Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address	FOR COURT USE ONLY
Peter J. Mastan, Trustee 550 S. Hope St., Suite 1765 Los Angeles, CA 90071 (213) 335-7739 travis.terry@dinsmore.com ☒ *Individual appearing without attorney* ☐ *Attorney for:*	

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re:	CASE NO.: 2:19-bk-18202-NB CHAPTER: 7
ROLANDO A. BONILLA MARIA BONILLA, Debtor(s).	**NOTICE OF SALE OF ESTATE PROPERTY**

Sale Date: 1/5/2021	**Time:** 11:00 am
Location: See attached Notice of Filing of Motion	

Type of Sale: ☒ Public ☐ Private **Last date to file objections**: 12/22/2020

Description of property to be sold:
2014 MERCEDES-BENZ E550
2010 MERCEDES-BENZ GL450

Terms and conditions of sale: "AS IS" and "WHERE IS" basis, subject to all existing encumbrances, liens, claims and restrictions thereon, if any.

Proposed sale price: $ 16,500.00

Overbid procedure (*if any*): Initial bid must be at least $17,500 (the amount being paid or exempted by Debtor plus $1,000). Subsequent bids must be at least $500 higher than the initial bid.

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*):

Peter J. Mastan, Trustee
550 S. Hope St., Suite 1765
Los Angeles, CA 90071
(213) 335-7739
travis.terry@dinsmore.com

Date: 12/4/2020

Peter J. Mastan, Trustee
travis.terry@dinsmore.com
550 Hope St., Suite 1765
Los Angeles, California 90071
Telephone: 213-335-7737

Chapter 7 Trustee of the Bankruptcy Estate
of Rolando A. Bonilla and Maria Bonilla

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re: ROLANDO A. BONILLA MARIA BONILLA, Debtor(s).	Case No. 2:19-bk-18202-NB Chapter 7 **NOTICE OF FILING OF MOTION TO APPROVE ASSIGNMENT AGREEMENT BETWEEN THE TRUSTEE AND DEBTORS FOR THE TRUSTEE'S CONVEYANCE OF THE ESTATE'S INTEREST IN THE (A) 2014 MERCEDES-BENZ E550 AND (B) 2010 MERCEDES-BENZ GL450** Date: January 5, 2021 Time: 11:00 a.m. Ctrm: Courtroom 1545 255 E. Temple Street Los Angeles, CA 90012 Judge: Hon. Neil W. Bason

///

///

///

///

///

TO THE HONORABLE NEIL W. BASON, UNITED STATES BANKRUPTCY JUDGE, THE DEBTORS, THE OFFICE OF THE UNITED STATES TRUSTEE, ALL SCHEDULED CREDITORS OF THE ESTATE, ALL OTHER INTERESTED PARTIES; AND THEIR RESPECTIVE COUNSEL OF RECORD, IF ANY:

NOTICE IS HEREBY GIVEN that, on Januar 5, 2021, on the 11:00 a.m. calendar, in Courtroom 1545 of the United States Bankruptcy Court located at 255 E. Temple Street, Los Angeles, California 90012, the Honorable Neil W. Bason, United States Bankruptcy Judge, will conduct a hearing on the "Motion to Approve Assignment Agreement between the Trustee and Debtors for the Trustee's Conveyance of the Estate's Interest in (A) 2014 Mercedes-Benz E550 and (B) 2010 Mercedes-Benz GL450" (the "Motion") filed by Peter J. Mastan, Chapter 7 trustee (the "Trustee") of the bankruptcy estate (the "Estate" of Rolando A. Bonilla and Maria Bonilla (the "Debtors"). Through the Motion, the Trustee seeks an order that does each of the following:

(1) Approves the Assignment Agreement (the "Agreement") attached as **Exhibit 1** to the Motion.

(2) Authorizes the Trustee to make the assignment of the Estate's interest in the vehicles described as (A) 2014 Mercedes-Benz E550 (VIN WDDHF9BB1EA990622) ("2014 E550) and (B) 2010 Mercedes-Benz GL450 (VIN 4JGBF7BE7AA584445) (collectively, the "Vehicles) and determines that the assignment is made on an "AS IS" and "WHERE IS" basis, subject to all existing encumbrances, liens, claims and restrictions thereon, if any.

(3) Determines that the Agreement was made in good faith in an arm's-length transaction and that the assignee of the Estate's interest in the Vehicles (whether the Debtors, or a successful overbidder) is acting in good faith within the meaning of 11 U.S.C. § 363(m).

(4) Determines that adequate notice of the Motion was given.

(5) Authorizes the Trustee to perform the terms of the Agreement and to sign all such documents that are reasonably necessary to perform the Trustee's obligations under the Agreement.

(6) Reserves Bankruptcy Court jurisdiction to enforce the Agreement.

(7) Approves the following overbid procedure:

(a) any initial overbid for an assignment of the Estate's interest in the Vehicles must be in an amount at least $1,000 greater than the amount to be paid by Debtors under the Agreement (i.e., in an amount not less than $14,175.00 plus the amount of Debtors' claimed exemption of $3,325 in the 2014 E550 for a total of $17,500);

(b) in the event that the Trustee receives multiple overbids, any subsequent overbids must be made in Court at the time of the hearing on the Motion and must be made in minimum increments of $500;

(c) any overbid must be accompanied by a certified or cashier's check in the full amount of that bid and the successful overbidder must pay to the Trustee by certified or cashier's check the full purchase price at the time of the hearing on the Motion;

(d) any sale at overbid will be all cash "AS IS," "WHERE IS," subject to all claims, liens, encumbrances, and other interests, with all faults and without any representation or warranty whatsoever, whether express or implied, including without limitation, without warranty as to functionality, merchantability, or fitness for a particular purpose and;

(e) the Trustee may exercise his discretion to reject a particular overbid that is not both higher and better (based upon all of the circumstances) than the Debtors' offer or the offer of other overbidders.

(f) any person making an overbid for the Vehicles shall be deemed to have made, on his/her/its own account, each of the representations made by the Debtors to the Trustee as set forth in Paragraph 5 of the Agreement.

(8) Authorizes the Trustee to close the proposed assignment of the Estate's interest in the Vehicles to the Debtors (or the successful overbidder) unless an appeal of the order authorizing that sale is timely filed and a stay pending appeal is entered.

(9) Waives the 14-day stay of orders for the disposition of Estate property set forth in Fed.R.Bankr.P. 6004(h).

NOTICE IS FURTHER GIVEN that the Motion is made pursuant to 11 U.S.C. §§ 363(b) and 363(m), Federal Rules of Bankruptcy Procedure 2002 and 6004, and Local Bankruptcy Rules 6004-1 and 9013-1 on the grounds that the proposed assignment is in the best

interest of the Estate in that it will maximize the value to unsecured creditors of the Estate's interest in the Vehicles.

NOTICE IS FURTHER GIVEN that the Motion is based on this (a) this Notice of Filing of Motion, (b) the concurrently filed Notice of Motion and Motion, Memorandum of Points and Authorities, Declaration of Peter J. Mastan, and Exhibits; (c) the pleadings on file with the Court of which the Court is requested to take judicial notice; and (d) such further evidence that may be properly submitted prior to or at any hearing on the Motion. At your own expense, you may obtain a complete copy of the Motion from the Court's file. Alternatively, you may obtain a free, electronic copy of the Motion by contacting Mr. Travis Terry at travis.terry@dinsmore.com and providing to Mr. Terry your email address.

NOTICE IS FURTHER GIVEN that, pursuant to Local Bankruptcy Rule 9013-1(f), any opposition to the Motion must be in writing; must be filed with the Court and served upon the Trustee, the Office of the United States Trustee, and the Debtors at the addresses set forth below not later than 14 days before the hearing on the Motion; and must include a complete written statement of all reasons in opposition thereto or in support or joinder thereof, declarations and copies of all photographs and documentary evidence on which the responding party intends to rely, and any responding memorandum of points and authorities:

For Filing With the Court
Clerk's Office
United States Bankruptcy Court
255 E. Temple Street, Room 940
Los Angeles, California 90012

For Service on Neil W. Bason, Bankruptcy Judge
Hon. Neil W. Bason
United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal
Building and Courthouse
255 E. Temple Street, Suite 1552
Los Angeles, CA 90012

For Service on the Trustee
Peter J. Mastan, Trustee
550 South Hope Street, Suite 1765
Los Angeles, California 90071-2627

For Service on Office of U.S. Trustee
Office of the U.S. Trustee
915 Wilshire Blvd., Suite 1850
Los Angeles, CA 90017

For Service on the Debtor
W. Derek May, Esq.
Law Office of W. Derek May
400 N. Mountain Ave., Ste 215B
Upland, CA 91786-5182

and

Rolando A. Bonilla
Maria Bonilla
618 E. Alvarado St.
Pomona, CA 91767-4836

NOTICE IS FURTHER GIVEN that all parties are required to appear via Zoomgov on all matters. For instructions to appear via ZoomGov (either telephonically or by video), parties are instructed to see the tentative ruling for the first matter on calendar for the date of the hearing (i.e., page 1 of Judge Bason's posted tentative rulings which can be found at http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/?jid=NB). Parties are not required to call Chambers for advance approval. ZoomGov appearances are free for all participants. The audio (but not video) will be recorded as the official record. See also https://www.cacb.uscourts.gov/news/zoom-video-hearing-guide-participants.

NOTICE IS FURTHER GIVEN that, pursuant to Local Bankruptcy Rule 9013-1(h), failure to timely file and serve an objection may be deemed by the Court to be consent to granting the Motion.

DATED: December 3, 2020

Respectfully submitted,

CHAPTER 7 TRUSTEE

By:_____
Peter J. Mastan
Chapter 7 Trustee of the Bankruptcy
Estate of Rolando A. Bonilla and
Maria Bonilla

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: 550 S. Hope Street, Suite 1765, Los Angeles, CA 90071

A true and correct copy of the foregoing document described as: **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 indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Order(S) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On **December 4, 2020**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email addresses indicated below:

- **Arnold L Graff** agraff@wrightlegal.net, bkudgeneralupdates@wrightlegal.net, jcraig@wrightlegal.net
- **Peter J Mastan (TR)** pmastan@iq7technology.com; travis.terry@dinsmore.com; ecf.alert+Mastan@titlexi.com
- **W. Derek May** wdmlaw17@gmail.com, r48266@notify.bestcase.com
- **Josephine E Salmon** ecfcacb@aldridgepite.com, JES@ecf.inforuptcy.com; jsalmon@aldridgepite.com
- **United States Trustee (LA)** ustpregion16.la.ecf@usdoj.gov

____ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served): On **December 4, 2020** I served the following person(s) and/or entity(ies) at the last known address(es) 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/or with an overnight mail service 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(S)
Rolando A. Bonilla
Maria Bonilla
618 E. Alvarado St.
Pomona, CA 91767-4836

___ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **December 4, 2020** I served the following person(s) and/or entity(ies) by personal delivery, 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 mailing 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.

December 4, 2020	**TRAVIS MICHAEL TERRY**	Travis Michael Terry
Date	Type name	Signature