

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

JAMES & JOAN MILLARD

CASE NO.: SG04-00355

Debtor/

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

TRUSTEE'S MOTION TO APPROVE SALE OF FLORIDA TIMESHARE

The attached motion has been filed with the Bankruptcy Court. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you want the court to consider your views on this matter, attend the hearing scheduled for September 20, 2004 at 10:00 a.m. at the United States Bankruptcy Court, 740 Federal Building, 110 Michigan Ave., Grand Rapids, Michigan.

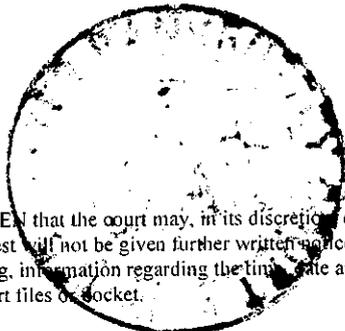
You or your attorney may wish to file a written response explaining your position. Such response should be **received** at least three business days prior to the scheduled hearing, and should be mailed to the United States Bankruptcy Court, P.O. Box 3310, Grand Rapids, Michigan 49501. A copy should also be mailed to the party who has filed the motion and to his/her attorney.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Notice returned to Jeff A. Moyer, Esq., for service of notice and motion upon all creditors and parties in interest appearing on the Court's mailing matrix. (Court to serve Buyers' List) (August 16, 2004-jm)

August 16, 2004
date

DANIEL M. LAVILLE
CLERK OF BANKRUPTCY COURT



Jackie Malone
BY: Jackie Malone, Deputy Clerk

NOTICE IS HEREBY GIVEN that the court may, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the continued or adjourned hearing. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be obtained at the Clerk's office from the court files or docket.

D

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

In Re:

Case No. SG 04-00355

**JAMES MILLARD and
JOAN MILLARD,**

Chapter 7; Filed: 1/13/04

Debtors.

Honorable Jo Ann C. Stevenson

**MOTION TO APPROVE SALE OF TIMESHARE ON NOTICE AND
OPPORTUNITY TO OBJECT BASIS**

NOW COMES the Trustee, Jeff A. Moyer, by and through his attorneys, The Bankruptcy Group, Inc. and states as his Motion to the Court the following:

1. James and Joan Millard ("Millard" or "Debtors") filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on or about January 13, 2004.
2. Jeff A. Moyer is the duly-appointed, qualified and acting Trustee in the Millard Chapter 7 case.
3. The Debtors own a timeshare in Florida, which is currently non-exempt.
4. The Trustee has received an offer to purchase this timeshare by the Debtors themselves for \$2,000.
5. The sale shall be subject to the approval of the United States Bankruptcy Court for the Western District of Michigan.
6. The Trustee believes that approval of the sale is in the best interests of the estate and that it should be approved.
7. Any objections to this sale must be made in writing, and shall be filed with the Bankruptcy Court with a copy served upon counsel for the Trustee at the address set forth below. Any objections must be filed and served no later than three (3) business days prior to the date of the hearing on the approval of the sale.
8. The Trustee shall accept additional bids on the Property. Any other interested potential Purchasers must pre-register with the attorney for the Trustee at least two (2) business days prior to the hearing. Any additional bids must be cash bids, on these terms, with the first successive bid in the amount of \$2,500, and bids to be in increments of at least \$100 thereafter. No offer on any other terms shall be considered.

WHEREFORE, the Trustee, Jeff A. Moyer, requests the Court enter an Order granting the following relief:

A. Authorize the Trustee to sell the timeshare to the Debtors or any higher bidder making an offer on the property.

B. Schedule a hearing on the approval of the sale as soon as the Court's docket permits, and

C. Grant such other, further or different relief as may be just and equitable under the circumstances.

Respectfully submitted,

THE BANKRUPTCY GROUP, INC.

Dated: August 12, 2004

By: 

Jeff A. Moyer (P44671)

Business Address:

2757-44th St., SW, Suite 304BB

Wyoming, MI 49509

(616) 724-1890