

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>ERIC P. ISRAEL (State Bar No. 132426) eisrael@dgdk.com ZEV SHECHTMAN (State Bar No. 266280) zshechtman@dgdk.com DANNING, GILL, DIAMOND &amp; KOLLITZ, LLP 1900 Avenue of the Stars, 11th Floor Los Angeles, CA 90067-4402 Telephone: (310) 277-0077 Facsimile: (310) 277-5735</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Diane C. Weil, Chapter 7 Trustee</p>	<p>FOR COURT USE ONLY</p>
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - SAN FERNANDO VALLEY DIVISION**

<p>In re:</p> <p>ADI SHARON,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 1:14-BK-11110-mt 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> 03/18/2015</p>	<p><b>Time:</b> 11:00 am</p>
<p><b>Location:</b> Courtroom 302, U.S. Bankruptcy Court, 21041 Burbank Boulevard, Woodland Hills, CA 91367</p>	

**Type of Sale:**  Public  Private **Last date to file objections:** 03/04/2015

**Description of property to be sold:**  
All right, title and interest of the estate in residential real property located at 4623 San Feliciano Drive, Woodland Hills, California 91364, Los Angeles County Assessor's Parcel Number 2076-019-018.

**Terms and conditions of sale:**  
SEE THE ATTACHED NOTICE.

**Proposed sale price:** \$ 820,000.00

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 THE ATTACHED NOTICE.

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

March 18, 2015

11:00 a.m.

United States Bankruptcy Court

Courtroom 302

21041 Burbank Boulevard

Woodland Hills, California 91367

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

Bruce Kurnik

MATCH REALTY USA

Real Estate Broker

11026 Ventura Blvd.Suite 1

Studio City,CA 91604

818-917-7111

brucerealestate@aol.com

Date: 02/25/2015

1 ERIC P. ISRAEL (State Bar No. 132426)  
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6 Attorneys for Diane C. Weil, Chapter 7 Trustee

7  
8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **SAN FERNANDO VALLEY DIVISION**

11 In re

12 ADI SHARON,

13 Debtor.

Case No. 1:14-bk-11110-MT

Chapter 7

**NOTICE OF CHAPTER 7 TRUSTEE'S  
MOTION FOR (1) APPROVAL OF SALE  
OF REAL PROPERTY FREE AND  
CLEAR OF LIENS, (2) APPROVAL OF  
PROPOSED OVERBID PROCEDURES,  
(3) AUTHORITY TO PAY REAL ESTATE  
BROKERS' COMMISSIONS AND  
OTHER PAYMENTS THROUGH  
ESCROW, AND (4) A FINDING THAT  
THE BUYERS ARE GOOD FAITH  
PURCHASERS UNDER 11 U.S.C. § 363(m)**

Date: March 18, 2015

Time: 11:00 a.m.

Ctrm.: 302

21041 Burbank Boulevard  
Woodland Hills, CA 91367

22 **PLEASE TAKE NOTICE** that on March 18, 2015, at 11:00 a.m., or as soon thereafter as  
23 the matter may be heard, in Courtroom "302" of the United States Bankruptcy Court for the Central  
24 District of California, San Fernando Valley Division, located at 21041 Burbank Boulevard,  
25 Woodland Hills, California, Diane C. Weil, chapter 7 trustee (the "Trustee") for the estate of Adi  
26 Sharon (the "Debtor"), will move for an order:

1 (1) authorizing the Trustee to sell all of the estate's right, title and interest in and to real  
2 property located at 4623 San Feliciano Drive, Woodland Hills, California 91364 (the "Property"),  
3 free and clear of any and all liens pursuant to 11 U.S.C. § 363(b) and (f);

4 (2) approving the proposed overbid procedures described in the accompanying  
5 Memorandum of Points and Authorities (the "Overbid Procedures");

6 (3) authorizing the Trustee to pay (a) brokerage commissions, (b) ordinary and  
7 customary costs of sale (including title and escrow fees), (c) real property taxes, (d) undisputed  
8 amounts owed to lienholders, (e) \$100,000 to the Debtor on account of her homestead exemption;  
9 and (f) \$75,000, less the amount owing under the below Vorgias abstract of judgment, to Alon  
10 Goldstein ("Goldstein") pursuant to the Trustee's settlement agreement with Goldstein; and

11 (4) determining that the party to whom the Court confirms the sale and any back-up  
12 bidder(s) are good faith purchasers within the meaning of 11 U.S.C. § 363(m).

13 The following disclosures are made pursuant to LBR 6004-1(c)(3):

14 **Date, time and place of the hearing on the proposed sale.** The hearing on this motion,  
15 and the sale, will take place on March 18, 2015, at 11:00 a.m., in Courtroom 302 of the United  
16 States Bankruptcy Court located at 21041 Burbank Blvd., Woodland Hills, California.

17 **Name and address of the proposed buyer.** Serge R. Rafes and Ludmila Bondareva  
18 (collectively the "Buyers"), 21906 Martinez Street, Woodland Hills, California 91364.

19 **A description of the property to be sold.** All right, title and interest of the estate in  
20 residential real property located at 4623 San Feliciano Drive, Woodland Hills, California 91364,  
21 Los Angeles County Assessor's Parcel Number 2076-019-018.

22 **Terms and conditions of the proposed sale, including the price and all contingencies.**  
23 Subject to overbids, the sale price will be \$820,000. The sale will be on an "as is," "where is" and  
24 "with all faults" basis, with no warranties or recourse whatsoever. All terms and conditions of the  
25 proposed sale are set forth in the "Counter-Offer" and related documents attached as Exhibit "1" to  
26 the Declaration of Diane C. Weil (collectively the "Sale Agreement") accompanying the  
27 contemporaneously filed motion. All of the Buyers' contingencies under the Sale Agreement have  
28 been satisfied or waived.

1           **Whether the proposed sale is free and clear of liens, claims or interests, or subject to**  
2 **them, and a description of all such liens, claims or interests.** The proposed sale is free and clear  
3 of any and all liens, except certain liens securing real property taxes to be assessed post-closing by  
4 the County of Los Angeles (the “County”). Known liens, aside from the post-closing County liens,  
5 and the Trustee’s proposed treatment of such liens, are as follows:<sup>1</sup>

6           1.       County tax liens for taxes assessed pre-closing prorated through the close of escrow.  
7 The sale will be free and clear of such liens, with the liens to be removed from the Property and  
8 attach to the net sales proceeds with the same force, validity, priority and effect that the liens  
9 currently have against the Property. The Trustee intends to pay these taxes, in the amount of  
10 approximately \$3,217.03, in full through escrow.

11           2.       A deed of trust securing an indebtedness in the original amount of \$272,000,  
12 originally issued by Primewest Mortgage Corporation recorded on or about February 5, 2003 as  
13 Instrument No. 03-347923, and assigned to Wells Fargo Bank, N.A. (“Wells Fargo”) by instrument  
14 recorded on or about March 14, 2014, as Instrument No. 14-262798. The sale will be free and clear  
15 of this lien, which will be removed from the Property. The Trustee intends to pay undisputed  
16 amounts owed to Wells Fargo through escrow. Any disputed items on Wells Fargo’s demand will  
17 not be paid but will attach to a like amount of the net sale proceeds with same force, effect validity  
18 and priority that it has with respect to the Property.

19           3.       A deed of trust securing an indebtedness to Chase Bank (“Chase”) as successor to  
20 Washington Mutual Bank, FA, recorded on August 6, 2004 as Instrument No. 04-2033633 in the  
21 original amount of \$222,600. The sale will be free and clear of this lien, with the lien to be  
22 removed from the Property. The Trustee intends to pay undisputed amounts owed to Chase  
23 through escrow. Any disputed items on Chase’s demand will not be paid but will attach to a like  
24 amount of the net sale proceeds with same force, effect validity and priority that it has with respect  
25 to the Property.

26 \_\_\_\_\_  
27 <sup>1</sup> A preliminary title report for the Property is attached as Exhibit “3” to the Weil Declaration  
28 attached to the contemporaneously filed motion.

1           4.       An abstract of judgment recorded on August 30, 2007 as Instrument No. 07-  
2 2032749 in connection with a judgment in favor of Zacharias and Alma Vorgias (jointly,  
3 “Vorgias”) and against Tony Goldstein dba M&A Goldstein Flooring, aka Alon Goldstein, Alon M  
4 Goldstein, Alon Michael Goldstein. The sale will be free and clear of this lien. The Trustee  
5 intends to pay Vorgias the amount owing under such lien through escrow and to set off such  
6 amount against the sum owing to Goldstein. In the event of a dispute between Goldstein and  
7 Vorgias, the Trustee seeks to sell the Property free and clear of the Vorgias lien with the lien to  
8 attach to Goldstein’s portion of the proceeds.

9           5.       A lis pendens in favor of the Debtor recorded on or about June 21, 2013 in  
10 connection with litigation between the Debtor and Goldstein. The sale will be free and clear of  
11 such lis pendens.

12                **Whether the proposed sale is subject to higher and better bids.** The proposed sale is  
13 subject to overbids and, by way of this motion, the Trustee is requesting that the Court approve the  
14 Overbid Procedures described in the accompanying Memorandum of Points and Authorities, and  
15 summarized as follows:

- 16                1.       Minimum overbid: \$825,000 (i.e., \$5,000 above the Buyers’ current offer).
- 17                2.       Overbidding increments: \$2,500.00.
- 18                3.       Initial overbid deposit: \$25,000.00.
- 19                4.       Qualification for overbidding: By no later than 5:00 pm on March 16, 2015,  
20 any party wishing to overbid at the hearing must deliver (a) a cashier’s check payable to “Diane C.  
21 Weil, Trustee” in the amount of \$25,000, and (b) a written, executed overbid in the form attached  
22 as Exhibit “2” to the Trustee’s declaration accompanying the motion, to the Trustee at the Law  
23 Offices of Diane C. Weil, 16000 Ventura Blvd., Suite 1000, Encino, California 91436. In her sole  
24 discretion, the Trustee may waive the deadline. In any event, no party will be allowed to overbid  
25 absent delivery of (a) the initial overbid deposit and (b) the written, executed overbid form prior to  
26 the commencement of the auction.

1 5. Back-up bidders: Any qualified overbidder who is not the successful overbidder  
2 may opt to be a back-up bidder, in which case such back-up bidder's Initial Deposit will be retained  
3 by the Trustee until the sale closes.

4 **The consideration to be received by the estate, including estimated commissions, fees,**  
5 **and other costs of sale.** If there are no overbids, the Trustee estimates that the estate will receive  
6 \$217,562.96 of free and clear funds from her proposed sale of the Property. Real estate brokerage  
7 commissions will be equal to 6% of the gross sales price (\$49,200 on a \$820,000 sale). The  
8 estimated net sales proceeds to be received by the estate are calculated as follows:

9 Sale price .....\$820,000.00

10 Less:

11 Brokerage commissions (6.0%).....\$49,200.00  
12 Other costs of sale (1.0% est.) .....\$8,200.00  
13 Real property taxes (2014-2015) .....\$3,217.03  
14 Wells Fargo lien..... \$213,557.88  
15 Chase lien..... \$153,262.13  
16 Debtor's Homestead Exemption.....\$100,000  
17 **Subtotal \$292,562.96**

18 Less:

19 Payment to Alon Goldstein Under Settlement Less Payment to Vorgias  
20 .....\$75,000

21 **Balance to the estate ..... \$217,562.96**

22 **If Authorization is Sought to Pay a Commission, the Identity of the Auctioneer,**  
23 **Broker, or Sales Agent and the Amount or Percentage of the Proposed Commission to be**

24 **Paid.** Pursuant to the Court's order entered on November 6, 2014, the Trustee employed Coldwell  
25 Banker ("Coldwell") and Match Realty USA ("Match") as her real estate brokers. Exhibit "8" to  
26 Request for Judicial Notice. Pursuant to the Court-approved listing agreement, the aggregate  
27 commission to be paid by the Trustee is an amount equal to 6.0% of the gross sales price. If there  
28 are no overbids, the Trustee proposes to pay the following amounts through escrow:

29 Coldwell Banker (1.5%) .....\$12,300.00  
30 Sotheby's International (1.5%) .....\$12,300.00  
31 Buyers' broker (Park Regency Realty): (3.0%).....\$24,600.00  
32 **Total \$49,200.00**

1           **A description of the estimated or possible tax consequences to the estate, if known, and**  
2 **how any tax liability generated by the sale of the property will be paid.** The Trustee has  
3 consulted with an accountant and, before the hearing, will file a pleading advising of the tax  
4 consequences to the estate.

5           **The date by which an objection must be filed and served.** March 4, 2015.  
6

7           The motion is based upon this notice, the separate motion and accompanying Memorandum  
8 of Points and Authorities, Declarations of Diane C. Weil, Bruce Kurnik and the Buyers and  
9 Request for Judicial Notice, the papers and pleadings on file in this case, and such other evidence  
10 as may be presented to the Court.  
11

12           **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013-1(f),  
13 any party seeking to object to the relief sought must, not later than 14 days before the hearing date,  
14 file a written opposition with the Clerk of the Court and serve copies of the opposition upon the  
15 Trustee's counsel and upon the Office of the United States Trustee, 915 Wilshire Boulevard, Suite  
16 1850, Los Angeles, California 91007. Failure to file and serve oppositions as set forth above may  
17 be deemed consent to the relief sought in the motion. If you do not have any objection to the  
18 motion, you need not take any further action.  
19

20 DATED: February 25, 2015

DANNING, GILL, DIAMOND & KOLLITZ, LLP

21

22

By: 

ZEV SHECHTMAN

Attorneys for Diane C. Weil, Chapter 7 Trustee

23

24

25

26 DATE OF MAILING: February 25, 2015

27

28

## 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 1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067-4402.

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:

**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 February 25, 2015 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 \_\_\_\_\_, 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 February 25, 2015, 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 (Alissi) – to be delivered 2/26/15.  
The Honorable Maureen A. Tighe  
U.S. Bankruptcy Court  
Bin on 1st Floor outside entry to Intake Section  
21041 Burbank Blvd.  
Woodland Hills, CA 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.

February 25, 2015

*Date*

Patricia Morris

*Printed Name*

*/s/Patricia Morris*

*Signature*

**ADDITIONAL SERVICE INFORMATION** (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”)**

- Joseph C Delmotte on behalf of Creditor Wells Fargo Bank., N.A.,  
ecfcacb@piteduncan.com
- Eric P Israel on behalf of Interested Party Courtesy NEF  
eisrael@dgd.com, danninggill@gmail.com;eisrael@ecf.inforuptcy.com
- Eric P Israel on behalf of Trustee Diane Weil (TR)  
eisrael@dgd.com, danninggill@gmail.com;eisrael@ecf.inforuptcy.com
- Rachel S. Ruttenberg Milman on behalf of Creditor Rachel S. Ruttenberg  
rachelsmilman@gmail.com, markgoodfriend@yahoo.com
- Zev Shechtman on behalf of Interested Party Courtesy NEF, zshechtman@dgd.com, danninggill@gmail.com;zschechtman@ecf.inforuptcy.com
- Zev Shechtman on behalf of Plaintiff Diane C. Weil  
zschechtman@dgd.com, danninggill@gmail.com; zshechtman@ecf.inforuptcy.com
- Zev Shechtman on behalf of Trustee Diane Weil (TR),  
zschechtman@dgd.com, danninggill@gmail.com;zschechtman@ecf.inforuptcy.com
- Kevin T Simon on behalf of Attorney Kevin Simon  
kevin@srhlawfirm.com, ktsecf@gmail.com
- Kevin T Simon on behalf of Creditor Hely & Nufar Sharon  
kevin@srhlawfirm.com, ktsecf@gmail.com
- Kevin T Simon on behalf of Debtor Adi Sharon  
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- United States Trustee (SV)  
ustregion16.wh.ecf@usdoj.gov
- Diane Weil (TR)  
dcw@dcweillaw.com, dweil@ecf.epiqsystems.com
- Grace White on behalf of Defendant Alon Goldstein  
gracewhiteeq@sbcglobal.net