

**United States Bankruptcy Court
Western District of Michigan**

One Division Ave., N.
Room 200
Grand Rapids, MI 49503

IN RE: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

MJM Realty, LLC
c/o Michael J. May
320 Pebble Beach SE
Grand Rapids, MI 49546
Tax ID: 20-1035066

Debtor(s)

Case Number 09-08720-jdg

Chapter 7

Honorable James D. Gregg

NOTICE TO PARTIES IN INTEREST OF HEARING

YOU ARE HEREBY NOTIFIED that a hearing will be held at the United States Bankruptcy Court, One Division Ave., N., 3rd Floor, Courtroom B, Grand Rapids, MI 49503 on **October 14, 2009** at **01:30 PM** to consider and act upon the following matter:

Motion for Sale of Personal Property Free and Clear of Liens Pursuant to 11 USC Section 363

If you want the court to consider your views on this matter, attend the hearing on the date stated above.

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.)

You or your attorney may wish to file a written response to the motion explaining your position. Any response shall be mailed to the Clerk of the United States Bankruptcy Court, One Division, N., Grand Rapids, Michigan 49501, and should be received by the Clerk at least 3 (three) days before the above hearing date. A copy of your responses should also be mailed upon the opposing party and his/her attorney.

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

DANIEL M. LAVILLE
CLERK OF BANKRUPTCY COURT

Dated: August 28, 2009

/S/ _____
Linda Lane
Deputy Clerk

A copy of this notice returned to Robert F. Wardrop, II., Esq. on August 28, 2009 for service upon the mailing matrix.

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 accessed through the Bankruptcy Court's web site (www.miwb.uscourts.gov) provided the person has a PACER login and password, or by visiting the clerk's office of the United States Bankruptcy Court located at One Division Avenue, N.W., 2nd Floor, Grand Rapids MI 49503. Information about a PACER login and password may be obtained by either calling PACER service center between 8:00 a.m. and 5:00 p.m. Monday through Friday, CST at (800) 676-6856 or via its web site at <http://pacer.pcs.uscourts.gov>

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

IN THE MATTER OF:

MJM REALTY, LLC,

Case No.: 09-08720

Chapter 7 – Filed: 07/23/2009

Debtor.

_____ //

MOTION FOR SALE OF PERSONAL PROPERTY
FREE AND CLEAR OF LIENS PURSUANT TO 11 U.S.C. §363

NOW COMES Thomas A. Bruinsma, Trustee (“Trustee”), by and through his attorneys, Rayman & Stone, and for his Motion for Sale of Personal Property Free and Clear of Liens Pursuant to 11 U.S.C. §363 (“Motion”), says as follows:

1. That this Motion pertains to the above-captioned Chapter 7 proceeding which was filed on July 23, 2009.
2. That your Trustee is the duly appointed and acting Trustee in this cause.
3. That the Trustee has received an offer to purchase the Debtor’s office equipment (“Personal Property”).
4. That the Trustee has received an offer for the Personal Property from the Debtor’s principal, Michael J. May (“Buyer”).
5. That, generally, the offer provides:
 - a. The Buyer shall pay the estate the sum of One Thousand and 00/100 Dollars (\$1,000.00) in cash for the Personal Property;
 - b. The sale is “**As is, Where is**”, with the Buyer not assuming any of the estate’s liabilities;
 - c. That access, for other potential bidders, shall be provided by the Buyer, which is currently in possession of the business premises previously occupied by the Debtor; and

d. Bidding shall be in increments of Two Hundred and 00/100 (\$200.00) or more with the opening bid being One Thousand Two Hundred and 00/100 Dollars (\$1,200.00).

6. That the sale shall be subject to competitive bidding at a Court auction to be held at the United States Bankruptcy Court for the Western District of Michigan, One Division Avenue, North, Courtroom B, Grand Rapids, Michigan 49503.

7. That any other bidder(s) shall be required to express their interests in writing to the Trustee, c/o Rayman & Stone, 141 E. Michigan Avenue, Suite 301, Kalamazoo, Michigan 49007, at least two (2) days prior to the date scheduled for the Court auction.

8. That the sale shall be deemed free and clear of liens pursuant to 11 U.S.C. §363(f) with the successful bidder taking free and clear of any encumbrances with such liens and encumbrances attaching to sale proceeds in the same rank, validity and priority as existed as of the date of the Petition.

9. That the closing on any sale shall be within ten (10) days of the entry an Order approving the sale.

10. That the Personal Property shall be sold **“As is, Where is”**, without representation or warranty, expressed or implied, of any kind or nature, or description, including, without limitation, any warranty of marketability, usability or fitness for any purpose. The Trustee shall not be required to inspect, test or report on the condition of the Personal Property, the operability of any system(s) contained therein or the existence of any defects of any kind, including, environmental defects, as to the Personal Property.

11. That the Personal Property shall be sold free and clear of all liens, encumbrances and/or claims therein, with said liens, encumbrances and/or claims attaching to the sale proceeds, in the same order, rank, validity and priority as existed as of the date of the Petition on said Personal Property, subject to the provisions of this paragraph, above. Any and all

liens, claims, and encumbrances shall be discharged by the entry of an Order approving this Motion.

12. That the Trustee believes that the sale of the Personal Property, pursuant to the terms herein, is in the best interest of the estate and its creditors.

WHEREFORE, your Trustee prays:

1. That this Court enter an Order granting this Motion; and
2. That this Court allow a Court auction to be held at a time and place delineated by it.

RAYMAN & STONE
Attorneys for Thomas A. Bruinsma, Trustee

Dated: August 27, 2009

By: _____/s/_____
Steven L. Rayman (P30882)

BUSINESS ADDRESS:
141 East Michigan Avenue, Suite 301
Kalamazoo, MI 49007
Telephone: (269) 345-5156