| Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address                                   | FOR COURT USE ONLY                             |  |
|--|--|--|
| Robert P. Goe – State Bar No. 137019   |  |  |
| Brandon J. Iskander – State Bar No. 300916   |  |  |
| GOE FORSYTHE & HODGES LLP  |  |  |
| 17701 Cowan Avenue, Suite 210, Bldg. D   |  |  |
| Irvine, CA 92614   |  |  |
| rgoe@goeforlaw.com   |  |  |
| biskander@goeforlaw.com  |  |  |
| Telephone: (949) 798-2460  |  |  |
| Facsimile: (949) 955-943   |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| Individual appearing without attorney  |  |  |
| Attorney for: Robert S. Whitmore, Ch. 7 Trustee  |  |  |
|  |  |  |
| CENTRAL DISTRICT OF CALIFORNIA   | A - RIVERSIDE DIVISION                         |  |
| In re:   | CASE NO.: 6:22-bk-12080-MH                     |  |
| JOI TAMIA WYATT,   | CHAPTER: 7                                     |  |
| aka JOI TAMIA COX,   |  |  |
| aka JOI COX,   |  |  |
| aka JOI T COX,   |  |  |
|  | NOTICE OF SALE OF ESTATE PROPERTY              |  |
|  |  |  |
| Debtor(s).   |  |  |
| ()   |  |  |
| Sale Date: 12/13/2023  | Time: 11:00 am                                 |  |
| Location: Courtroom 301, U.S. Bankruptcy Court, 3420 Tv  | welfth Street, Riverside, CA 92501             |  |
|  |  |  |
| Type of Sale: Public X Private Last date t   | to file objections: 11/29/2023                 |  |
| Description of property to be sold: Estate's disputed 33.3   | 33% interest in the real property located at   |  |
| 1055 Johns Landing Court, Lawrenceville, GA 30045.   | is to interest in the real property located at |  |
| 1000 John's Landing Court, Lawrenceville, GA 30045.  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| Terms and conditions of sale: Trustee to receive \$30,000 on account of the Estate's disputed 33.33% interest in       |  |  |
| 1055 Johns Landing Court, Lawrenceville, GA 30045 ("Property"). The Property's co-owners seek to sell the Property     |  |  |
| and the Trustee seeks court approval to consent to the sale of the Estate's disputed interest in exchange for \$30,000 |  |  |

from the sale proceeds.

Proposed sale price: <u>\$ 30,000.00</u>

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:

The Trustee believes that the Property will be sold free and clear of liens or other interests by the Co-Owners, assuming the Court first authorizes the Trustee to consent to the sale of the Estate's disputed 33.33% interest in the same.

December 13, 2023 11:00 a.m. Courtroom 301 U.S. Bankruptcy Court 3420 Twelfth Street Riverside, CA 92501

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

Sale is not subject to overbids.

Brandon J. Iskander GOE FORSYTHE & HODGES LLP 17701 Cowan Avenue, Suite 210, Bldg. D Irvine, CA 92614 biskander@goeforlaw.com Telephone: (949) 798-2460

Date: 11/22/2023

| LBR 6004-1(c)(3) Requirement   | Information   |
|--|---|
| LBR 6004-1(c)(3)(A)<br>Date, Time, and Place of hearing on the<br>proposed sale:<br>LBR 6004-1(c)(3)(B)  | Hearing Date and Time:<br>December 13, 2023 at 11:00 a.m.<br>Hearing Place: Courtroom 301, U.S.<br>Bankruptcy Court, 3420 Twelfth Street,<br>Riverside, CA 92501<br>Edward and Alexandra D'Angelo   |
| Name and address of the proposed buyer:  | 1055 Johns Landing Court<br>Lawrenceville, Georgia 30045  |
| LBR 6004-1(c)(3)(C)<br>Description of the property to be sold:   | The Estate's disputed 33 <sup>1</sup> / <sub>3</sub> % interest in the real property located at 1055 Johns Landing Court, Lawrenceville, Georgia 30045.   |
| LBR 6004-1(c)(3)(D)<br>Terms and conditions of the proposed sale,<br>including the price and all contingencies:  | Co-Owners have offered \$30,000.00 payable through their sale of the Property for the Estate's Interest.  |
| LBR 6004-1(c)(3)(E)<br>Whether the proposed sale is free and clear of<br>liens, claims or interests, or subject to them, and<br>a description of all such liens, claims or<br>interests:                   | The proposed use of the Estate's Interest is to<br>allow it to be sold by the Co-Owners along with<br>the other interests in the Property. The Trustee<br>is informed and believes that the sale of the<br>Property as a whole will be free and clear of<br>liens and that the proceeds from the Trustee's<br>portion shall be free and clear of all liens, claims,<br>or interests. To the extent the proposed<br>transaction is analyzed as a sale free and clear of<br>liens, the Trustee points to 11 U.S.C. §§<br>363(f)(2) and (3). |
| LBR 6004-1(c)(3)(F)<br>Whether the proposed sale is subject to higher<br>and better bids:  | The proposed use or sale is not open to overbids<br>because it is part of a transaction to be closed by<br>the other Co-Owners, provided that the Court<br>approves the consideration and transaction<br>beforehand.  |
| LBR 6004-1(c)(3)(G)<br>Consideration to be received by the Estate,<br>including estimated commissions, fees, and<br>other costs of sale:   | Purchase price for the Estate's Interest as part of<br>the proposed use or sale is \$30,000.00. The<br>Trustee is not seeking to compensate any person<br>with commissions or fees from the sale of the<br>Estate's Interest, though he understands that the<br>Co-Owners intend to pay other costs of sale as<br>part of the sale of all interests in the Property.  |
| LBR $6004-1(c)(3)(H)$<br>If authorization if sought to pay commission, the<br>identity of the auctioneer, broker, or sales agent<br>and the amount or percentage of the proposed<br>commission to be paid: | Not applicable.   |
| LBR 6004-1(c)(3)(I)<br>A description of the estimated or possible tax<br>consequences to the Estate, if known, and how<br>any tax liability generated by the sale of the<br>property will be paid:         | The Trustee does not anticipate that there will be capital gains taxes on the proposed sale.  |
| LBR 6004-1(c)(3)(J)<br>Date which objection must be filed and served:  | Objections, if any, must be filed and served 14 days prior to the Hearing Date (or by November 29, 2023).   |

# 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:

17701 Cowan Avenue, Suite 210, Bldg. D

Irvine, CA 92614

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. <u>TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)</u>: 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*) <u>11/22/2023</u>, 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: Chad L Butler caecf@tblaw.com

Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;goeforecf@gmail.com

Brandon J. Iskander biskander@goeforlaw.com, kmurphy@goeforlaw.com

Summer M Shaw ss@shaw.law, shawsr70161@notify.bestcase.com;shawsr91811@notify.bestcase.com United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov \_\_\_\_

Robert Whitmore (TR) rswtrustee@yahoo.com, rwhitmore@ecf. ksscwine information continued on attached page Mandy Youngblood csbk@gmfinancial.com

## 2. SERVED BY UNITED STATES MAIL:

On (*date*) <u>11/22/2023</u>, 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 <u>will be completed</u> 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

<u>for each person or entity served</u>): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) <u>11/22/2023</u>, 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 <u>will be completed</u> no later than 24 hours after the document is filed.

The Honorable Mark Houle, USBC, 3420 Twelfth Street, Riverside, CA 92501

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.

| 11/22/2023 | Kerry A. Murphy | /s/Kerry A. Murphy |
|------------|-----------------|--------------------|
| Date       | Printed Name    | Signature          |

In re Joi Tamia Wyatt USBC Case No. 6:22-bk-12080-MH

Robert Whitmore (TR) 3600 Lime St, Ste 616 Riverside, CA 92501-0933 Doc 35 Filed 11/22/23 Entered 11/22/23 15:59:46 Desc Main Document Page 5 of 7

Debtor

Joi Tamia Wyatt 35200 Cathedral Canyon Dr, Unit 117 Cathedral City, CA 92234-8001

Debtor's Counsel Summer M Shaw 44-901 Village Court, Ste B Palm Desert, CA 92260-3814

#### CREDITORS

Altura Credit Union Attn: Agent for Service of Process 2847 Campus Parkway Riverside, CA 92507-0906

AmeriCredit/GM Financial Attn: Bankruptcy PO Box 183853 Arlington, TX 76096-3853

Ameris Bank Attn: Agent for Service of Process 482 Ocean View Drive Vista, CA 92084-6116

Ameris bank Attn: Office, Director or Managing Agt 3490 Piedmont Rd, NE, Ste 1550 Atlanta, GA 30305-4800

Canyon Shores Association Attn: Agent for Service of Process 35200 Cathedral Canyon Dr, #136 Cathedral City, CA 92234-8002

Celtic Bank Attn: Agent for Service of Process 9939 Hibert St, Ste 209 San Francisco, CA 94105

Celtic Bank PO Box 4499 Beaverton, OR 97076-4499 Altura Credit Union Attn: Officer, Director or Managing Agt 2847 Campus Parkway Riverside, CA 92507-0906

AmeriCredit/GM Financial PO Box 181145 Arlington, TX 76096-1145

Ameris Bank Attn: Agent for Service of Process CT Corporation System 330 N Brand Blvd, Ste 700 Glendale, CA 91203-2336

Attorney General's Office United States Dept of Justice Ben Franklin Station PO Box 683 Washington, DC 20044-0683

Canyon Shores Condo Association Attn: Officer, Director or Managing Agt 35200 Cathedral Canyon Dr, #135 Cathedral City, CA 92234-8002

Celtic Bank Attn: Bankruptcy PO Box 4477 Beaverton, OR 97076-4401

JPMorgan Chase Bank, N.A. Bankruptcy Mail Intake Team 700 Kansas Lane Floor 01 Monroe, LA 71203-4774 United States Trustee (RS) 3801 University Avenue, Suite 720 Riverside, CA 92501-3255

Americredit Financial Services dba GM Financial PO Box 183853 Arlington, TX 76096-3853

Dovenmuehle Mortgage 1 Corporate Drive, Suite 360 Lake Zurich, IL 60047-8945

Ameris Bank Attn: Officer, Director or Managing Agt 1301 Riverplace Blvd, Ste 2600 Jacksonville, FL 32207-9031

Canyon Shores Condo Association 35200 Cathedral Canyon Dr, #999 Cathedral City, CA 92234-7292

Canyon Shores Condo Association Attn: Officer, Director or Managing Agt 35200 Cathedral Canyon Dr, #148 Cathedral City, CA 92234-8002

Celtic Bank Attn: Officer, Director or Managing Agt 268 South State St, Ste 300 Salt Lake City, UT 84111-5314

Cherlyn Franklin 3932 Laurel Bend Court Snellville, GA 30039-4138

Freedom Financial Asset Management LLC Attn: Bankruptcy Dept PO Box 2340 Phoenix, AZ 85002-2340

Department Stores National Bank PO Box 6789 Sioux Falls, SD 57117-6789

Eisenhower Medical Center Attn: Agent for Service of Process 39000 Bob Hope Drive Rancho Mirage, CA 92270-3202

GM Financial Services Attn: Agent for Service of Process Wilson & Wilson Tax Services, Inc. 5177 Richmond Avenue, #1245 Houston, TX 77056-6755

JPMorgan Chase Bank, N.A. Attn: Agent for Service of Process CT Corporation System 330 N Brand Blvd, Suite 700 Glendale, CA 91203-2336

Mr. Cooper Attn: Bankruptcy PO Box 619098 Dallas, TX 75261-9098

Mr. Cooper PO Box 619098 Dallas, TX 75261-9098

Nationstar Mortgage, LLC PO Box 619089 Dallas, TX 75261-9089

North American Company PO Box 14432 Des Moines, IA 50306-3432

Renovate America: HERO Program PO Box 270469 San Diego, CA 92198-2469

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Cross River Bank 2115 Linwood Avenue Fort Lee, NJ 07024-5041

Dovenmuehle Mortgage, Inc. Attn: Agent for Service of Process CT Corporation System 330 N Brand Blvd, Suite 700 Glendale, CA 91203-2336

Freedom Financial Asset Management Attn: Agent for Service of Process CSC – Lawyers Inc Service 2710 Gateway Oaks Dr, Ste 150N Sacramento, CA 95833-3502

Gwinnett County Tax Commissioner Attn: Tiffany P Porter Gwinnett Justice & Admin Center 75 Langley Drive Lawrenceville, GA 30046-6900

LVNV Funding, LLC Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587

Mr. Cooper Lake Vista 4 800 State Highway 121 Bypass Lewisville, TX 75067-4180

Nationstar Mortgage, LLC Attn: Agent for Service of Process CSC – Lawyers Inc Service 2710 Gateway Oaks Dr, Ste 150N Sacramento, CA 95833-3502

North American Company Attn: Agent for Service of Process CSC – Lawyers Inc Service 2710 Gateway Oaks Dr, Ste 150N Sacramento, CA 95833-3502

Renovate America: HERO Program Attn: Agent for Service of Process CT Corporation System 300 N Brand Blvd, Ste 700 Glendale, CA 91203-2304

Riverside County Tax Collector Attn: Matt Jennigs PO Box 12005 Riverside, CA 92502-2205 DSNB Macy's Citibank 1000 Technology Dr, MN 777 O'Fallon, MO 53368-2239

Eisenhower Health 39000 Bob Hope Drive Rancho Mirage, CA 92270-3202

GM Financial Company Inc. Attn: Officer, Director or Managing Agt 801 Cherry Street, Ste 3500 Ft Worth, TX 76102-6834

Internal Revenue Service Centralized Insolvency Operation PO Box 7346 Philadelphia, PA 19101-7346

Mr. Cooper 350 Highland Houston, TX 77009-6623

Mr. Cooper PO Box 619094 Dallas, TX 75261-9094

Nationstar Mortgage, LLC Attn: Officer, Director or Managing Agt 8950 Cypress Waters Blvd Coppell, TX 75019-4620

North American Company Attn: Officer, Director or Managing Agt 8300 Mills Civic Parkway West Des Moines, IA 50266-3833

Renovate America: HERO Program Attn: Officer, Director or Managing Agt 16870 W Bernardo Dr, Suite 408 San Diego, CA 92127-1678

Riverside County Tax Collector Matt Jennings Treasurer Tax Collect 4080 Lemon St, 1<sup>st</sup> Floor Riverside, CA 92501-3634

#### Spring Oaks Capital SPV, LLC c/o Becket and Lee LLP PO Box 3001 Malvern, PA 19355-0701

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State of California Franchise Tax Board Bankruptcy Section MS A340 PO Box 2952 Sacramento, CA 9512-2952

United States Attorney's Office Federal Bldg, Room 7516 300 North Los Angeles Street Los Angeles, CA 90012-3336

#### **CERTIFIED MAIL**

Ameris Bank, successor by merger with Fidelity Bank c/o Palmer Proctor, Jr., CEO 3490 Piedmont Road NE Atlanta, GA 30305

#### FIRST CLASS MAIL

Gwinnett County Tax Commissioner P.O. Box 829 Lawrenceville, GA 30046

VJ Fairley Fairley Realty LLC 1509 Kelleys Close Stone Mountain, GA 30088