. Trustee — ustpregion16.sa.ecf@usdoj.gov
- Mitchell R. Sussman — raventv1@aol.com
- Alan G. Tippie — Debtor — atippie@sulmeyerlaw.com, kfox@sulmeyerlaw.com
- Marcus Tompkins — Debtor — mtompkins@sulmeyerlaw.com
- U.S. Trustee (SA) — ustpregion16.sa.ecf@usdoj.gov
- Steven Werth — Debtor — swerth@sulmeyerlaw.com, asokolowski@sulmeyerlaw.com
- David R. Zaro — Thomas A. Seaman, Receiver for Medical Capital Corp. — dzaro@allenmatkins.com

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:
On (*date*) January 9, 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.

DEBTOR
Crown Plaza Development, LLC, c/o Jesus Magana, Member
8220 Suva St., Downey, CA 90240-2842

Marilyn Sorenson, Esq., Office of the U.S. Trustee
411 W. Fourth St., Suite 9041, Santa Ana, CA 92701-4593

ATTORNEYS FOR CITY OF DOWNEY
James Eckart, Downey City Prosecutor
Dapeer, Rosenblit & Litvak, LLP
DRL, Mail Center
Post Office Box, Huntington Park, CA 90255-3099

Robert Weinrich
City of Downey
Post Office Box 7016, Downey, CA 90241-7016

Downey City Hall
Director of Economic Development
11111 Brookshire Avenue
Downey, CA 90241

BUYER FOR SOUTH GATE PROPERTY
Maria Macias
610 East Glendale Blvd., Suite 210,
Glendale, CA 91207

BUYER FOR LAKEWOOD PROPERTY
Arthur Demirchyan
3767 Alomar Drive
Sherman Oaks, CA 91423

ATTORNEYS FOR BMW FINANCIAL SERVICES N.A., LLC
Brian N. Winn/John S. Gordon/Naomi S. Rust
Stelios A. Harris/Stephen S. Zeller
110 E. Wilshire Avenue, Suite 212
Fullerton, CA 92832

☒ 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 9, 2013, 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.

VIA PERSONAL DELIVERY
The Honorable Catherine E. Bauer, U.S. Bankruptcy Court
411 W. Fourth St., Suite 5165, Santa Ana, CA 92701-4593

VIA E-MAIL

- Ted Fates, Esq. — Thomas A. Seaman, Receiver for Medical Capital Corp. tfates@allenmatkins.com
- Michael V. Severo, Esq. — Cynthia Gomez msevero@MVSLAW.com
- Bill Stimming — Broker, Coldwell Banker bstimming@coldwellbanker.co
- Howard B. Zisblatt howard@fzklaw.com
- Daniel Brummer, (Buyer's Counsel for Lakewood Property) dbrumer@brumerlawgroup.com
- Ante Trinidad (Buyer's Broker for Long Beach Property) atrinidad@stevensonrealestate.com
- David Sack (Potential Overbidder for Long Beach Property) sackassociates@yahoo.com
- Josh Shad (Buyer;s Broker/Counsel for Bell Property) jshadesq@gmail.com
- Marc Lantzman, Trustee of the Lantzman Family Trust dated 01/11/1989 mlantzm1@san.rr.com

☐ 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 9, 2013	Denise Givens	/s/Denise Givens
Date	*Printed Name*	*Signature*

SK DOC NO. 738372v1

In re Crown Plaza Development, LLC
Case No. 8:08-bk-10776 CB

9502.2

DEBTOR
Crown Plaza Development, LLC
c/o Jesus Magana, Member
8220 Suva St
Downey, CA 90240-2842

Marilyn Sorenson, Esq.
United States Trustee (SA)
411 W. Fourth St., Suite 9041
Santa Ana, CA 92701-4593

Alvarez Design Studio
Attn: Henry Alvarez
10927 Downey Ave.
Downey, CA 90241

Andy Gump
26954 Ruether Ave.
Canyon Country, CA 91351

Edge Capital Inc
c/o M Taylor Katz, Esq
Law Office of M Taylor Katz
2901 W. Coast Hwy, #200
Newport Beach, CA 92663

Franchise Tax Board
Special Procedures
PO Box 2952
Sacramento, CA 95812-2952

Fruchtman & Associates, Inc.
12655 Washington Blvd., Suite 205
Los Angeles, CA 90066

G.A. Nicoll and Associates, Inc.
2146 Michelson Dr., Suite A
Irvine, CA 92612-1304

GA Nicoll and Associates Inc
2146 Michelson Dr., Suite A
Irvine, CA 92612-1304

Internal Revenue Service
Insolvency 1 Stop 5022
300 N. Los Angeles St., Room 406
Los Angeles, CA 90012-9903

Jay Vanos Architect, Inc.
1733 S. La Cienega Blvd.
Los Angeles, CA 90035

Jesus Ubaldo Magana
8220 Suva St.
Downey, CA 90240

John R. Hanzlik & Assocs., Inc.
7100 Hayvenhurst Ave.
Van Nuys, CA 91406-3804

KOA Corporation
1055 Corporate Center Dr.
Monterey Park, CA 91754-7642

Lorena Magana Beltran
8220 Suva St.
Downey, CA 90240

L.A. County Treasurer & Tax Collector
PO Box 54110
Los Angeles CA 90054-0110

L.A. County Treasurer & Tax Collector
255 N. Hill St., Room 160
PO Box 54027
Los Angeles, CA 90054-0970

Olson & Detilla
12733 Bellflower Blvd.
Downey, CA 90242

Reiss, Brown, Ekmekji
18980 Ventura Blvd., Suite 350
Tarzana, CA 91356-3230

Richardo and Rafael Hurtado
8813 E. Imperial Highway
Downey, CA 90242

Thomas A. Seaman, Receiver for Med Cap
c/o Ted Fates, Esq.
Allen Matkins
501 W. Broadway, 15th Floor
San Diego, CA 92101