1 ROBERT HAWKINS #131159 **CHAPTER 7 TRUSTEE** 2 1849 NORTH HELM, SUITE 110 FRESNO, CALIFORNIA 93727 (559) 255-0555 3 Chapter 7 Trustee 4 5 IN THE UNITED STATES BANKRUPTCY COURT 6 7 EASTERN DISTRICT OF CALIFORNIA 8 9 In the Matter of Case No. 09-17732-B-7F 10 SUNNY J. FIRPO, DC No. RHT-1 11 12 TRUSTEE'S MOTION FOR **AUTHORIZATION TO SELL** PERSONAL PROPERTY 13 11 U.S.C. §363 14 Date: February 24 15 Debtor. Time: 10:00 a.m. Dept: B 16 17 TO THE HONORABLE W. RICHARD LEE, UNITED STATES BANKRUPTCY JUDGE: 18 Robert Hawkins respectfully represents: 19 20 1. He is the duly appointed, qualified, and acting trustee of the above-entitled estate. 2. 21 The above-captioned case was filed under Chapter 7 on or about August 13, 2009, 22 and Robert Hawkins was appointed Chapter 7 Trustee. 3. This Court has jurisdiction over this proceeding by virtue of 28 U.S.C. §1334(a). 23 This is a "core" proceeding pursuant to 28 U.S.C. §157(b)(2)(A). This motion is brought pursuant 2.4 to 11 U.S.C. §363. 25 4. Among the assets of this estate are a 2005 Lexus RX330 with a fair market value of 26 approximately \$15,453.00 and a 1999 Ford Expedition with a fair market value of approximately 27

\$3,000.00.

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5. The Trustee has received an offer from the debtor, Sunny J. Firpo, to purchase the above-described assets for the total sum of \$5,500.00. The funds have been received by the estate.

- 6. In deciding to accept the debtor's proposed offer, the Trustee took into consideration the fair market values of the vehicles, a lien against the Lexus in favor of Pacific Service Credit Union in the amount \$9,960.62, the costs associated with taking possession of, storing, and selling the vehicles at auction, and the debtor's allowed exemption in the Expedition in the amount of \$1,800.00. The Trustee does not believe that the estate would net a higher amount by selling the assets at auction.
- 7. The Trustee believes that sale of the above-described property on the terms set forth above is in the best interest of the creditors of this estate and all parties in interest.

WHEREFORE, the Trustee prays that after appropriate notice and opportunity to be heard, he be authorized to sell the above-described assets to the debtor, Sunny J. Firpo, for the total sum of \$5,500.00.

DATED: JANUARY 26, 2010

ROBERT HAWKINS, Chapter 7 Trustee