UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

_____

Kevin Jolliffe CASE NO.: SG05-19293
_____ Debtor(s)/ CH. 7

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

TRUSTEE'S MOTION FOR SALE OF DEBTOR'S INTERESTS
IN CLOSELY HELD CORPORATION AND LIMITED LIABILITY COMPANIES

The above-referenced 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 July 19, 2006 at 10:00 a.m. at the United States Bankruptcy Court, **COURTROOM A, ONE DIVISION N.W., GRAND RAPIDS, MICHIGAN**

You or your attorney may wish to file a response explaining your position. A copy should also be served upon the party who has filed the motion and to his/her attorney. **Please refer to Administrative Order 2004-06 (Mandatory Electronic Filing), effective January 1, 2005, for practices and procedures for filing pleadings with the court.**

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.

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Court returned to Lisa E. Gocha', Esq. on June 19, 2006 for appropriate service. Court to serve Buyer's List.

June 23, 2006
date

DANIEL M. LAVILLE
CLERK OF BANKRUPTCY COURT

/s/
By: Kathleen M. Trapp, 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 docket.

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN

In the Matter of:

Case No: 05-19293-jcs
Chapter 7 Filed: 10/14/05

KEVIN JOLLIFFE,
Debtor.
_____/

TRUSTEE'S MOTION FOR SALE OF DEBTOR'S INTERESTS IN CLOSELY HELD CORPORATION AND LIMITED LIABILITY COMPANIES

NOW COMES Lisa E. Gocha, the Chapter 7 Trustee, and for her Motion states:

1. Debtor filed a Chapter 7 bankruptcy on October 14, 2005.

2. Lisa E. Gocha is the duly appointed Chapter 7 Trustee in this matter.

3. Pursuant to Debtor's Schedule B. #12, the assets of this estate include "Stock Debtor holds approximately 40% of Corporation known (sic) as Muskegon Bagel Inc, 49% interest in business called Sherman Bagel LLC, owns 49% of business known as Sherman Properties Inc". See, also, Debtor's Statement of Financial Affairs #18.

4. The Debtor's Schedule B valuation of said assets is $75,000.00; Further, the Debtor did not exempt any portion of same on his Schedule C. The Valuation of $75,000 is unsupported.

5. The Chapter 7 Trustee has had an opportunity to review certain records of the three scheduled entities specifically December 31, 2005 financial statements prepared by the CPA of said entities; Trustee Gocha confirmed their respective active status with the Michigan Department of Labor & Economic Growth: Muskegon Bagel, Inc. a Michigan S

corporation (ID# 507538) established in 1998; Sherman Properties, LLC a Michigan Domestic Limited Liability Company (ID# B6947A) established in June 2001 and Sherman Bagel, LLC a Michigan Domestic Limited Liability Company (ID# B3537A) also established in 2001. The financial statements do not show any present positive value for Debtor's various ownership interests.

6. The Chapter 7 Trustee has received an offer from Scott Rood to purchase the Debtor's 40% interest in Muskegon Bagel, Inc., Debtor's 49% interest in Sherman Bagel, LLC, and Debtor's 49% interest in Sherman Properties, LLC ("Business Interests") for the collective sum of $3,000.00.

7. The offer is a CASH offer for a "Quit Claim" sale.

8. The Chapter 7 Trustee believes it appropriate that the Business Interests be sold by public auction and marshaled for the estate.

9. The bidding on the Debtor's Business Interests should take place in open court commencing at $3,250.00 with subsequent bids in increments of not less than $250.00.

10. The sale shall be on a cash basis. No contingent bids shall be received. The Closing shall take place within fifteen (15) days of the date of this Court's Order Approving the Sale. The total balance of the bid price shall be paid at closing.

11. The Debtor's Business Interests shall be sold "as is, where is" without representation or warranty expressed or implied of any kind or nature.

The Trustee shall not be required to provide any appraisal of the Business Interests nor shall the Trustee be required to warrant Debtor's ownership interests in same.

12. The Debtor's Business Interests shall be sold free and clear of any liens, encumbrances and/or claims thereon with said liens, encumbrances and/or claims attaching to the sale proceeds in the same rank, validity and priority as now exists on said Business Interest. Any liens, encumbrances and/or claims shall be discharged by virtue of the Order granting this Motion.

13. Upon information and belief, there is no secured creditor with a lien on said Business Interests, these respective entities do, in fact, have liens and encumbrances.

14. This offer is not subject to any realtor commissions.

15. The prospective Buyer, Scott Rood, is a 60% shareholder of Muskegon Bagel, Inc. and a holds a 51% member ownership in Sherman Bagel LLC and Sherman Properties, LLC**.** Scott Rood holds no relationship with the Trustee or any other creditor (Marc T. McCurry the entities' CPA is listed as a creditor) or party in interest except that he may be a creditor of this estate. Further, Trustee Gocha does not waive any potential avoidance action against Scott Rood.

16. The Trustee believes the sale, pursuant to the terms herein, is in the best interest of the estate and its creditors.

WHEREFORE, the Trustee prays for entry of an Order authorizing the sale of Debtor's Business Interests following an auction sale in open Court and for such other relief as this Court deems just and proper.

Dated: June 22, 2006

By: /S/Lisa E. Gocha
Lisa E. Gocha, Trustee
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(616) 395-5205

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