



Keywords:

[Details/Terms - Register](#)

## Process America ON-LINE AUCTION

**Date & Time:** Bids Close on Thursday, April 18th, Bids Start Closing at 2 pm

**Location:** 9040 Topanga Canyon Blvd.  
Canoga Park, CA

**Highlights:** By Order of Board of Directors

**Categories:** [Inventory List \(No Photos\) - ALL ITEMS \(408\)](#)

**Notes:**

NOTE REGARDING MAX BIDS: Max bids act in a similar manner to Proxy Bids, in that they are hypothetical bids unless actual bids reach the level of Max Bids that have been submitted. IT IS POSSIBLE FOR MAX BIDS TO BE EXCEEDED BY OTHER MAX BIDS BY ANY AMOUNT. Bidders using Max Bid feature are advised to check their bid status prior to the close of bidding.

**Terms:**

THIS IS AN ONLINE BIDDING AUCTION.

Auction closing date: Thursday, April 18th, 2013 starting at 2:00 Pacific Time

PLEASE PLACE BIDS BEFORE CLOSING TIME! The bidding closes the first item at 2 PM Pacific Time then closes several items per minute thereafter to the last item in catalog order.

Please remember to "Refresh" your screen, especially at closing times! Don't lose a bid because you forgot to refresh the screen and thought you had the last bid! Refresh!

NOTE: Submit Bids no more than one catalogue page at a time.

**INSPECTION:**

Wednesday, April 17th from 9-4.

REMOVAL: Friday & Monday, April 19th & 22nd from 9 am until 4 pm.

A registration deposit by Visa/MC is required prior to bidding and will be authorized on your credit card. The \$100.00 is held not charged by your credit card company for the length of time they hold authorizations. The \$100.00 is authorized only not charged and your auction purchases are a separate transaction if you do not make purchases you will have no charges against your account.

This is an ONLINE ONLY AUCTION PLEASE DO NOT BID IF YOU ARE NOT ABLE TO PICK UP YOUR ITEMS during the scheduled removal times. NO refunds or chargeback's will be granted due to a lack of removal at the designated times. After the scheduled removal, items will be considered abandoned and you will be charged a removal fee for disposal of your items. WE DO NOT SHIP! We can provide out-of-town buyer's with independent shipping services and/or freight forwarders. It is the buyer's responsibility to effect removal.

BUYERS PREMIUM: A 13% buyer's premium will be added to each purchase. If you bid \$100.00 at check out you will be charged \$113.00.

PAYMENT: Accepted forms of payment include cash, cashier's check, wire transfer, Visa or MasterCard. Your credit card will be used to provide a deposit against purchases of up to \$5,000.00. At the conclusion of the auction your credit card on file will be charged for the entire amount of your purchases if less than \$5,000.00 unless prior written (e-mail) notification and arrangements have been made with our office. Bidders who have 2 failed attempts to process their charges will have their bidding account suspended and will be required to have a \$1000.00 cash deposit held in escrow for 1 year in order to reactivate their account.

**Increasing your own bid/Bidding Errors**

please be aware that many bidders routinely increase their own bid to price an item out of reach of other bidders. You should immediately review your bids once submitted. If you mistakenly increase your own bid, place your bidder number in the bid field, or make a typo you must immediately contact our office by email use the contact sheet on our website (we must have your request in writing). We will not reverse bids after the auction has closed, no exceptions.

R.L. Spear Co., Inc.

**Staggered Closing:** The online auction closes several items per minute. This feature will close the bidding on intervals. This feature works great with the auto-extend feature to closely emulate a 'live' auction.

**Dynamic Closing.** The closing time of an asset is automatically extended an additional 4 minutes whenever a bid is placed within the last 4 minutes of the asset's closing time. Please remember to refresh your screen to audit new bids.

**Bid Notification:** If you have been outbid you will be notified by email ONLY UNTIL the last day of the auction --- starting at midnight EST the night before the ending of the auction notices are not sent. To quickly review your bids and see if you have won you can utilize the 'review bids' feature. Items that they have been outbid on will be clearly marked.

**Winning Bidder Notification:** You will be contacted by email ONLY (you are responsible for checking your email) If you feel you have won an item and have not received an email you must notify us by email no later than 9am the next day. If you do not receive an email invoice then you did not win any items at the online auction.

In the event an item is not available for pickup, the buyer must notify our onsite staff and file a claim by replying to your original emailed invoice noting what was not available within 24 hours of the final pickup date. After 24 hours, the Auctioneer and buyer agrees that no adjustment or refund will be made. The owner retains the right to bid.

**SALES TAX:** Sales tax will be collected.

**IMPORTANT TAX EXEMPT STATUS YOU MUST FAX A TAX FORM FOR EVERY SALE WITH YOUR BIDDER NUMBER AND SALE CLOSING DATE CLEARLY NOTED. THE FORMS ARE NOT KEPT ON FILE**

If you are tax exempt, PRIOR TO THE CONCLUSION OF THE ON-LINE AUCTION you must fax a copy of the appropriate states tax exempt form to 818-735-5456. You must include your bidder number and the closing date of the auction. Forms without this information will not be accepted and you will have to apply to the state for a refund.

**CAUTION:** For demonstration purposes various equipment may be joined. Do not assume a lot consists of more than one item simply because they are connected or pictured together. Please inspect the lot numbers and read the descriptions.

**Catalog Inaccuracies:** You are bidding on the described item not the photo occasionally the wrong photo is displayed. Always read the item description.

**WARRANTY & CONDITION OF ITEMS SOLD:** All items are sold "AS IS, WHERE IS, with NO WARRANTY expressed or implied by the lot number affixed to the item. This sale is to the business community as "equipment" & "inventory" without any implied or expressed warranty. Descriptions are believed to be accurate but not guaranteed. When you are not certain of the condition or use of an item please bid accordingly. You are bidding on the described item, not the photo.

Bidders are responsible for their own removal. Any item NOT picked up by the set time will be considered abandoned. Removal shall be at the expense, liability, and risk of the purchaser. Purchases will be released upon presentation of a paid email receipt. Please insure that movers or anyone picking up items on your behalf have your paid receipt at the pickup location. No items will be released without a paid receipt. Bidder further agrees to be held personally responsible for all purchases made on their bidder number, and agrees that bidder will not charge-back charges for items removed and/or which are not picked up during the published removal times.

**Damage:** Any damage caused by a buyer during the preview, or during the period of removal must be made good by the buyer causing the damage. Buyer agrees that the credit card on file will be charged for any expenses and/or repairs to the pick up location or property of another buyer.

**IMPORTANT!** The Auctioneer will have the option of reselling, removing, storing or abandoning, at the expense and risk of the purchaser, items not paid for and/or removed within the specific time. The buyer agrees to pay all deficiencies, legal, collection; transportation and storage expenses associated with delinquent accounts or abandoned items.

**CHOOSE WISELY:** We want every one to get a good deal and most will. However, when you bid on the wrong item or decide an item is not suited for your intended use, our clients are not willing to assume the cost of your mistakes. When in doubt about condition, completeness or suitability for intended use, please bid accordingly.

The auctioneer reserves the right to add or remove items from the auction, to split or combine lots, to add minimum bids or reserve prices, cancel, suspend, extend or reschedule an individual item and/or auction event or to make changes to the auction closing times or inspection or removal times.

Any controversy or claim arising out of or relating to this contract and/or agreement, or breach thereof, shall be settled by Either Small claims Court, State Court or arbitration in accordance with Commercial Arbitration Board. Rules of the Sale

R.L. Spear Co., Inc.

cannot be altered except in writing by The Auctioneer.

**Contact:**

R.L. Spear Co., Inc.  
5776-D Lindero Canyon Road, #409  
Westlake Village CA 91362  
Phone: 818-735-0822  
Fax: 818-735-5456  
Email Web-page

Bidder number

Password



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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 90017.

A true and correct copy of the foregoing document entitled (*specify*): 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:

(\*A copy of the Order Granting Application and Setting Hearing on Shortened Notice and Application to Employ (docket 128 and 132) were also included in the overnight service).

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 **April 5, 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:

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**: On **April 5, 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.

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 **April 5, 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 ATTORNEY SERVICE**

The Hon. Maureen Tighe  
United States Bankruptcy Court  
Central District of California  
21041 Burbank Boulevard  
Woodland Hills, California 91367

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.

April 5, 2013  
Date

Jason Klassi  
Printed Name

/s/ Jason Klassi  
Signature

Process America, Inc. NEF list

Ron Bender on behalf of Debtor Process America, Inc.  
rb@lnbyb.com

J Scott Bovitz on behalf of Creditor U.S. TelePacific Corp.  
bovitz@bovitz-spitzer.com

Katherine Bunker on behalf of U.S. Trustee United States Trustee (SV)  
kate.bunker@usdoj.gov

Donald N David on behalf of Creditor Cynergy Data LLC  
donald.david@akerman.com, ira.sacks@akerman.com;howard.kogan@akerman.com

John-patrick M Fritz on behalf of Debtor Process America, Inc.  
jpf@lnbrb.com

Thomas F Koegel on behalf of Counter-Defendant Tigrent Group Inc.  
tkoegel@crowell.com, nwood@crowell.com;mlichtenstein@crowell.com

Blake Lindemann on behalf of Defendant Gwendolyn Phillips  
blindemann@lgbankruptcy.com

Timothy M Lupinacci on behalf of Creditor Merchants' Choice Payment Solutions  
tlupinacci@bakerdonelson.com, kcollins@bakerdonelson.com;dbivins@bakerdonelson.com

Steven M Mayer on behalf of Creditor Request for Courtesy Notice of Electronic Filing (NEF)  
smayer@mayerlawla.com

Randall P Mroczynski on behalf of Creditor Daimler Trust  
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Stefan Perovich on behalf of Interested Party Courtesy NEF  
stefan.perovich@kyl.com

Benjamin Seigel on behalf of Interested Party Courtesy NEF  
bseigel@buchalter.com, IFS\_filing@buchalter.com

Timothy J Silverman on behalf of Creditor Financial Services Vehicle Trust  
tim@sgsslaw.com

United States Trustee (SV)  
ustpreion16.wh.ecf@usdoj.gov

Beth Ann R Young on behalf of Debtor Process America, Inc.  
bry@lnbyb.com

Process America, Inc.  
9040 Topanga Canyon Blvd.  
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VIA U.S. MAIL OR  
NEF IF MARKED \*

U.S. Trustee - San Fernando Valley  
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Woodland Hills CA 91367

AAA Self Storage  
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Chatsworth CA 91311

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Montreal Qubeck, BC H4A1E1

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