

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: April 2, 2025
Time: 1:30 pm
Place: Via Zoom Teleconference
U.S. Bankruptcy Court
Courtroom 5C
411 West Fourth Street
Santa Ana, CA 92701

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

Lee Csenar
Hanley Investment Group
3500 East Coast Highway, Ste 100
Corona Del Mar, CA 92625
Telephone: 949-585-7636
E-Mail: lcsenar@hanleyinvestment.com

Date: 03/04/2025

Exhibit 1

Proposed Overbid Procedures

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. Any initial overbid shall be \$4,600,000 and accompanied by a deposit of \$135,900 and proof of (i) funds, (ii) that there is no financing contingency, and (iii) ability to timely close. Thereafter bidding shall continue in increments of \$20,000 or more.
- d. Each bid must be non-contingent, and on the same terms and conditions, other than price, as those proposed in the Purchase Agreement and Bankruptcy Addendum thereto.
- e. Each bidder must match all terms and conditions of the Offer. Thus, an "earnest money" deposit of at least \$135,900 must be made. Said deposit must be received by Trustee at 3403 10th Street, Suite 714, Riverside, California 92501 by 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 \$135,900 deposit is non-refundable. However, in the event that an overbidder becomes the successful purchaser, Buyer's deposit will be returned to Buyer along with a "break up fee" of up to \$13,000 for reimbursement of any expenses incurred.
- 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 \$4,530,000, as-is, where-as, without representations or warranties.

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)* 03/04/2025, 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)* 03/04/2025, 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.

03/04/2025 Diep Quach /s/Diep Quach
Date *Printed Name* *Signature*

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

- **Bradford Barnhardt** bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, alinares@ecf.courtdrive.com
- **Reem J Bello** rbello@goeforlaw.com, kmurphy@goeforlaw.com
- **Arturo Cisneros** arturo@mclaw.org, CACD_ECF@mclaw.org
- **Arturo Cisneros (TR)** amctrustee@mclaw.org, acisneros@iq7technology.com; ecf.alert+Cisneros@titlexi.com
- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com; Goe.RobertP.R@notify.bestcase.com; ajohnston@goeforlaw.com
- **Eric D Goldberg** eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **D Edward Hays** ehays@marshackhays.com, ehays@ecf.courtdrive.com; alinares@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **Melissa Davis Lowe** mlowe@shulmanbastian.com, avernon@shulmanbastian.com
- **Laila Masud** lmasud@marshackhays.com, lmasud@ecf.courtdrive.com; lbuchanan@marshackhays.com; alinares@ecf.courtdrive.com
- **Kenneth Miskin** Kenneth.M.Miskin@usdoj.gov
- **Hamid R Rafatjoo** hrafatjoo@raineslaw.com, bclark@raineslaw.com, jfisher@raineslaw.com
- **Gwen H Ribar** gribar@wrightlegal.net, ctucay@wrightlegal.net
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov
- **Joseph M Welch** joseph.welch@blankrome.com
- **Bryan M Zuetel** bzuetel@zuetellaw.com

2. SERVED BY UNITED STATES MAIL:

JUDGE:

Hon. Scott C. Clarkson
United States Bankruptcy Court
411 West Fourth Street, Suite 5130
Santa Ana, CA 92701-4593

DEBTOR:

CKM Shining Stars, LLC
700 North Helena St
Anaheim, CA 92805-2622

OFFICE OF THE US TRUSTEE:

United States Trustee (SA)
411 W Fourth St., Suite 7160
Santa Ana, CA 92701-4593

Creditor:

California Dept. of Fee & Tax Admin
P.O. Box 942879
Sacramento, CA 94279-0001

Creditor:

Carl's Jr. Restaurants LLC
c/o CSC - Lawyers Incorporating
Srv Atten: Becky DeGeorge
2710 Gateway Oaks Drive, STE
150N Sacramento, CA 95833

Creditor:

Carl's Jr. Restaurants LLC,
600 Tower Circle, Suite 1000
Franklin, TN 37067

Creditor:

County of Orange Treasurer-Tax Collector
P.O. Box 4515
Santa Ana CA 92702-4515

Creditor:

FRANCHISE TAX BOARD
BANKRUPTCY SECTION MS A340
PO BOX 2952
SACRAMENTO CA 95812-2952

Creditor:

Franchise Tax Board Bankruptcy
Section MS: A-30
P.O. Box 2952
Sacramento, CA 95812-2952

Creditor:

Margaete Karcher Levecke
700 North Helena Street
Anaheim, CA 92805-2622

Creditor:

PLM Lender Services Inc.
c/o Elizabeth Knight
5446 Thornwood Drive, 2nd Floor
San Jose, CA 95123

Creditor:

Robert and Terri Coffey
c/o PLM Lender Services
5446 Thornwood Drive, 2nd Floor
San Jose, CA 95123

Creditor:

Shulman Bastian Friedman & Bui LLP,
Defined Benefit Pension Plan
100 Spectrum Center Drive, STE 600
Irvine, CA 92618

Creditor:

Simon Charles Mundy
500 N. State College Blvd, STE
1100
Orange, CA 92868-1625

Creditor:

Wiles Restaurants, Inc.
c/o Richard Price
1235 N. Harbor Blvd Suite 1200
Fullerton, CA 92832

Creditor:

Wisdom Financial Services
Attn: Simon Mundy
500 N. State College Blvd., Suite 1100
Orange, CA 92868

Creditor:

Wisdom Financial Services, Inc.
c/o Its Agent - Simon Charles
Mundy 18032 Lemon Drive, #578C
Yorba Linda, CA 92886

Internal Revenue Service:

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Civil Process Clerk:

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

Attorney General:

United States Department of Justice
Ben Franklin Station
P. O. Box 683
Washington, DC 20044

Broker:

Hanley Investment Group
3500 E Coast Highway Ste 100
Corona Del Mar, CA 92625