

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>ARTURO M. CISNEROS, #120494 NATHAN F. SMITH, #264635 MALCOLM ♦ CISNEROS, A Law Corporation 2112 Business Center Drive Irvine, California 92612 Phone: (949) 252-9400 Fax: (949) 252-1032 Email: arturo@mclaw.org; nathan@mclaw.org</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee, Thomas H. Casey</p>	<p>FOR COURT USE ONLY</p>
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

<p>In re: HEATHER HUONG NGOC LUU,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 8:20-bk-11327-TA CHAPTER: 7</p> <p style="text-align: center;">NOTICE OF SALE OF ESTATE PROPERTY</p>
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<p>Sale Date: 08/27/2024</p>	<p>Time: 11:00 am</p>
<p>Location: 411 West Fourth Street, Santa Ana CA 92701</p>	

Type of Sale: Public Private **Last date to file objections:** 08/13/2024

Description of property to be sold:
1058 W. 106th Street, Los Angeles, California 90044-3028

Terms and conditions of sale:
"As is - where as"; Closing not later than thirty (30) days after Bankruptcy Court approval of the sale; Subject to Approval and Jurisdiction of the U.S. Bankruptcy Court. Please see contact information below for further details.

Proposed sale price: \$ 560,000.00

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):

See Exhibit "1"

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

Hearing Date: August 27, 2024

Time: 11:00 am

Place: Via Zoom Teleconference

U.S. Bankruptcy Court

411 West Fourth Street

Santa Ana CA 92701

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

Clarence Yoshikane

Berkshire Hathaway

1400 Newport Center Drive, Ste 200

Newport Beach CA 92660

Phone: (714) 606-5765

e-mail: clarence.yoshikane@gmail.com

Date: 08/06/2024

THE REQUESTED OVERBID PROCEDURES SHOULD BE APPROVED.

1. In order to obtain the highest and best offer for the benefit of creditors of the Estate, Trustee proposes that the following overbid procedures be approved. Notice is being provided of the opportunity for overbidding to all interested parties in this matter.

- a) Only Qualified Bidders may submit an overbid. A "Qualified Bidder" is one who provides a financial statement, credit report, and such business and banking references as are required in Trustee's reasonable discretion, sufficient to assure Trustee of the bidder's ability (based on availability of financing, experience or other conditions) to consummate the purchase of the Property, and one who can consummate the purchase of the Property on the same terms and conditions, other than price, as those proposed in the Offer.
- b) Each bid must be received by Trustee and his counsel no later than 2 business days prior to the hearing.
- c) The initial overbid must exceed the Offer by a minimum of \$28,000. Here, the first overbid must be at least \$580,000. Each subsequent bid must then be in increments of at least \$5,000. For instance, the first subsequent bid must be at least \$585,000.
- d) Each bid must be non-contingent, and on the same terms and conditions, other than price, as those proposed in the Purchase Agreement.
- e) Each bidder must match all terms and conditions of the Offer. Thus, an "earnest money" deposit of at least \$50,000 must be made. Said deposit must be received by Trustee 26400 La Alameda, Suite 210, Mission Viejo, California 92691 no later than 2 business days prior to the hearing. Said deposit must be in the form of a cashier's check or certified check.
- f) Should a bidder fail to qualify for financing or timely close escrow, the \$50,000 deposit is non-refundable. However, in the event that an

Exhibit 1

overbidder becomes the successful purchaser, Buyer's deposit will be returned to Buyer.

- g) In the event there are no overbids received by Trustee, Buyer shall, subject to Court approval, be deemed the successful bidder, and the Estate's right, title and interest in the Property shall be sold to Buyer for the sum of \$560,000, as is, where is, without representations or warranties.

2. The foregoing procedures will provide for an orderly completion of the sale of the Property by permitting all bidders to compete on similar terms, and will allow interested parties and the Court to compare competing bids in order to realize the highest benefit for the Estate.

Exhibit 1

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:
2112 Business Center Drive, 2nd Floor, Irvine, CA 92612

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)* 08/06/2024, 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:

OFFICE OF U.S. TRUSTEE: United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
CHAPTER 7 TRUSTEE: Thomas H Casey (TR) msilva@tomcaseylaw.com, thc@trustesolutions.net

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 08/06/2024, 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.

DEBTOR: Heather Huong Ngoc Luu, 13668 Eastbridge St., Westminster, CA 92683
NOTICE: Hahn Fife & Company, LLP, 1055 E. Colorado Blvd 5th Fl, Pasadena, CA 91106
NOTICE: Clarence Yoshikane, Berkshire Hathaway, 1400 Newport Center Drive, Suite 200, Newport Beach, CA 92660

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.

08/06/2024
Date

Diep Quach
Printed Name

/s/ Diep Quach
Signature

SECTION 1 CONT.

DEBTOR'S ATTORNEY: Fritz J Firman firmanweber@gmail.com, centralservice.firmanweber@gmail.com

NOTICE: Arturo Cisneros arturo@mclaw.org, CACD_ECF@mclaw.org

NOTICE: Joshua R Engle josh@plgoc.com

NOTICE: Paul E Gold dennis@evict123.com

NOTICE: Nathan F Smith nathan@mclaw.org, CACD_ECF@mclaw.org;

mcecfnotices@ecf.courtdrive.com; cvalenzuela@mclaw.org