

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address ROBERT M. YASPAN, SBN 051867 JOSEPH G. McCARTY, SBN 151020 DEBRA R. BRAND, SBN 162285 LAW OFFICES OF ROBERT M. YASPAN 21700 Oxnard Street, Suite 1750 Woodland Hills, California 91367 Telephone: (818) 905-7711 Facsimile: (818) 501-7711 RYaspan@YaspanLaw.Com Court@YaspanLaw.com	FOR COURT USE ONLY
<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor-in-Possession	

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: NERAM GROUP INC. a California Corporation Debtor(s).	CASE NO.: 8:22-bk-10268-SC CHAPTER: 11 <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>

Sale Date: 03/22/2023	Time: 11:00 am
Location: Courtroom 5C- Virtual, 411 West Fourth Street, Santa Anna, CA 92701- See Court Tentative for Access Info	

Type of Sale: Public Private **Last date to file objections:** 03/08/2023

Description of property to be sold:
 1211, 1215, and 1219 N El Dorado Ave Ontario, CA 91764; TRACT NO 7037 LOTS 5 AND 6 ("Property")

Terms and conditions of sale:
 Please see Addendum A

Proposed sale price: \$ 1,800,000.00

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 Sale Procedures (the "Sales Procedures") are set forth in Addendum B attached hereto. The Sale Procedures attached reflect the updated hearing date.

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

The Property will be sold at 11:00 a.m. on March 22, 2023 at Courtroom 5C - Virtual, 411 West Fourth Street, Santa Ana CA 92701. See, the Court tentative rulings prior to the hearing for accessibility information and updates.

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

Jennifer Toyama (714) 501-7132
DRE# 01927057
Clarence Yoshikane(714) 606-5765
Berkshire Hathaway HomeServices California Properties
1400 Newport Center Drive
Suite 200
Newport Beach, CA 92660, or

Law Offices of Robert M. Yaspan - See Caption above.

Date: 02/27/2023

ADDENDUM A

The Property is being sold by Debtor for the amount of \$1,800,000.00 cash sale (subject to overbid), "as is", with all contingencies (including any loan contingency) waived, to MPSN Holdings No. 1, LP ("Buyer") free and clear of all liens, encumbrances, interests and adverse claims and demands pursuant to a written sale agreement that is attached to the Pending Sale Motion which has additional terms and conditions. Any Successful Bidder will have to execute a Sale Agreement with the same terms, other than the right to receive \$2,500.00 "breakup fee" upon the occurrence of certain conditions.

ADDENDUM B

The Sale Procedures (the “Sales Procedures”) include the following provisions:¹

(a) The Sale Procedures require that any prospective overbidder submit to the Debtors’ Attorney (The Law Offices of Robert M. Yasper – see Caption above) by 5:00 p.m. on the fifth business day prior to the continued scheduled hearing date for the Sale Motion, satisfactory evidence of such purchaser’s financial ability to perform and a deposit of \$100,000.00 in good funds (the “Deposit”), which will be non-refundable if such bidder is the successful bidder at the Sale Hearing and the sale does not close due to purchaser’s default. Debtor shall have the sole discretion to determine the qualification of any proposed bidder which determination shall be final.

(b) The Sales Procedures provide that any party seeking to initially overbid the Buyer’s bid of \$1,800,000.00 must bid an amount not less than \$15,000.00 above the Buyer’s offer.

(c) The Sale Procedures entitle Qualified Bidders and/or the Buyer to make further bids at the Sale Hearing with a minimum additional amount of \$5,000.00 for each bid. Affording parties, the opportunity to increase their bids at the Sale Hearing undoubtedly gives all Qualified Bidders a fair and final opportunity to make a higher and better bid. By open solicitation of higher bids, the Debtor has made every effort to maximize the value of the Property to the estate and its creditors.

(d) As all of the contingencies set forth in the Purchase Agreement will have been met by the time of the hearing on this Motion, any overbid for the Subject Property shall be on the same terms and conditions, or better, as is set forth in the Purchase and Sale Agreement provided however, any overbid shall not contain any reference to \$2,500.00 breakup fee. Any successful bidder will be required to sign a Purchase Agreement under the same or better terms.

(e) There shall be no Contingency Period for any successful over-bidder. The overbidder must close the sale within 15 days after the Court enters its Order Approving the Sale and no later than March 31, 2023.

(f) The Court and Debtor reserve the right to reject any over-bid for any reason.

(g) If any over-bidder fails to timely close the escrow for the Property within 15 days of the entry of an order to sell after the auction or such other date set by the Court, said over-bidder’s Deposit will be released to Debtor.

¹ See also, the pending Sale Motion a copy of which can be obtained from Pacer or Debtor’s Attorney’s office.

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: 21700 Oxnard Street, Suite 1750, Woodland Hills, CA 91367.

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 February 27, 2023, 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 Hauser** michael.hauser@usdoj.gov
- **Hector C Perez** hectorcperez@icloud.com, hectorcperez@yahoo.com
- **Misty A Perry Isaacson** misty@ppilawyers.com, ecf@ppilawyers.com; pagterandperryisaacson@jubileebk.net
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov
- **Robert M Yaspan** court@yaspanlaw.com, tmenachian@yaspanlaw.com

2. **SERVED BY UNITED STATES MAIL**: On February 27, 2023, 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.

Please see attached service list.

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 , 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.

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

February 27, 2023

Tatyana Menachian

Date

Printed Name

Signature

Honorable Scott C. Clarkson
United States Bankruptcy Court
411 W Fourth Street, Ste 5130 / Crt 5C
Santa Ana, CA 92701-4593

Michael J Hauser
United States Trustee
411 W Fourth St., Suite 7160
Santa Ana, CA 92701-4593

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c/o Law Offices of Nam T Tran
8251 Westminster Blvd Suite 212
Westminster, CA 92683

Kim Nguyen
9241 Valley Blvd Ste 103
Rosemead CA 91770

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Huntington Beach, CA 92649

M&A Enterprises
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Los Angeles, CA 90045

Mariana Dematti
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Rancho Cucamonga, CA 91739

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Palo Alto, CA 94303

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Ontario, CA 91764

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Elejio Marco
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Juan E Sotelo
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Villanueva Castillo
1211 N. El Dorado Ave Apt# 4
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Arturo and Juana Leyva
c/o Hector Perez
1611 Pomona Rd Ste 114
Corona, CA 92880

Internal Revenue Service
PO Box 7346
Philadelphia PA 19107

Neram Group Inc
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Orange, CA 92869

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Miguel Vigerias
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Los Angeles, CA 90045

Mary O'Neill
O'Neill, Huxtable & Abelson
1631 Beverly Blvd
Los Angeles, CA 90026

Misty Perry Isaacson
Pagter and Perry Isaacson
525 No Cabrillo Park Drive
Santa Ana, CA 92701

San Bernardino County Tax
Collector
268 W Hospitality Ln First Floor
San Bernardino, CA 92408

Franchise Tax Board
PO Box 2952
Sacramento CA 95812-2952

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Jeremy Nguyen
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