

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address CARMELA T. PAGAY (State Bar No. 195603) LEVENE, NEALE, BENDER, YOO & BRILL L.L.P. 10250 Constellation Boulevard, Suite 1700 Los Angeles, CA 90067 Telephone: (310) 229-1234 Facsimile: (310) 229-1244 Email: ctp@lnbyb.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Timothy J. Yoo, Chapter 7 Trustee	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION**

In re: D.B.A. DIANE'S INCORPORATED, Debtor(s).	CASE NO.: 2:20-bk-16811-BR CHAPTER: 7 <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>
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Sale Date: 10/27/2020	Time: 10:00 am
Location: Courtroom 1668, U.S. Bankruptcy Court, 255 East Temple Street, Los Angeles, California 90012	

Type of Sale: Public Private **Last date to file objections:** 10/13/2020

Description of property to be sold:

- merchandise/inventory and fixtures and racks being stored at the Debtor's store located at 118 Main Street, Huntington Beach, California 92648;
- certain intellectual property listed on Item Nos. 60-65 of the Debtor's filed Schedule A/B; and
- 2006 Jeep Cherokee, 2007 Toyota FJ Cruiser, 2016 Ford Transit Van, and 2016 Ford Transit Connect ("Assets")

Terms and conditions of sale:

The Trustee proposes to sell the Assets to Diane's Bikinis, Inc., a California corporation, for \$250,000 on an "as is, where is" basis but free and clear of lien of Wells Fargo Bank, N.A.

Proposed sale price: \$ 250,000.00

Overbid procedure (if any): See Exhibit 1 hereto

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

Date: October 27, 2020

Time: 10:00 a.m.

Place: Courtroom 1668

United States Bankruptcy Court

255 East Temple Street

Los Angeles, CA 90012

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

Carmela T. Pagay

CTP@LNBYB.com

LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.

10250 Constellation Boulevard, Suite 1700

Los Angeles, CA 90067

Telephone: (310) 229-1234

Date: 09/21/2020

EXHIBIT 1

PROPOSED OVERBID PROCEDURES

FOR PURCHASE OF PROPERTY

1. Anyone interested in submitting an overbid with respect to the purchase of the Assets must attend the hearing on the Motion or be represented by an individual at the hearing (either in person or telephonically) with authority to participate in the overbid process.

2. An overbid will be defined as an initial bid of \$10,000 above the \$250,000 proposed purchase price or higher with each additional overbid to be in \$5,000 increments.

3. Overbidders (except for the Purchaser) must deliver a deposit to the Trustee's counsel by way of cashier's check made payable to "Timothy J. Yoo, Chapter 7 Trustee," in the amount of \$50,000 (the "Deposit") no later than noon on October 20, 2020.

4. Overbidders must purchase the Assets on the same terms and conditions as the Purchaser.

5. The Deposit of the successful overbidder shall be forfeited if such party is thereafter unable to complete the purchase of the Assets within 15 days of entry of the order confirming the sale.

6. In the event the successful overbidder cannot timely complete the purchase of the Assets, the Trustee shall be authorized to proceed with the sale to the next highest overbidder.

7. If there are any qualified overbidders, an auction of the Assets shall be held during the hearing on the Motion (on **October 27, 2020 at 10:00 a.m.**) at which time the Court shall determine the highest and best bid for the Assets.

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 Blvd, Suite 1700, Los Angeles CA 90067

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 (*date*) **September 21, 2020**, 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:

Dustin P Branch branchd@ballardspahr.com, carolod@ballardspahr.com;hubenb@ballardspahr.com
Carmela Pagay ctp@lnbyb.com
Yvonne Ramirez-Browning BANKRUPTCYCLS@wellsfargo.com
Peter T Steinberg mr.aloha@sbcglobal.net
United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
Timothy Yoo (TR) tjurytrustee@lnbyb.com, tjury@trustesolutions.net

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **September 21, 2020**, 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.

Hon. Barry Russell
USBC – Central District of CA
255 E. Temple St
Suite 1660 / Ctrm 1668
Los Angeles, CA 90012

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*) _____, 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.

9/21/2020
Date

Megan Wertz
Printed Name

/s/ Megan Wertz
Signature