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 Individual appearing without attorney  
 Attorney for: David Seror, Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT  
 CENTRAL DISTRICT OF CALIFORNIA – SAN FERNANDO VALLEY**

In re:  
  
 JORGE M. MALDONADO and  
 MORENA MALDONADO,  
  
  
 Debtors.

CASE NO.: 1:10-bk-25591-VK  
 CHAPTER: 7

**NOTICE OF SALE OF ESTATE PROPERTY**

|   |                        |
|---|------------------------|
| <b>Sale Date:</b> January 29, 2013  | <b>Time:</b> 2:00 p.m. |
| <b>Location:</b> U.S. Bankruptcy Court, Courtroom 301, 21041 Burbank Blvd., Woodland Hills, CA 91367-6603 |                        |

**Type of Sale:**  Public  Private      **Last date to file objections:** January 15, 2013

**Description of property to be sold:** Certain real property commonly known as 11129 Erwin Street, North Hollywood, California 91606, bearing APN No. 2336-022-426

**Terms and conditions of sale:** Initial deposit — cash or cashier's check of \$13,500.00, made payable to "David Seror, Chapter 7 Trustee" tendered to Trustee by the above hearing date prior to any initial bid. Signed non-contingent Purchase Agreement on terms and conditions no less favorable than that of current Written Offer. Additional overbids of at least \$5,000. Deposit forfeited if winning buyer fails to close sale within 10 days of entry of sale order. Sale is subject to overbid — see attached "OVERBID TERMS AND PROCEDURES" for complete bidding procedures.

**Proposed sale price:** \$260,000.00 (with a minimum overbid of \$270,000.00)

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 "OVERBID TERMS AND PROCEDURES"

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

January 29, 2013  
2:00 p.m.  
U.S. Bankruptcy Court  
Courtroom 301  
21041 Burbank Blvd.  
Woodland Hills, CA 91367-6603

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

Elizabeth Jiang, Esq.  
[ejiang@sulmeyerlaw.com](mailto:ejiang@sulmeyerlaw.com)  
SulmeyerKupetz, A Professional Corporation  
333 S. Hope St., 35<sup>th</sup> Floor  
Los Angeles, CA 90071-1406  
Telephone: (213) 626-2311  
Facsimile: (213) 629-4520

DATED: January 4, 2013

**OVERBID TERMS AND PROCEDURES**

**Eligibility/Qualifications to Make Competing Bids.** A party may submit an overbid (a "Qualified Overbid") at the hearing, and will be deemed a qualified bidder ("Qualified Bidder"), only if such party has tendered the following to the Trustee at the hearing on the Motion, prior to making an initial bid:

1. 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 (a) a cashier's check, made payable to "David Seror, Chapter 7 Trustee" in the amount of \$13,500.00 (the "Deposit"), and (b) evidence of the financial wherewithal to close the contemplated sale, to counsel for the Trustee, at the above-captioned hearing on the Motion before their initial bid is made. The Deposit represents five percent (5%) of \$270,000.00, which sum represents the initial sales price plus the \$10,000.00 initial overbid amount. The Deposit shall not be refundable if the successful overbidder is thereafter unable or unwilling to complete the purchase of the Erwin Property.

2. As noted, subject to Court approval, the Trustee recommends the first overbid be in the amount of \$270,000.00, cash, which is \$10,000.00 higher than the initial sales price of \$260,000.00. 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 \$275,000.00. 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 10 days from the date the Order approving the Motion becomes a final order. 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.

3. Evidence reasonably satisfactory to the Trustee that the Qualified Bidder has the financial and other ability to consummate a sale of the Erwin Property by the date and on the terms and conditions no less favorable to the Trustee than as contemplated by the Written Offer between Trustee and the Buyer (examples of such evidence include, without limitation, a current bank statement or financial statement).

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**Auction.** If the Trustee has received a higher and better offer (as determined by the Trustee in his sole discretion) than the offer submitted by the Buyer from a Qualified Bidder, an auction will be conducted at the hearing on the Motion, either in the courtroom or elsewhere, as ordered by the Court. At the commencement of the auction, the Trustee will announce the opening bid, which will be the Qualified Overbid (if any) that the Trustee determines, in its sole discretion, is the highest and best Qualified Overbid. During the auction, any participant (namely, either the Buyer or a Qualified Bidder) may increase his/her/its bid by another bid that provides for consideration that exceeds the then highest bid in an increment of no less than \$5,000.00.

Should the Buyer or a Qualified Bidder submit an overbid that is ultimately not deemed to be the successful final overbid for the Erwin Property, any such party may agree that its last overbid may be deemed a back-up bid ("Back-Up Bid") should the successful bidder fail to timely close escrow. If such party so agrees, it shall be deemed a "Back-Up Bidder" and the following shall apply:

1. The deposit of the Back-Up Bidder (the "Back-Up Deposit") shall be retained by the Trustee pending closing of the sale to the successful bidder. Should the sale to the successful bidder close, the Back-Up Deposit will be returned.
2. Should the sale to the successful bidder fail to close, the Back-Up Bidder will be notified by the Trustee, after which the Back-Up Bidder will have ten (10) days to close escrow in accordance with its Back-Up Bid.

Should the Back-Up Bidder fail to timely consummate the purchase of the Erwin Property, the Trustee shall retain for the benefit of the estate as liquidated damages for such failure, the \$13,500.00 deposit tendered to the Trustee in connection with its Qualified Overbid, which deposit shall be retained free and clear of any and all claims and interests.

## 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 S. Hope St., 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 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:

- Elizabeth Jiang — Courtesy NEF ejiang@sulmeyerlaw.com  
elizabeth.z.jiang@gmail.com
- Elissa Miller — David Seror, Chapter 7 Trustee emiller@sulmeyerlaw.com  
asokolowski@sulmeyerlaw.com
- David Seror, Chapter 7 Trustee kpscion@ebg-law.com  
dseror@ecf.epiqsystems.com
- U.S. Trustee (SV) ustprejon16.wh.ecf@usdoj.gov
- Edward T. Weber — JPMorgan Chase Bank, N.A.  
successor by merger to Bank One, N.A. bknotice@rcolegal.com

Service information continued on attached page.

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

**The Honorable Victoria S. Kaufman, U.S. Bankruptcy Court  
21041 Burbank Blvd., Suite 305, Woodland Hills, CA 91367-6606**

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 \_\_\_\_\_, 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.

January 9, 2013  
Date

Kathleen Fox  
Printed Name

/s/ Kathleen Fox  
Signature