

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address D. EDWARD HAYS, #162507 ehays@marshackhays.com LAILA MASUD, #311731 lmasud@marshackhays.com 870 Roosevelt Irvine, California 92620 Telephone: (949) 333-7777 Facsimile: (949) 333-7778 <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee, RICHARD A. MARSHACK	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

In re: RUBY'S DINER, INC., a California corporation, et al., Debtor. Affects: <input checked="" type="checkbox"/> RUBY'S DINER, INC., ONLY <input checked="" type="checkbox"/> RUBY'S HUNTINGTON BEACH, LTD. ONLY <input checked="" type="checkbox"/> RUBY'S OCEANSIDE, LTD, ONLY Debtor(s).	CASE NO.: Jointly Administered Case No. 8:18-bk-13311-SC CHAPTER: 7 <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>
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Sale Date: August 4, 2021	Time: 11:00 a.m.
Location: United States Bankruptcy Court, Central District of California, Ronald Reagan Federal Building and Courthouse, 411 West 4 th Street, Santa Ana, Courtroom 5C, California 92701 *Check Judge Clarkson's website for any updated procedures related to Covid-19.	

Type of Sale: Public Private **Last date to file objections:** July 21, 2021

Description of property to be sold: Estate's interest in all of Debtor's Intellectual Property of Ruby's Diner, Inc., a California corporation.

Terms and conditions of sale: The Trustee is requesting a finding by the Court that the Purchased Assets are sold free and clear of all interests including liens. See Motion for further details. The sale is as-is," and "with all faults," with no warranties," and is subject to overbid on the terms specified in the sale motion filed on July 14, 2021, as Dk. No. 1111.

Proposed sale price: \$1,000,000 subject to overbid

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): The proposed sale is subject to overbids. The overbidding procedures are described in _____
Overbid section in the Motion filed July 14, 2021, as Dk. No. 1111. Each interested party must submit in writing to the
Trustee by the fifth calendar day prior to the hearing on the Motion and provide a cash payment of not less than \$100,000
to participate in any auction. See Motion for further details.

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

August 4, 2021 at 11:00 a.m.

United States Bankruptcy Court, Central District of California

411 West 4th Street, Santa Ana, California 92701

Courtroom 5C *Check Judge Clarkson's website for any updated
procedures related to Covid-19.

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

D. Edward Hays / Laila Masud

ehays@marshackhays.com / lmasud@marshackhays.com

MARSHACK HAYS LLP

870 Roosevelt

Irvine, CA 92620

Telephone: (949) 333-7777

Facsimile: (949) 333-7778

Date: July 14, 2021

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:
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled: **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 **July 14, 2021**, 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 **July 14, 2021**, 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.

**MAIL REDIRECTED TO TRUSTEE
DEBTOR**

RUBY'S DINER, INC., A CALIFORNIA CORPOR
4100 MACARTHUR BLVD.
SUITE 310
NEWPORT BEACH, CA 92660-2050

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 **July 14, 2021**, 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 EMAIL: INTERESTED PARTY: RAV, LLC C/O COUNSEL RANDY MICHELSON,
RANDY.MICHELSON@MICHELSONLAWGROUP.COM

VIA PERSONAL DELIVERY: PRESIDING JUDGE'S COPY

HONORABLE SCOTT C CLARKSON
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING AND COURTHOUSE
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

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.

July 14, 2021
Date

Cynthia Bastida
Printed Name

/s/ Cynthia Bastida
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

- **ATTORNEY FOR DEBTOR RUBY'S DINER, INC., A CALIFORNIA CORPORATION; INTERESTED PARTY DOUGLAS CAVANAUGH; AND INTERESTED PARTY RALPH KOSMIDES:** Leo A Bautista leo.bautista@lewisbrisbois.com, mona.jackson@lewisbrisbois.com; Chris.Rodriguez@lewisbrisbois.com, ralphk@cox.net, dcavanaugh@bcccmgmt.com
- **ATTORNEY FOR PLAINTIFF RICHARD A MARSHACK (TR):** Christopher Dale Beatty cbeatty@millerbarondess.com, aransom@millerbarondess.com, docket@millerbarondess.com, lperry@millerbarondess.com
- **ATTORNEY GEORGE B BLACKMAR:** George B Blackmar gblackmar@bpslaw.net
- **INTERESTED PARTY COURTESY NEF:** Ori S Blumenfeld Ori@MarguliesFaithLaw.com, Helen@MarguliesFaithLaw.com; Angela@MarguliesFaithLaw.com; Vicky@MarguliesFaithLaw.com
- **ATTORNEY FOR CREDITOR STAR-WEST PARKWAY MALL, LP:** Dustin P Branch branchd@ballardspahr.com, carolod@ballardspahr.com; hubenb@ballardspahr.com
- **ATTORNEY FOR INTERESTED PARTY PETER MASTAN:** Christopher Celentino chris.celentino@dinsmore.com, caron.burke@dinsmore.com; SDCMLFiles@DINSMORE.COM
- **ATTORNEY FOR INTERESTED PARTY DOUGLAS CAVANAUGH AND INTERESTED PARTY RALPH KOSMIDES:** Carol Chow carol.chow@ffslaw.com, easter.santamaria@ffslaw.com
- **ATTORNEY FOR DEFENDANTS AND INTERESTED PARTIES RALPH KOSMIDES AND DOUGLAS CAVANAUGH:** David P Corchetiere dcrochetiere@bautelaw.com, hwells@bautelaw.com
- **ATTORNEY FOR INTERESTED PARTY PETER MASTAN:** Ashleigh A Danker Ashleigh.danker@dinsmore.com, SDCMLFiles@DINSMORE.COM; Katrice.ortiz@dinsmore.com; caron.burke@dinsmore.com
- **ATTORNEY FOR CREDITOR US FOODS, INC:** Aaron Davis aaron.davis@bryancave.com, kat.flaherty@bryancave.com
- **INTERESTED PARTY COURTESY NEF:** Caroline Djang caroline.djang@bbklaw.com, C190@ecfcbis.com; sansanee.wells@bbklaw.com; wilma.escalante@bbklaw.com
- **ATTORNEY FOR CREDITOR SAN DIEGO COUNTY TREASURER-TAX COLLECTOR:** Laura E Dolan LAURA.DOLAN@SDCOUNTY.CA.GOV, odette.ortega@sdcounty.ca.gov; kristen.howard@sdcounty.ca.gov
- **ATTORNEY ALAN FRIEDMAN and ATTORNEY FOR CREDITOR STEVEN L CRAIG:** Alan J Friedman afriedman@shulmanbastian.com, lgauthier@shulmanbastian.com
- **ATTORNEY FOR INTERESTED PARTY RUBY'S FANCHISE SYSTEMS, INC., A CALIFORNIA CORPORATION:** Eric J Fromme efromme@tocounsel.com, lchapman@tocounsel.com
- **ATTORNEY FOR DEFENDANTS AND INTERESTED PARTIES DOUGLAS CAVANAUGH AND RALPH KOSMIDES:** Maria L Garcia Maria.L.Garcia@lewisbrisbois.com
- **ATTORNEY FOR CREDITOR COMMITTEE WINTHROP COUCHOT GOLUBOW HOLLANDER LLP:** Alastair M Gesmundo agesmundo@wghlawyers.com, jmartinez@wghlawyers.com
- **ATTORNEY FOR CREDITOR COMMITTEE WINTHROP COUCHOT GOLUBOW HOLLANDER LLP:** Richard H Golubow rgolubow@wghlawyers.com, pj@wcghlaw.com; jmartinez@wghlawyers.com; Meir@virtualparalegalservices.com
- **INTERESTED PARTY COURTESY NEF:** Steven T Gubner sgubner@bg.law, ecf@bg.law
- **ATTORNEY FOR CREDITOR OPUS BANK:** David M. Guess guessd@gtlaw.com
- **ATTORNEY FOR U.S. TRUSTEE UNITED STATES TRUSTEE (SA):** Michael J Hauser michael.hauser@usdoj.gov
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** D Edward Hays ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR MARVI LAND:** Samy Henein samyhenein@aol.com, az@suppalaw.com
- **ATTORNEY FOR CREDITOR COMMITTEE WINTHROP COUCHOT GOLUBOW HOLLANDER LLP:** Garrick A Hollander ghollander@wghlawyers.com, pj@wcghlaw.com; jmartinez@wghlawyers.com; Meir@virtualparalegalservices.com
- **ATTORNEY FOR OTHER PROFESSIONAL DONLIN RECANO & COMPANY, INC.:** Lillian Jordan ENOTICES@DONLINRECANO.COM, RMAPA@DONLINRECANO.COM
- **INTERESTED PARTY COURTESY NEF:** David S Kupetz dkupetz@sulmeyerlaw.com, dperez@sulmeyerlaw.com; dperez@ecf.courtdrive.com; dkupetz@ecf.courtdrive.com

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- **ATTORNEY FOR PACHULSKI STANG ZIELH & JONES LLP, CREDITOR OPUS BANK, DEBTOR RUBY'S DINER, INC., A CALIFORNIA CORPORATION; DEBTOR RUBY'S HUNTINGTON BEACH, LTD., A CALIFORNIA LIMITED PARTNERSHIP; DEBTOR'S RUBY'S LAGUNA HILLS, LTD., A CALIFORNIA LIMITED PARTNERSHIP; DEBTOR RUBY'S OCEANSIDE LTD., A CALIFORNIA LIMITED PARTNERSHIP; DEBTOR RUBY'S PALM SPRINGS, LTD., A CALIFORNIA LIMITED PARTNERSHIP; DEBTOR RUBY'S QUALITY DINERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY; DEBTOR RUBY'S SOCIAL DINERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY:** William N Lobel wlobel@pszjlaw.com, nlockwood@pszjlaw.com; jokeefe@pszjlaw.com; banavim@pszjlaw.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** Tinho Mang tmang@marshackhays.com, tmang@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@ecf.courtdrive.com
- **INTERESTED PARTY COURTESY NEF:** Craig G Margulies Craig@MarguliesFaithlaw.com, Vicky@MarguliesFaithlaw.com; Helen@MarguliesFaithlaw.com; Angela@MarguliesFaithlaw.com
- **TRUSTEE RICHARD A MARSHACK (TR):** Richard A Marshack (TR) pkraus@marshackhays.com, rmarshack@iq7technology.com; ecf.alert+Marshack@titlexi.com
- **ATTORNEY FOR CREDITORS FAMILY TREE PRODUCE, INC.; SUNRISE PRODUCE, INC.; INTERESTED PARTY LOWEY ENTERPRISES dba SUNRISE PRODUCE, A CALIFORNIA CORPORATION:** Robert S Marticello Rmarticello@swelawfirm.com, gcruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK:** Laila Masud lmasud@marshackhays.com, lmasud@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR OPUS BANK:** Jessica G McKinlay mckinlay.jessica@dorsey.com
- **ATTORNEY FOR INTERESTED PARTY PILLSBURY WINTHROP SHAW PITTMAN LLP:** Malcolm D Minnick dminnick@pillsburylaw.com, m.minnick@comcast.net
- **ATTORNEY FOR DEFENDANTS AND INTERESTED PARTIES BEACHCOMBER AT CRYSTAL COVE LLC; LIGHTHOUSE CAFÉ LLC; AND SHAKE SHACK CRYSTAL COVE LLC LLP:** Carl Mueller cmueller@maloneyfirm.com, llarios@maloneyfirm.com
- **ATTORNEY FOR DEFENDANTS BEACHCOMBER MANAGEMENT CRYSTAL COVE LLC; DOUGLAS CAVANAUGH AND RALPH KOSMIDES:** Aviram Edward Muhtar aviram.muhtar@lewisbrisbois.com
- **ATTORNEY FOR DEBTOR RUBY'S DINER, INC., A CALIFORNIA CORPORATION:** Jeffrey P Nolan jnolan@pszjlaw.com
- **ATTORNEY FOR CREDITOR THE IRVINE COMPANY:** Ernie Zachary Park ernie.park@bewleylaw.com
- **ATTORNEY FOR CREDITOR GRIT DEVELOPMENT, AGENT FOR PLAZA MERCADO, LLC:** Thomas J Polis tom@polis-law.com, paralegal@polis-law.com; r59042@notify.bestcase.com
- **INTERESTED PARTY COURTESY NEF:** Todd C Ringstad becky@ringstadlaw.com, arlene@ringstadlaw.com
- **ATTORNEY FOR INTERESTED PARTY CASBURE MANAGEMENT, LLC:** Samuel A Schwartz saschwartz@nvfirm.com, ECF@nvfirm.com
- **ATTORNEY FOR INTERESTED PARTY LOVEE D SARENAS:** Lovee D Sarenas lovee.sarenas@lewisbrisbois.com
- **INTERESTED PARTY COURTESY NEF:** Valerie Smith claims@recoverycorp.com
- **UNITED STATES TRUSTEE (SA):** United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- **ATTORNEY FOR CREDITOR PILLSBURY WINTHROP SHAW PITTMAN LLP:** Matthew S Walker matthew.walker@pillsburylaw.com, renee.evans@pillsburylaw.com, docket@pillsburylaw.com
- **ATTORNEY FOR CREDITOR CITY OF HUNTINGTON BEACH:** Corey R Weber ecf@bg.law, cweber@bg.law
- **ATTORNEY FOR CREDITOR US FOODS, INC.:** Sharon Z. Weiss sharon.weiss@bcplaw.com, raul.morales@bcplaw.com
- **INTERESTED PARTY COURTESY NEF:** Christopher K.S. Wong christopher.wong@arentfox.com, yvonne.li@arentfox.com

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