

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Michael S. Kogan (SBN 128500) KOGAN LAW FIRM, APC 11500 W. Olympic Blvd., Suite 400 Los Angeles, California 90064 Telephone (310) 954-1690 mkogan@koganlawfirm.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor	FOR COURT USE ONLY
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UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION	
In re: PORTUGUESE BEND DISTILLING, LLC, Debtor(s).	CASE NO.: 2:23-bk-15416-VZ CHAPTER: 11 <div style="text-align: center; padding: 20px;"> NOTICE OF SALE OF ESTATE PROPERTY </div>

Sale Date: 12/05/2023	Time: 11:00 am
Location: Courtroom 1368, located at 255 E. Temple St., Los Angeles, California 90012	

Type of Sale: Public Private **Last date to file objections:** 11/21/2023

Description of property to be sold:
SEE ATTACHED NOTICE

Terms and conditions of sale:
SEE ATTACHED NOTICE

Proposed sale price: \$ 10,000.00

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):

none

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

12/5/2023

11:00 a.m.

Courtroom 1368, located at 255 E. Temple St., Los Angeles, California 90012

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

Michael S. Kogan (SBN 128500)
KOGAN LAW FIRM, APC
11500 W. Olympic Blvd., Suite 400
Los Angeles, California 90064
Telephone (310) 954-1690
mkogan@koganlawfirm.com

Date: 11/09/2023

EXHIBIT A

1 Michael S. Kogan (SBN 128500)
2 **KOGAN LAW FIRM, APC**
3 11500 W. Olympic Blvd., Suite 400
4 Los Angeles, California 90064
5 Telephone (310) 954-1690
6 mkogan@koganlawfirm.com

7 Attorneys for Debtor

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **LOS ANGELES DIVISION**

11 In re) Case No. 2:23-bk-15416-VZ
12)
13 **PORTUGUESE BEND DISTILLING, LLC,**) **Chapter 11**
14 **Debtor.**) **NOTICE OF HEARING ON MOTION OF**
15) **DEBTOR FOR SALE OF VEHICLE FREE**
16) **AND CLEAR OF LIENS**
17)
18) **Date: December 5, 2023**
19) **Time: 11:00 a.m.**
20) **Place: Courtroom 1368**

21 **PLEASE TAKE NOTICE** that on December 5, 2023 at 11:00 a.m., the Honorable
22 Vincent Zurzolo, United States Bankruptcy Judge in Courtroom 1368 of the United States
23 Bankruptcy Court for the Central District of California, located at 255 E. Temple St., Los Angeles,
24 California 90012 (the "**Court**") will hear the Motion of Debtor for Sale of Vehicle Free and Clear
25 of Liens (the "**Motion**").

26 Pursuant to the Motion, the Debtor seeks an order, pursuant to Section 363 of Title 11 of
27 the Bankruptcy Code (the "**Bankruptcy Code**"), approving the sale of a vehicle that was formally
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1 used in the business operations of the business. The vehicle is a 2015 Ford F-250 (the “**Vehicle**”),
2 which is to be sold free and clear of all liens, claims and interests. The Vehicle is encumbered by a
3 loan with Ally with a present outstanding balance of approximately \$4,193.97 as of October 2023.
4 The Debtor estimates that the sale of the Vehicle will be for an amount greater than \$10,000, and
5 that upon the sale of the Vehicle it will pay the amount owing to Ally in full, and the net proceeds
6 to the bankruptcy estate will be approximately at least \$6,000. The sale of the Vehicle will be
7 advertised in local newspapers and in other potential internet sources. The Debtor requests
8 approval of the sale of the Vehicle, payment of the lien of Ally, all without any further order of the
9 Court as the advertising of the Vehicle will obtain the highest and best price for the bankruptcy
10 estate. The Vehicle will not be sold to an insider or affiliate of the Debtor, and will not be subject
11 to overbid procedures given the method of sale contemplated herein.

12 The Vehicle no longer has any benefit to the estate. The Vehicle was formally used for the
13 operation of the Debtor’s business. In March, 2023, due to the devastating effects of the COVID
14 Pandemic, the Debtor ceased operating the Business to the public at its business premises, except
15 for a very small and limited distribution of distillery products at its warehouse located in San
16 Pedro. The Debtor has determined that sale of the Vehicle is in in the best interests of the
17 bankruptcy estate as the Debtor believes that after payment of the lien of Ally, there is net value to
18 the bankruptcy estate and creditors of the estate. Therefore, the sale of the Vehicle will benefit the
19 Debtors creditors. Since the Debtor filed bankruptcy and now possess all the rights, obligations,
20 and duties established by the Bankruptcy Code as a debtor-in-possession, the sale of the Vehicle is
21 appropriate. Therefore, the Debtor requests that the order of the Court approve the sale of the
22 Vehicle, payment of the lien of Ally, all without any further order of the Court as the advertising
23 of the Vehicle will obtain the highest and best price for the bankruptcy estate. Therefore, the
24 Motion should be approved.

25 The Motion is based upon the Notice, the Motion, the attached Memorandum of Points and
26 Authorities, the Declaration of Simon Haxton, the pleadings on file in this case, and upon such
27 other evidence as may properly be presented to the Court at the hearing.

28 **Any party desiring a copy of the Motion, Memorandum of Points and Authorities,**

1 and Declaration of Simon Haxton may review the file at the Court or contact the attorneys
2 for the Debtor for a copy.

3 Anyone who wishes to oppose the Motion must do so in a writing that complies with the
4 rules of practice and procedure before the United States Bankruptcy Court for the Central District
5 of California, and pursuant to Local Bankruptcy Rule 9013-1(1)(f), and must ensure that such
6 opposition is filed with the Court no later than fourteen (14) days prior to the hearing on the
7 Motion. Any such opposition must also be served on counsel to the Debtor at the following
8 address:

9
10 Michael S. Kogan
11 KOGAN LAW FIRM, APC
11500 W. Olympic Blvd., Suite 400
Los Angeles, California 90064

12 and on the United States Trustee. Any opposition not so filed and served may be deemed
13 to constitute consent to the relief requested in the Motion and a waiver of the right to be heard at
14 the hearing on the Motion.

15 DATED: November 9, 2023

KOGAN LAW FIRM, APC

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By: /s/ Michael S. Kogan

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Michael S. Kogan
Attorneys for Debtor

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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:

KOGAN LAW FIRM, APC, 11500 W. Olympic Blvd., Suite 400
Los Angeles, California 90064

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 *(date)* 11/09/2023, 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:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 11/09/2023, 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.

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.

11/02/2023
Date

Pamela Lynn
Printed Name

/s/Pamela Lynn
Signature

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

In re: PORTUGUESE BEND DISTILLING, LLC
Debtor(s).

CHAPTER: 11
CASE NUMBER: 2:23-bk-15416-VZ

ADDITIONAL SERVICE INFORMATION (if needed):

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

Glen Dresser on behalf of Interested Party Courtesy NEF
gombd@aol.com

Michael S Kogan on behalf of Debtor Portuguese Bend Distilling, LLC
mkogan@koganlawfirm.com

Kelly L Morrison on behalf of U.S. Trustee United States Trustee (LA)
kelly.l.morrison@usdoj.gov

United States Trustee (LA)
ustpreion16.la.ecf@usdoj.gov

S Christopher Yoo on behalf of Creditor Smoke and Fire Eatery, LLC
cyoo@fbtlaw.com, vdelgado@fbtlaw.com

Mark Platt on behalf of Creditor Smoke and Fire Eatery, LLC (Buyer)
mplatt@fbtlaw.com

Ronald Gold on behalf of Creditor Smoke and Fire Eatery, LLC (Buyer)
rgold@fbtlaw.com

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL - VIA U.S. MAIL

Hon. Vincent Zurzolo
U.S. Bankruptcy Court
255 E. Temple St. #1360
Los Angeles, CA 90012

DEBTOR

Portuguese Bend Distilling, LLC
Simon Haxton
300 The Promenade North
Long Beach, CA 90802

Portuguese Bend Distilling, LLC
Simon Haxton
1728 E 3rd St., apt 5

Long Beach, CA 90802-3781

Unsecured Creditors – Top 20 List

U.S. Small Business Administration
Office of General Counsel
312 North Spring Street, 5th Floor
Los Angeles, CA 90012

Small Business Administration
545 HAWKINS BLVD STE 202
EL PASO, TX 79925-2652

WELLS FARGO BANK, N.A.
Attn: Officer or Managing/General Agent
800 WALNUT ST
DES MOINES, IA 50309-3605

Long Beach Center LLC
attn: Tony Shoushani or
Attn: Officer or Managing/General Agent
9200 W. Sunset Blvd., Penthouse 9
West Hollywood, CA 90069

Reliant Tax Consulting, Inc.
Attn: Officer or Managing/General Agent
28432 Constellation Road
Valencia, California 91355

Yusuke Imamura Swell Country LLC
Attn: Officer or Managing/General Agent
5904 Warner Avenue, Ste. A – 2002
Huntington Beach, California, 92649

Economic Development Depart.
Attn: Officer or Managing/General Agent
City Long Beach
411 West Ocean Boulevard, 10th Floor
Long Beach, CA 90802

Weststar Loan Servicing
Attn: Officer or Managing/General Agent
2340 Paseo Del Prado D104
Las Vegas, NV 89102

Matthew Kinley - Quatro Urbanos, LLC
Kinley Law - 235 E. Broadway Ave., Suite 210
Long Beach, CA 90802

Law Offices Mark Holmes, Brenda Rivera
2875 Michelle Drive, Suite 160
Irvine, CA 92606-1022

Ramin Azadegan, Esq.

Azadegan Law Group, APC
9100 Wilshire Boulevard, Suite 710E
Beverly Hills, California 90212

Coreland Companies
Long Beach Center Loan, LLC
Attn: Officer or Managing/General Agent
17542 E. 17th Street, Suite 420
Tustin, CA 92780

Barry Gore
Gore & Associates
3424 Carson Street, Suite 350
Torrance, California 90503

Richard L. Seide
RICHARD L. SEIDE, APC
901 Dove Street, Suite 120
Newport Beach, CA 92660-3018

Crafted at the Port of LA LP
Attn: Officer or Managing/General Agent
112 E. 22nd Street
San Pedro, CA 90731

Chase Ink
Attn: Officer or Managing/General Agent
PO Box 15123
Wilmington, DE 19850-5123

Wendy Thomas
T T & G Law Group
6101 W. Centinela Ave., Suite 270
Culver City, CA 90230

Smoke and Fire Social Eatery LLC
Attn: Isaias Hernandez, Manager
1327 W. Whittier Boulevard
La Habra, California 90631

Craig D. Hardwick, Esq.
Tom Ziegler
Frost Brown Todd AlvaradoSmith
1 MacArthur Place, Suite 200
Santa Ana, California 92707

Secured Creditors

Wells Fargo Vendor Financial Services
Attn: Officer or Managing/General Agent
1010 Thomas Edison Blvd SW
Cedar Rapids, IA 52404

ENVISION CAPITAL GROUP LLC
Attn: Officer or Managing/General Agent
23422 MILL CREEK DR STE 200
LAGUNA BEACH, CA 92653-7923

BANLEACO
Attn: Officer or Managing/General Agent
11017 AURORA AVE
URBANDALE, IA 50322-7902

Ally
Attn: Officer or Managing/General Agent
PO Box 380902
Bloomington, MN 55438-0902

Ally (by US Mail – additional service)

Alley
Payment Processing Department
PO Box 78234
Phoenix, AZ 85062-8234

Alley
PO Box 380901
Bloomington, MN 55438

Alley
PO Box 380902
Bloomington, MN 55438-0902

Ally
Jeffrey A Belisle
Secretary - Officer
500 Woodward avenue, 10th floor
Detroit, MI 48226