

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

IN RE:

GEORGE BLAKE

CASE NO.: DK 08-00245

Debtor(s)/

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

**TRUSTEE'S MOTION TO APPROVE SALE OF
ACCOUNTS RECEIVABLE AND JUDGMENTS**

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 NOVEMBER 18, 2009 at 10:00 a.m. at the United States Bankruptcy Court, Federal Building, US Courthouse, Room 114, 410 W. Michigan Ave., Kalamazoo, Michigan.

You or your attorney may wish to file a response explaining your position. Such response should be **received** at least five (5) business days prior to the scheduled hearing. A copy should also be served upon 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 and Motion served by court upon matrix via BNC (9-30-09-11)



Dated: September 30, 2009

DANIEL M. LAVILLE
CLERK OF BANKRUPTCY COURT

/s/

BY: Linda Lane, 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 new hearing date. 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 North, 2nd Floor, Grand Rapids, Michigan 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 RE:

GEORGE A. BLAKE,

Debtor.

HON. JEFFREY R. HUGHES

Case No. HK08-00245

Chapter 7

George A. Blake, Pro Se
P.O. Box 772
Niles, MI 49120

Scott A. Chernich (P48893)
Chapter 7 Trustee
FOSTER, SWIFT, COLLINS & SMITH, P.C.
313 S. Washington Square
Lansing, MI 48933
(517) 371-8133

**MOTION TO APPROVE SALE OF ACCOUNTS RECEIVABLE AND JUDGMENTS
AND REQUEST FOR HEARING**

Chapter 7 Trustee, Scott A. Chernich (the "Trustee"), for his motion for approval of the sale of Debtor's accounts receivable and judgments, pursuant to 11 U.S.C. §363(b)(1) of the Bankruptcy Code, states as follows:

1. Among the assets of his estate, the Debtor lists an interest in various accounts receivable and judgments ("assets") totaling approximately \$373,558.
2. The receivables consist of past due rent payments, judgments for unpaid rent, various installment notes for the purchase of real estate that the Debtor no longer owns, broken contract fees, various notes for non-refundable options to purchase, promissory notes, installment notes, amounts due on various leases, and consent judgments.
3. The dates of the assets range from 2003 to 2006.
4. The Trustee believes the assets are owned free and clear of any liens.

5. The Trustee has received an offer to purchase the assets from Robert Keller in the amount of \$1,000.

6. Robert Keller is not related to or affiliated with the Debtor or the Trustee.

7. After paying administrative claims, the Trustee estimates that there will be a distribution to unsecured creditors.

8. The sale is on a "where is" and "as is" basis with no warranties or representations made by the Trustee.

9. The sale shall be free and clear of liens with the liens being attached to the sale proceeds.

10. The Trustee believes it will be in the best interest of the estate to sell the assets to Robert Keller due to the age and collectability of the assets.

11. Any counteroffers to purchase the assets will be made in \$1,000 increments; i.e. the counteroffer will start at \$2,000.

12. The Trustee attempted to place the assets with a collection agency for recovery. The collection agency declined the opportunity to attempt recovery of the assets as the costs would outweigh the benefits.

13. Because of the age and collectability of the assets, it is the Trustee's opinion that the costs associated with the attempts of collecting on the assets would significantly reduce the amount of funds brought into the estate to pay creditors.

14. A copy of the proposed Order Approving Trustee's Motion for Sale of Accounts Receivable and Judgments is attached hereto as Exhibit A.

WHEREFORE, Chapter 7 Trustee, Scott A. Chernich, respectfully requests this Honorable Court enter an order:

A. authorizing the Trustee to sell the accounts receivable and judgments to Robert Keller for the amount of \$1,000 pursuant to the terms stated herein;

B. stating that the sale be on a "where is" and "as is" basis with no representations or warranties made by the Trustee, including the collectability of the assets;

C. placing this motion on the Court's Buyer's List; and

D. granting the Trustee such other and further relief as the Court deems just and equitable.

Respectfully submitted,

Dated: September 29, 2009

By: /s/ Scott A. Chernich
Scott A. Chernich (P48893)
Chapter 7 Trustee

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(517) 371-8133