

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address

FOR COURT USE ONLY

☒ Individual appearing without attorney
☐ Attorney for:

In re:

CASE NO.: 6:24-bk-17197-SY

CHAPTER: 7

Debtor(s).

Sale Date:

Time:

Location:

Last date to file objections: 06/16/2025

Proposed sale price: at least \$8,000.00

Overbid procedure (if any): Trustee to sell the Ford and the Peterbilt by any reasonable means, on an all cash basis
and an as-is basis, as long as the Estate receives not less than \$8,000.00

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

Not applicable

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

Lynda T. Bui

Chapter 7 Trustee

3550 Vine Street, Suite 210

Riverside, California 92507

Telephone: (949) 340-3400

Facsimile: (949) 340-3000

Email: trustee.bui@shulmanbastian.com

Date: 05/29/2025

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Lynda T. Bui, Trustee 3550 Vine Street, Suite 210 Riverside, California 92507 Telephone: (949) 340-3400 Facsimile: (949) 340-3000 Email: trustee.bui@shulmanbastian.com Chapter 7 Trustee <input type="checkbox"/> Debtor(s) appearing without an attorney <input type="checkbox"/> Attorney for:	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION	
In re: STACYE CHARLES, aka STACYE LESLIE CHARLES aka STACYE L. CHARLES, <div style="text-align: right;">Debtor(s).</div>	<div>CASE NO.: 6:24-bk-17197-SY CHAPTER: 7</div> <div style="text-align: center;">NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]</div> <div style="text-align: center;">[No hearing unless requested in writing]</div>

TO THE U.S. TRUSTEE AND ALL PARTIES ENTITLED TO NOTICE, PLEASE TAKE NOTICE THAT:

- Movant(s) Lynda T. Bui, solely in her capacity as the Chapter 7 Trustee, filed a motion or application (Motion) entitled Chapter 7 Trustee's Motion for Order Approving the Procedure for the Sale of Personal Property of the Estate (1923 Ford T-Bucket and 2017 579 Peterbilt) Pursuant to Bankruptcy Code § 363(b)(1).
- Movant(s) is requesting that the court grant the Motion without a hearing as provided for in LBR 9013-1(o), unless a party in interest timely files and serves a written opposition to the Motion and requests a hearing.
- The Motion is based upon the legal and factual grounds set forth in the Motion. (*Check appropriate box below*):
☒ The full Motion is attached to this notice; or
☐ The full Motion was filed with the court as docket entry # _____, and a detailed description of the relief sought is attached to this notice.
- DEADLINE FOR FILING AND SERVING OPPOSITION PAPERS AND REQUEST FOR A HEARING:** Pursuant to LBR 9013-1(o), any party who opposes the Motion may request a hearing on the Motion. The deadline to file and serve a written opposition and request for a hearing is 14 days after the date of service of this notice, plus 3 additional days if you were served by mail or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).

- a. If you timely file and serve a written opposition and request for a hearing, movant will file and serve a notice of hearing at least 14 days in advance of the hearing. [LBR 9013-1(o)(4)]
- b. If you fail to comply with this deadline:
 - (1) Movant will file a declaration to indicate: (1) the Motion was properly served, (2) the response period elapsed, and (3) no party filed and served a written opposition and request for a hearing within 14 days after the date of service of the notice [LBR 9013-1(o)(3)];
 - (2) Movant will lodge an order that the court may use to grant the Motion; and
 - (3) The court may treat your failure as a waiver of your right to oppose the Motion and may grant the Motion without further hearing and notice. [LBR 9013-1(h)]

Respectfully submitted,

Date: 05/29/2025

/s/ Lynda T. Bui

Signature of Movant or attorney for Movant

Lynda T. Bui

Printed name of Movant or attorney for Movant

**Statement of Information
in Compliance with LBR 6004-1(c)(4)**

Statement of Information in Compliance with LBR 6004-1(c)(4)

<u>LBR 6004-1(c)(4) Requirement</u>	<u>Information</u>
<i>LBR 6004-1(c)(3)(B)</i> Name and address of the proposed buyer:	There is currently no proposed buyer. Upon her appointment, the Trustee solicited potential buyers on various websites and also reached out to an auctioneer who advised that based on the current condition of the Ford (defined and discussed below), the value is no more than \$2,500.00, but it may need some work to make it more marketable. With regard to the Peterbilt (defined and discussed below), the auctioneer has advised that it is worth between \$8,500.00 to \$10,500.00, but again, it may need some work to make it marketable.
<i>LBR 6004-1(c)(3)(C)</i> Description of the property to be sold:	<p>1. 1923 Ford T-Bucket (the “<u>Ford</u>”); VIN: SV01308. The Ford is currently being stored in the Debtor’s garage and is inoperable. The Trustee is informed that the Ford was built from a hot rod “kit” that in new condition, would sell for approximately \$4,000.00, excluding engine, transmission, accessories and tires. The Debtor has advised that the Ford has sat in the garage for approximately nine (9) years and needs engine work. Because of this, the tires are likely rotten and will have to be replaced before the Ford is made road-worthy. The fuel, oil and radiator fluid will also need to be replaced. The Debtor has advised that someone who is familiar with the Ford informed her there are some parts that will likely need to be replaced before attempts can be made to start the car to avoid engine damage. In short, the Ford is a “project car” for someone who is Hot Rod enthusiast would purchase it for the right price. Based on the foregoing, and after discussions with an auctioneer who is uncertain about the condition of the engine and transmission since the Ford is not in running condition, the Trustee believes that the Ford is valued at no more than \$2,500.00.</p> <p>2. 2017 579 Peterbilt (the “<u>Peterbilt</u>”); VIN: 1XPBDP9X8HD307571; approx. mileage: 550,000. The Trustee is informed that title to the Peterbilt is in the name of Charles Burton Logistics, LLC (the “<u>LLC</u>”), which the Debtor is the 100% owner. Despite title being in the name of the LLC, the Debtor has advised that she has always treated the Peterbilt as her personal property and has personally made all the payments and maintenance expenses related thereto. The LLC has not operated since 2023 and was dissolved prior to the Petition Date. As such, the Debtor believes that, for all intents and purposes, she is the owner of the Peterbilt and has requested that the Trustee sell or otherwise dispose of the Peterbilt. The Peterbilt is currently being stored in a unit at CubeSmart in San Bernardino, California and is incurring storage fees at approximately \$95.00 per month. At present, the total amount due is \$313.00 and a lien sale is scheduled for June 10, 2025. Also, the insurance on the Peterbilt has recently expired and the Trustee is looking into obtaining insurance at least temporarily so that it can be sold.</p>
<i>LBR 6004-1(c)(3)(D)</i> Terms and conditions of the proposed sale, including the price and all contingencies:	The sale shall be conducted on an all cash basis and an as-is basis, as long as the Estate receives no less than \$8,000.00. The sale shall be without any warranties, representations or contingencies, free and clear of liens, claims and interests of third parties, with such liens, claims and interests to attach to the sale proceeds pending further Court order.

<u>LBR 6004-1(c)(4) Requirement</u>	<u>Information</u>
<i>LBR 6004-1(c)(3)(E)</i> Whether the proposed sale is free and clear of liens, claims or interests, or subject to them, and a description of all such liens, claims or interests:	There are no liens against the Ford or the Peterbilt. However, the Debtor scheduled a secured debt against the Peterbilt of \$50,307.00. With regard to the Peterbilt, the Trustee's position is that this debt is not secured and not properly perfected. There was no UCC-1 filed and the creditor was no in possession of the certificate of title.
<i>LBR 6004-1(c)(3)(F)</i> Whether the proposed sale is subject to higher and better bids:	Yes to the extent the Trustee receives a higher offer.
<i>LBR 6004-1(c)(3)(G)</i> Consideration to be received by the Estate, including estimated commissions, fees and other costs of sale:	The Estate is expected to receive no less than \$8,000.00.
<i>LBR 6004-1(c)(3)(H)</i> If authorization if sought to pay commission, the identity of the auctioneer, broker, or sales agent and the amount or percentage of the proposed commission to be paid:	Not applicable.
<i>LBR 6004-1(c)(3)(I)</i> A description of the estimated or possible tax consequences to the Estate, if known, and how any tax liability generated by the sale of the property will be paid:	The Trustee believes there will be no tax liability from the sale because she is informed that the Ford and the Peterbilt are being sold for less than the Debtor's purchase price and there will be no gain from the sale.
<i>LBR 6004-1(c)(4)(A)</i> Date which objection must be filed and served:	A written objection to the proposed sale procedure, together with a request for hearing, must be filed and served pursuant to LBR 9013-1(o) not later than 14 days from the date of service of the notice of the Sale Motion, plus an additional three (3) days unless the Notice was served by personal delivery or posting as described in F.R.Civ.P. 5(b)(2)(A)-(B), in the form required by Local Bankruptcy Rule 9013-1(f)(1). Failure to file a timely response may be deemed as consent to the relief requested in the Sale Motion.
<i>LBR 6004-1(c)(4)(B)</i>	In the absence of an objection, an order may be entered authorizing the procedure for the sale of the Ford and the Peterbilt without further notice or hearing.

1 Lynda T. Bui, Trustee
3550 Vine Street, Suite 210
2 Riverside, California 92507
Telephone: (949) 340-3400
3 Facsimile: (949) 340-3000
Email: trustee.bui@shulmanbastian.com
4

5 Chapter 7 Trustee
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8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION**
10

11 In re

12 **STACYE CHARLES,**
13 **aka STACYE LESLIE CHARLES**
14 **aka STACYE L. CHARLES,**

15 Debtor.
16
17

Case No. 6:24-bk-17197-SY

Chapter 7

**CHAPTER 7 TRUSTEE'S MOTION FOR
ORDER APPROVING THE PROCEDURE
FOR THE SALE OF PERSONAL
PROPERTY OF THE ESTATE (1923 FORD
T-BUCKET AND 2017 579 PETERBILT)
PURSUANT TO BANKRUPTCY CODE §
363(b)(1); AND DECLARATION OF
LYNDA T. BUI IN SUPPORT THEREOF**

[No Hearing Required Pursuant to Local
Bankruptcy Rule 9013-1(o)]

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20 **TO THE HONORABLE SCOTT H. YUN, UNITED STATES BANKRUPTCY JUDGE, THE**
21 **OFFICE OF THE UNITED STATES TRUSTEE, THE DEBTOR AND CREDITORS, AND**
22 **OTHER INTERESTED PARTIES AND THEIR COUNSEL OF RECORD:**

23 Lynda T. Bui ("Trustee"), the duly appointed, qualified and acting Chapter 7 trustee
24 for the bankruptcy estate ("Estate") of Stacye Charles aka Stacye Leslie Charles aka
25 Stacye L. Charles ("Debtor"), brings this *Motion for Order Approving the Procedure for the*
26 *Sale of Personal Property of the Estate (1923 Ford T-Bucket and 2017 579 Peterbilt)*
27 *Pursuant to Bankruptcy Code § 363(b)(1)* ("Sale Motion") and respectfully represents as
28 follows:

I. **RELEVANT FACTS**

A. **Case Background**

On November 27, 2024, the Debtor filed a voluntary petition under Chapter 7 of the Bankruptcy Code (the “Petition Date”).

Lynda T. Bui is the duly appointed, qualified and acting Chapter 7 trustee for the Debtor’s bankruptcy case.

B. **The Personal Property**

Among the assets of the Estate is the Debtor’s interest in the following vehicles:

Vehicle	Value and Exemption Amount
1923 Ford T-Bucket (the “ <u>Ford</u> ”) VIN: SV01308	Value Based on Schedules: \$20,000.00
2017 579 Peterbilt (the “ <u>Peterbilt</u> ”) VIN: 1XPBDP9X8HD307571 Approx. mileage: 550,000	Value Based on Schedules: \$30,000.00 Scheduled Debt: \$50,307.00 ¹

The Ford. The Debtor has not claimed an exemption in the Ford. The Ford is currently being stored in the Debtor’s garage and is inoperable. The Trustee is informed that the Ford was built from a hot rod “kit” that in new condition, would sell for approximately \$4,000.00, excluding engine, transmission, accessories and tires. The Debtor has advised that the Ford has sat in the garage for approximately nine (9) years and needs engine work. Because of this, the tires are likely rotten and will have to be replaced before the Ford is made road-worthy. The fuel, oil and radiator fluid will also need to be replaced. The Debtor has advised that someone who is familiar with the Ford informed her there are some parts that will likely need to be replaced before attempts can be made to start the car to avoid engine damage. In short, the Ford is a “project car” for someone who is Hot Rod enthusiast

¹ The Trustee’s position is that this debt is not secured and not properly perfected. There was no UCC-1 filed and the creditor was no in possession of the certificate of title.

1 would purchase it for the right price. Based on the foregoing, and after discussions with an
2 auctioneer who is uncertain about the condition of the engine and transmission since the
3 Ford is not in running condition, the Trustee believes that the Ford is valued at no more
4 than \$2,500.00.

5 The Peterbilt. The Debtor has not claimed an exemption in the Peterbilt. The
6 Trustee is informed that title to the Peterbilt is in the name of Charles Burton Logistics, LLC
7 (the "LLC"), which the Debtor is the 100% owner. Despite title being in the name of the
8 LLC, the Debtor has advised that she has always treated the Peterbilt as her personal
9 property and has personally made all the payments and maintenance expenses related
10 thereto. The LLC has not operated since 2023 and was dissolved prior to the Petition Date.
11 As such, the Debtor believes that, for all intents and purposes, she is the owner of the
12 Peterbilt and has requested that the Trustee sell or otherwise dispose of the Peterbilt. The
13 Peterbilt is currently being stored in a unit at CubeSmart in San Bernardino, California and
14 is incurring storage fees at approximately \$95.00 per month. At present, the total amount
15 due is \$407.00 and a lien sale is scheduled for June 10, 2025. Also, the insurance on the
16 Peterbilt has recently expired and the Trustee is looking into obtaining insurance at least
17 temporarily so that it can be sold.

18 Upon her appointment, the Trustee solicited potential buyers on various websites
19 and also reached out to an auctioneer who advised that based on the current condition of
20 the Ford as discussed above, the value is no more than \$2,500.00, but it may need some
21 work to make it more marketable. With regard to the Peterbilt, the auctioneer has advised
22 that it is worth between \$8,500.00 to \$10,500.00, but again, it may need some work to
23 make it marketable.

24 Through this Sale Motion, the Trustee requests authorization to negotiate a
25 proposed sale of both the Ford and the Peterbilt as an arms-length transaction. In addition,
26 to ensure that the Estate receives maximum value for the Ford and the Peterbilt, the
27 Trustee is also requesting authorization to sell the Ford and the Peterbilt subject to
28 overbids.

1 The Trustee contends there is good cause to grant this Sale Motion to preserve this
2 favorable business opportunity.

3 **II. ARGUMENT**

4 The Trustee preliminarily attempted to sell the Ford and the Peterbilt through various
5 online efforts without the need for an auctioneer, which the Estate would generally have to
6 pay 25% commission of the gross sales price. The Trustee was unsuccessful because
7 there were few interested potential buyers and the potential buyers required various
8 conditions that the Estate could not accommodate. The Trustee then solicited the
9 assistance of an auctioneer to administer the Ford and the Peterbilt. After receiving the
10 proposal from the auctioneer, the Trustee determined that the net to the Estate would not
11 be significant (between \$3,300.00 and \$11,300.00).

12 In order to obtain the best price for the Ford and the Peterbilt, the Trustee seeks a
13 Court order authorizing the Trustee to sell these vehicles by any reasonable means (such
14 as soliciting local dealers in the area, online auction sites, third parties who look for assets
15 on the Bankruptcy Court's website and other websites) on an all cash and an as-is basis
16 for no less than \$8,000.00, less reimbursement for storage fees and any appropriate
17 insurance.² The Trustee in her business judgment can sell the Ford and the Peterbilt to
18 different buyers to maximize value for the Estate.

19 The sale shall be without any warranties, representations or contingencies, free and
20 clear of liens, claims and interests of third parties, with such liens, claims and interests to
21 attach to the sale proceeds pending further Court order.

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28 ² The purpose for the request for the lower sale price is to provide the Estate with a cushion should the market change and to obviate the need to incur costs to obtain another sale order based on a different sale price.

1 The sale is authorized by Bankruptcy Code section 363(b)³ and will provide for a
2 cost-efficient and expeditious manner in which to administer the Property. The Estate is
3 expected to be able to sell the Ford and the Peterbilt for not less than \$8,000.00 if this Sale
4 Motion is approved. It should be noted that the Trustee is also administering for the Estate
5 the Debtor's interest in tax refunds totaling \$1,370.01. Also, concurrent with the filing of
6 this Sale Motion, the Trustee is filing a motion seeking approval of a settlement with the
7 Debtor for \$7,000.00 related to non-exempt equity in a 2003 Chevrolet Corvette. The
8 administration of these assets, along with the anticipated sale of the Ford and the Peterbilt
9 will provide approximately \$14,000.00 in funds available for distribution. If the Sale Motion
10 is not approved, the Estate may have difficulty marketing the Ford and the Peterbilt for sale
11 and may have to abandon as being burdensome, which would result in no benefit for the
12 Estate. Accordingly and based on the Trustee's business judgment, the Trustee
13 respectfully requests that the Court approve the Sale Motion.

14 Pursuant to Local Bankruptcy Rule 6004-1(g), once the sale closes, the Trustee will
15 file with the Court a *Report of Sale* which details the sale terms approved and the identity
16 of the buyer.

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20 **III. APPROVING THE SALE MOTION WITHOUT A HEARING IS PROPER**

21 Local Bankruptcy Rule 9013-1(o)(1) provides as follows:

22 _____
23 ³ The duties of a trustee in a Chapter 7 filing are enumerated in 11 U.S.C. §704, which provides in relevant
part as follows:

24 (a) The trustee shall—

- 25 (1) collect and reduce to money the property of the estate for which such
trustee serves, and close such estate as expeditiously as is compatible with
the best interests of parties in interest;

26 (2) be accountable for all property received;

27 11 U.S.C. §704(a). Further, the Trustee, after notice and hearing, may sell property of the estate. 11 U.S.C.
§ 363(b). Courts ordinarily will approve a proposed sale if there is a good business reason for the sale and
the sale is in the best interests of the estate. *In re Wilde Horse Enterprises, Inc.*, 136 B.R. 830, 841 (Bankr.
28 C.D. Cal. 1991); *In re Lionel Corp.*, 722 F.2d 1063, 1069 (2d Cir. 1983). In this case, the sale of the Ford
and the Peterbilt is anticipated to *net* the Estate no less than \$8,000.00.

(1) Matters That May Be Determined Upon Notice of Opportunity to Request Hearing. Except as to matters specifically noted in subsection (o)(2) below, and as otherwise ordered by the court, any matter that may be set for hearing in accordance with LBR 9013-1(d) may be determined upon notice of opportunity to request a hearing.

Further Section 102(1)(B) of the Bankruptcy Code provides that “after notice and a hearing”, or a similar phrase –

(B) authorizes an act without an actual hearing if such notice is given properly and if –

(i) such a hearing is not requested timely be a party in interest; or

(ii) there is insufficient time for a hearing to be commenced before such act must be done, and the court authorizes such act.

See 11 U.S.C. § 102(1)(B).

The Trustee believes that the Local Bankruptcy Rule 9013-1(o)(1) procedure is appropriate in this case as she does not anticipate any opposition to the Sale Motion. Thus, the procedure will save the Estate the fees and costs associated with conducting a hearing on approval of a matter that Trustee anticipates will not be opposed.

IV. CONCLUSION

Based upon the foregoing, the Trustee respectfully submits that good cause exists for granting the Sale Motion and requests that the Court enter an order which provides as follows:

1. Authorizing the Trustee to sell the Ford and the Peterbilt by any reasonable means, on an all cash basis and an as-is basis, as long as the Estate receives not less than \$8,000.00 for both. The Trustee is authorized to sell them to different buyers. The sale shall be without any warranties, representations or contingencies, free and clear of liens, claims and interests of third parties, with such liens, claims and interests to attach to the sale proceeds pending further Court order.

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2. Authorizing the Trustee to reimburse her law firm or the Debtor or the buyer or pay directly to the storage facility a fee not to exceed \$1,000.00 and insurance not to exceed \$1,000.00.

3. Authorizing the Trustee to execute any and all documents to effectuate the sale of the Property as proposed in the Sale Motion.

4. Trustee's compliance with Local Bankruptcy Rule 6004-1(g) to file a Report of Sale detailing the terms of sale with the Court once the sale closes.

5. Should the Trustee not be able to sell the Ford or the Peterbilt for the minimum price of \$8,000.00 within a reasonable time, she can abandon them.

6. For such other and further relief as the Court deems just and proper under the circumstances of this case.

Dated: May 29, 2025

/s/ Lynda T. Bui
Lynda T. Bui
Chapter 7 Trustee for the bankruptcy estate of
In re Stacey Charles aka Stacey Leslie Charles
aka Stacey L. Charles

DECLARATION OF LYNDA T. BUI

I, Lynda T. Bui, declare and state as follows:

1. I am the Chapter 7 trustee for the bankruptcy estate of *In re Stacye Charles aka Stacye Leslie Charles aka Stacye L. Charles* ("Debtor"), Case No. 6:24-bk-17197-SY. I have personal knowledge of the facts set forth in this Declaration and could, if called as a witness, competently testify thereto.

2. I am familiar with the Debtor's bankruptcy proceeding and make this Declaration in support of my *Motion for Order Approving the Procedure for the Sale of Personal Property of the Estate (1923 Ford T-Bucket and 2017 579 Peterbilt) Pursuant to Bankruptcy Code § 363(b)(1)* ("Sale Motion"). All capitalized terms not otherwise defined herein shall have the meaning set forth in the Sale Motion.

3. Among the assets of the Estate is the Debtor's interest in the following vehicles:

Vehicle	Value and Exemption Amount
1923 Ford T-Bucket (the " <u>Ford</u> ") VIN: SV01308	Value Based on Schedules: \$20,000.00
2017 579 Peterbilt (the " <u>Peterbilt</u> ") VIN: 1XPBDP9X8HD307571 Approx. mileage: 550,000	Value Based on Schedules: \$30,000.00 Scheduled Debt: \$50,307.00

4. The Debtor has not claimed an exemption in the Ford. The Ford is currently being stored in the Debtor's garage and inoperable. I am informed that the Ford was built from a hot rod "kit" that in new condition, would sell for approximately \$4,000.00, excluding engine, transmission, accessories and tires. The Debtor has advised that the Ford has sat in the garage for approximately nine (9) years and needs engine work. Because of this, the tires are likely rotten and will have to be replaced before the Ford is made road-worthy. The fuel, oil and radiator fluid will also need to be replaced. The Debtor has advised that someone who is familiar with the Ford informed her there are some parts that will likely

1 need to be replaced before attempts can be made to start the car to avoid engine damage.
2 In short, the Ford is a “project car” for someone who is Hot Rod enthusiast would can
3 purchase it for the right price. Based on the foregoing, and after discussions with an
4 auctioneer who is uncertain about the condition of the engine and transmission since the
5 Ford is not in running condition, I believe that the Ford is valued at no more than \$2,500.00.

6 5. The Debtor has not claimed an exemption in the Peterbilt. I am informed that
7 title to the Peterbilt is in the name of Charles Burton Logistics, LLC (the “LLC”), which the
8 Debtor is the 100% owner. Despite putting the LLC on title, the Debtor has advised that
9 she has always treated the Peterbilt as her personal property and has personally made all
10 the payments and maintenance expenses related thereto. The LLC has not operated since
11 2023 and was dissolved prior to the Petition Date. As such, the Debtor believes that, for all
12 intents and purposes, she is the owner of the Peterbilt and has requested that I sell or
13 otherwise dispose of the Peterbilt. The Peterbilt is currently being stored in a unit at
14 CubeSmart in San Bernardino, California and is incurring storage fees at approximately
15 \$95.00 per month. At present, the total amount due is \$407.00 and a lien sale is scheduled
16 for June 10, 2025 although no relief from the automatic stay has been obtained or granted.
17 Nevertheless and ideally, I would like to complete the sale and close before the scheduled
18 lien sale on June 10, 2025. Also, the insurance on the Peterbilt has recently expired and I
19 am looking into obtaining insurance at least temporarily so that it can be sold.

20 6. I also conducted research and concluded that there are no liens and
21 encumbrances impacting the vehicles. The Debtor was in possession of the certificate of
22 title and there were no UCC-1 recorded against the vehicles.

23 7. Upon my appointment, I asked the Debtor if she was interested in purchasing
24 the equity in the Ford or the Peterbilt, which she was not. I first attempted to sell the vehicles
25 through various online efforts. I was unsuccessful because the potential buyers required
26 various conditions that the Estate was not able to accommodate. I then solicited the
27 assistance of an auctioneer to determine the approximate net value, recognizing that the

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1 Estate would generally have to pay 25% commission of the gross sales price if it auctions
2 the Ford and the Peterbilt.

3 8. The auctioneer, ABC Services Group, Inc., advised me that based on the
4 current condition of the Ford as discussed above, the gross value is between \$7,500.00
5 and \$12,500.00. With regard to the Peterbilt, the auctioneer has advised that it is worth
6 between \$8,500.00 to \$10,500.00 gross. The expenses associated with marketing and set
7 up for the auction of both vehicles could be as high as \$16,700.00.

8 9. After receiving the proposal from the auctioneer, I determined that the net to
9 the Estate would not be significant and would be between \$3,300.00 and \$11,300.00 for
10 both vehicles.

11 10. Given that, I determined that in order to obtain the best price for the Ford and
12 the Peterbilt, I need to seek a Court order authorizing me to sell the vehicles by any
13 reasonable commercial means (such as soliciting local dealers in the area, online auction
14 sites, third party buyer who visit the Court's website) on an all cash and an as-is basis for
15 no less than \$8,000.00. If I am not able to sell for this price in short order, I will seek to
16 abandon the Ford and the Peterbilt.

17 11. Through the Sale Motion, I am requesting authorization to sell the Ford and
18 Peterbilt subject to overbids.

19 12. The sale shall be without any warranties, representations or contingencies,
20 free and clear of liens, claims and interests of third parties, with such liens, claims and
21 interests to attach to the sale proceeds pending further Court order. Consistent with my
22 duties, my goal is to obtain the highest and best price for the Ford and the Peterbilt to
23 maximize benefits to the Estate. The sale shall be without any warranties, representations
24 or contingencies, free and clear of liens, claims and interests of third parties, with such
25 liens, claims and interests to attach to the sale proceeds pending further Court order.

26 13. Based upon an analysis of the sale of the Property, it is my opinion and belief
27 that the proposed sale procedure is in the best interest of the Estate, as it will generate the
28 most funds to the Estate for the benefit of unsecured creditors.

14. Pursuant to Local Bankruptcy Rule 6004-1(g), once the sale closes, I will file with the Court a *Report of Sale* which details the sale terms approved and the identity of the buyer.

15. I am also administering for the Estate the Debtor's interest in tax refunds totaling \$1,370.01. Also, concurrent with the filing of this Sale Motion, I am filing a motion seeking approval of a settlement with the Debtor for \$7,000.00 related to non-exempt equity in a 2003 Chevrolet Corvette. The administration of these assets, along with the anticipated sale of the Ford and the Peterbilt will provide approximately \$14,000 in funds available for distribution.

16. If the Sale Motion is not approved, the Estate may have difficulty monetizing the Ford and the Peterbilt and may have to abandon these vehicles as being burdensome, which would result in no benefit for the Estate. Accordingly and based on my business judgment, I respectfully request that the Court approve the Sale Motion.

I declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct.

EXECUTED on May 29, 2025, at Irvine, California.

/s/ Lynda T. Bui

Lynda T. Bui

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:
100 Spectrum Center Drive, Suite 600, Irvine, CA 92618

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*) **May 29, 2025**, 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:

- **Interested Party:** Patti H Bass ecf@bass-associates.com
- **Chapter 7 Trustee:** Lynda T. Bui (TR) trustee.bui@shulmanbastian.com, C115@ecfbis.com
- **Attorney for Debtor:** Sundee M Teeple wptmriv@4bankruptcy.com, 2934@notices.nextchapterbk.com;
WinterbothamParhamTeepleapc@jubileebk.net
- **Interested Party:** United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **May 29, 2025**, 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 (*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.

May 29, 2025
Date

Erlanna Lohayza
Printed Name

/s/ Erlanna Lohayza
Signature

U.S. MAIL SERVICE LIST

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