

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address ANTHONY A. FRIEDMAN (State Bar No. 201955) aaf@lnbyb.com 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 <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Todd A. Frealy, Chapter 7 Trustee	FOR COURT USE ONLY
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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION	
In re: S.T.I. INC. TRUCKING AND MATERIALS, Debtor(s).	CASE NO.: 6:14-bk-23544 MH CHAPTER: 7 NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: 11/09/2016	Time: 11:00 am
Location: Courtroom 302, 3420 Twelfth Street, Riverside, CA 92501	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** 10/26/2016

Description of property to be sold:

Machinery and equipment, specifically, heavy construction equipment used in connection with the Debtor's business of renting and operating heavy construction equipment.

Terms and conditions of sale: The property shall be sold "as is" and "where is" and without any representation or warranty, express or implied and subject to any and all lien, encumbrances, claims and interests.

Proposed sale price: \$ 25,000.00

Overbid procedure (if any):

See attachment.

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):

ANTHONY A. FRIEDMAN
aaf@lnbyb.com
Levene, Neale, Bender, Yoo & Brill L.L.P.
10250 Constellation Blvd., Suite 1700
Los Angeles, CA 90067
Tele: 310-229-1234
Fax: 310-229-1244

Date: 10/18/2016

EXHIBIT A

1 ANTHONY A. FRIEDMAN (State Bar No. 201955)
aaf@lnbyb.com

2 LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.
3 10250 Constellation Boulevard, Suite 1700
Los Angeles, CA 90067
4 Telephone: (310) 229-1234
Facsimile: (310) 229-1244

5 Attorneys for Todd A. Frealy, Chapter 7 Trustee

6 **UNITED STATES BANKRUPTCY COURT**

7 **CENTRAL DISTRICT OF CALIFORNIA**

8 **RIVERSIDE DIVISION**

9
10
11 **In re**

12 **S.T.I. INC. TRUCKING AND**
13 **MATERIALS,**

Debtor.

Case No. 6:14-bk-23544-MH

Chapter 7
[Converted from Chapter 11]

NOTICE OF MOTION FOR ORDER:

(1) AUTHORIZING SALE OF
ESTATE'S RIGHT, TITLE AND
INTEREST IN PERSONAL
PROPERTY; AND

(2) APPROVING OVERBID
PROCEDURE

Date: November 9, 2016

Time: 11:00 a.m.

Place: Courtroom 303

U.S. Bankruptcy Court
3420 Twelfth Street
Riverside, CA 92501

1 **TO ALL INTERESTED PARTIES:**

2 **PLEASE TAKE NOTICE** as follows:

3 **(A) Date, Time, and Place of Hearing on the Proposed Sale:** November 9, 2016 at
4 11:00 a.m. in Courtroom 303 of the United States Bankruptcy Court, located 3420 Twelfth
5 Street, Riverside, California 92501.

6 **(B) Name and Address of Proposed Buyer:** Michael Tapozic, 17916 Canyon Wood
7 Drive, Riverside, CA 92504.

8 **(C) Description of Construction Equipment to Be Sold:** machinery and equipment,
9 specifically, heavy construction equipment, used in connection with the Debtor's business of
10 renting and operating heavy construction equipment (the "Construction Equipment")¹.

11 **(D) Terms and Conditions of the Proposed Sale**

12 . Purchase Price: \$25,000 (the "Purchase Price");

13 . Condition of Construction Equipment: Construction
14 Equipment purchased "as-is" without any
15 representations or warranties of any kind and subject to
any and all lien, encumbrances, claims and interests.

16 **(E) Liens:** The proposed sale is subject to any and all liens, claims and encumbrances

17 **(F) Overbid Procedures:** (1) any person interested in submitting an overbid on the
18 Construction Equipment must attend the hearing on the Motion or be represented by an
19 individual with authority to participate in the overbid process; (2) an overbid will be defined as
20 an initial overbid of \$2,000.00 above the Purchase Price, with each additional bid in increments
21 of \$1,000.00; (3) overbidders (except for the Buyer) must deliver a deposit to the Trustee's
22 counsel by way of cashier's check made payable to "Todd A. Frealy, Chapter 7 Trustee," in the
23 amount of \$5,000.00 (the "Deposit") and proof of ability to close escrow unconditionally in a
24 form acceptable to the Trustee at least 7 calendar days prior to the hearing on the Motion;
25 (4) overbidders must purchase the Construction Equipment on the same terms and conditions as

26

27 ¹ The Construction Equipment is set forth in Schedule B of the Debtor's schedules filed
28 November 14, 2014 [Docket No. 16]. The debt secured by the Construction Equipment is set
forth in Schedule D of the Debtor's schedules filed on November 14, 2014 [Docket No. 16].

1 the Buyers; (5) the Deposit of the successful overbidder shall be forfeited if such party is
2 thereafter unable to complete the purchase of the Construction Equipment within 30 calendar
3 days of entry of an order confirming the sale; and (6) in the event the successful overbidder
4 cannot timely complete the purchase of the Construction Equipment, the Trustee shall be
5 authorized to proceed with the sale to the next highest overbidder.

6 (G) **Consideration:** The Trustee estimates that the proposed sale will generate net
7 proceeds of approximately \$25,000.00.

8 (H) **Commissions:** None.

9 (I) **Tax Consequences:** None.

10 (J) **Deadline for Objection:** Pursuant to Local Bankruptcy Rule 9013-1(f), any
11 interested party that wishes to oppose the relief requested in the motion must file not later than
12 14 days prior to the scheduled hearing date, with the Clerk of the Bankruptcy Court, located at
13 3420 Twelfth Street, Riverside, California 92501, and serve upon the Office of the United States
14 Trustee and the Trustee's counsel, located at the address indicated on the upper left corner of the
15 first page of this notice, "[a] complete written statement of all reasons in opposition thereto ...,
16 declarations and copies of all photographs and documentary evidence on which the responding
17 party intends to rely and any responding memorandum of points and authorities."

18 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013-
19 1(h), failure to file and serve a timely response may be deemed consent to the relief requested in
20 the Motion.

21 DATED: October 19, 2016

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

22
23 By: /s/ Anthony A. Friedman
ANTHONY A. FRIEDMAN

24 Attorneys for Todd A. Frealy, Chapter 7 Trustee
25 for the Bankruptcy Estate of S.T.I. Inc. Trucking
26 and Materials
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 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled **NOTICE OF MOTION FOR ORDER: (1) AUTHORIZING SALE OF ESTATE'S RIGHT, TITLE AND INTEREST IN PERSONAL PROPERTY; AND (2) APPROVING OVERBID PROCEDURE** 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 **October 19, 2016**, 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:

- Michael J Bujold Michael.J.Bujold@usdoj.gov
- Todd A. Frealy (TR) tafrustee@lnbyb.com, tfrealy@ecf.epiqsystems.com
- Anthony A Friedman aaf@lnbyb.com
- Everett L Green everett.l.green@usdoj.gov
- W. Derek May derek@srwadelaw.com, rudy@srwadelaw.com
- Teresa L Polk tp@smtlaw.com, sq@smtlaw.com
- Mark D Poniatowski ponlaw@ponlaw.com
- Amelia Puertas-Samara itcdbgc@edd.ca.gov, itcdgc@edd.ca.gov
- Ali Salamiad as@smtlaw.com, rb@smtlaw.com
- Mohammad Tehrani Mohammad.V.Tehrani@usdoj.gov
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
- Stephen R Wade srw@srwadelaw.com, rudy@srwadelaw.com

2. SERVED BY UNITED STATES MAIL: On **October 19, 2016**, 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.

S.T.I. Inc. Trucking and Materials 19510 Van Buren Blvd Ste F-3 #391 Riverside, CA 92508 RSN	Michael Tapozic 17916 Canyon Wood Drive Riverside, CA 92504	The Honorable Mark D. Houle United States Bankruptcy Court 3420 Twelfth Street, Suite 365 Riverside, CA 92501-3819
Caterpillar Fin. Services Corp. c/o Mark D. Poniatowski, Esq. Poniatowski Leding Parikh PC 20980 Redwood Road, Suite 200 Castro Valley, California 94546		

☒ 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 **October 19, 2016**, 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.

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

2 **October 19, 2016**

Lisa Masse

/s/ Lisa Masse

3 *Date*

Type Name

Signature

Label Matrix for local noticing
0973-6

Case 6:14-bk-23544-MH

Central District of California
Riverside

Wed Oct 19 15:09:37 PDT 2016

S.T.I. Inc. Trucking and Materials
19510 Van Buren Blvd Ste F-3 #391
Riverside, CA 92508-9458

Agua Mansa Properties, Inc.
POB 127
Riverside, CA 92502-0127

Auditor's Comparison Statement
Coast Auditing Company
POB 16727
Irvine, CA 92623-6727

City of Desert Hot Springs
65-950 Pierson Blvd
Desert Hot Springs CA 92240-3698

Continental Adjustment Bureau, Inc.
P.O. Box 16604
Kansas City, MO 64133-0604

FRANCHISE TAX BOARD
BANKRUPTCY SECTION MS A340
PO BOX 2952
SACRAMENTO CA 95812-2952

Hunter Warfield Collections
Kianne P. Harrell
4620 Woodland Corp. Blvd.
Tampa, FL 33614-2415

MATCH CORPORATION a CA Corp
Law Offices of J Patrick Ragan APLC
1881 S Business Center Dr Ste 7B
San Bernardino, CA 92408-3448

Office of the U.S. Trustee
3801 University Avenue, Suite 720
Riverside, CA 92501-3255

Allegheny Casualty Company
c/o Salamiad Morrow Timpane & Dunn LLP
17901 Von Karman Ave., Suite 500
Irvine, CA 92614-5218

Riverside Division
3420 Twelfth Street,
Riverside, CA 92501-3819

Allegheny Casualty Company
1180 NW Maple St.
Ste 160
Issaquah, WA 98027-8106

Caine & Weiner
re Pirtek Inland Valley
POB 5010
Woodland Hills, CA 91365-5010

Clayton Fillian
c/o Aaron B. Booth
445 South Figueroa
Suite 2210
Los Angeles, CA 90071-1667

Diversified Asphalt Products, Inc.
1227 North Olive Street
Anaheim, CA 92801-2544

FedEx
PO Box 7221
Pasadena, CA 91109-7321

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Matich Corporation
c/o J. Patrick Ragan
1881 S. Business Center Road
Suite 7B
San Bernardino, CA 92408-3448

S&J Supply Co. Inc.
13105 Florence Ave.
Santa Fe Springs, CA 90670-4507

Caterpillar Financial Services Corporation
c/o Poniatowski Leding Parikh PC
20980 Redwood Road, Suite 200
Castro Valley, CA 94546-5934

Accord Creditor Services, LLC
re AT&T
POB 10002
Newnan, GA 30271-0002

Allegheny Casualty Company
c/o Ali Salamiad / Jeffrey D. Hook
SALAMIRAD, MORROW, TIMPANE & DUNN LLP
17901 Von Karman Avenue, Suite 500
Irvine, CA 92614-5218

City of Chino
Finance Dept.
13220 Central Ave.
Chino, CA 91710-4127

Construction Laborers Trust Funds
4399 Santa Anita Avenue
Suite 200
El Monte, CA 91731-1648

Employment Development Department
Bankruptcy Group MIC 92E, PO BOX 826880
Sacramento, CA 95814

Financial Credit Network, Inc.
1300 W. Main Street
Visalia, CA 93291-5825

Linebarger Goggan Blair Sampson LLP
Attorneys at Law
1515 Cleveland Place Suite 300
Denver, CO 80202-5113

Morr-Is Tested Inc.
19469 Via Del Bacallo Road
Yorba Linda, CA 92886-2753

S&S Portables/Cain Rentals
POB 367
Glendora, CA 91740-0367

SCE

P.O. Box 900

2244 Walnut Grove

Rosemead, CA 91770-3714

State Board of Equalization

Main Document Page 10 of 82
Special Operations Branch MIC:55

PO Box 942879

Sacramento CA 94279-0055

State of California

Department of Industrial Relations

464 W. Fourth Street

Room 348

San Bernardino, CA 92401-1414

Strategic Funding Source Inc

120 West 4th Street 2nd Floor

New York NY 10036

Superior Ready Mix Concrete, L.P.

1508 Mission Rd.

Escondido, CA 92029-1194

Superior Ready Mix Concrete, L.P.

1508 West Mission Road

Escondido, CA 92029-1194

Suretec Insurance Company

3033 5th Avenue

Suite 300

San Diego, CA 92103-5873

Suretec Surety Company

c/o Eric N. Kibel

325 The City Drive South

Suite 190

Orange, CA 92868

Traffic Management, Inc

2436 Lemon Avenue

Signal Hill, CA 90755

Trench Plate Rental Co.

13217 Laureldale Ave.

Downey, CA 90242-5140

United States Trustee (RS)

3801 University Avenue, Suite 720

Riverside, CA 92501-3255

Van Buren Holding

3434 Niki Way

Riverside, CA 92507-6805

Western Rentals, Inc.

c/o Jeffrey B. Gardner, Esq.

Barry Gardner & Kincannon, APC

2214 Faraday Avenue

Carlsbad, CA 92008-7208

White Cap Construction Supply

501 W. Church Street

Orlando, FL 32805-2270

Wide Lending Group

3550 Wilshire Blvd

Ste 106

Los Angeles, CA 90010-2402

Amelia Puertas-Samara

Employment Development Department

PO Box 826880

Sacramento, CA 94280-0001

STEPHEN R. WADE

Law Offices of Stephen R. Wade, P.C.

350 W. Fourth Street

Claremont, Ca 91711-4733

Stephen R Wade

The Law Offices of Stephen R Wade

350 W Fourth St

Claremont, CA 91711-4733

Todd A. Frealy (TR)

3403 Tenth Street, Suite 709

Riverside, CA 92501-3641

W. Derek May

Law Offices of Stephen R. Wade, P.C.

350 W Fourth St

Claremont, CA 91711-4733

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

INTERNAL REVENUE SERVICE

STOP: INSOLVENCY

290 NORTH D STREET

SAN BERNARDINO, CA 92401-1734

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Kevin Schweizer

(u)Kevin Schweizter

(u)Productive Finance

End of Label Matrix

Mailable recipients	49
Bypassed recipients	6
Total	55

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- Everett L Green everett.l.green@usdoj.gov
- W. Derek May derek@srwadelaw.com, rudy@srwadelaw.com
- Teresa L Polk tp@smtlaw.com, sq@smtlaw.com
- Mark D Poniatowski ponlaw@ponlaw.com
- Amelia Puertas-Samara itcdbgc@edd.ca.gov, itcdgc@edd.ca.gov
- Ali Salamirad as@smtlaw.com, rb@smtlaw.com
- Mohammad Tehrani Mohammad.V.Tehrani@usdoj.gov
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov
- Stephen R Wade srw@srwadelaw.com, rudy@srwadelaw.com

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The Honorable Mark D. Houle
United States Bankruptcy Court
3420 Twelfth Street, Suite 365
Riverside, CA 92501-3819

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

October 19, 2016

Lisa Masse

/s/ Lisa Masse

Date

Type Name

Signature