

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

MADLAKE, INC.

Debtor/

CASE NO.: DG 13-09517

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

**TRUSTEE'S MOTION FOR SALE OF VEHICLE FREE
AND CLEAR OF LIENS PURSUANT TO 11 U.S.C. §363**

Please take notice that 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 23, 2014 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. Such response should be **received** at least seven 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 returned to Steven L. Rayman, Esq. for service of notice and motion upon the matrix.
Court to serve Buyer's List.. (June 6, 2014-kt)

June 6, 2014

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 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 THE MATTER OF:

MADLAKE, INC.,

Case No.: 13-09517

Chapter 7 – Filed: 12/19/2013

Debtor.

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**MOTION FOR SALE OF VEHICLE 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 & Knight, and for his Motion for Sale of Vehicle 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 December 19, 2013.
2. That Trustee is the duly appointed and acting Trustee in this cause.
3. That among the assets of this estate there exists a certain 2003 GMC Envoy, VIN ending 126104 (“Vehicle”).
4. That the Trustee has received an offer for the Vehicle from one Mark Tompkins, the Debtor’s principal (“Buyer”).
5. That, generally, the offer provides:
 - a. The Buyer shall pay the estate the sum of \$1,500.00 in cash for the Vehicle;
 - b. The sale is “**As is, Where is**”, with the Buyer not assuming any of the estate’s liabilities;
 - c. Access for other potential bidders shall be provided by the Buyer, the Vehicle being currently in his possession; and
 - d. Bidding shall be in increments of \$250.00 or more with the opening bid being \$1,750.00.

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, 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 & Knight, 141 E. Michigan Avenue, Suite 301, Kalamazoo, Michigan 49007, at least two (2) days prior to the date scheduled for the Court auction and provide a deposit in the amount of \$1,000.00 in “good” funds.

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 Vehicle shall be sold “**As is, Where is**” without representation of 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 Vehicle, the operability of any system(s) on the Vehicle or the existence of any defects in the Vehicle.

10. That the Vehicle 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 now exists on the Vehicle. Upon information, there are no liens against the Vehicle.

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

12. That your Trustee believes that proposed sale will be of benefit to the estate.

WHEREFORE, your Trustee prays:

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

RAYMAN & KNIGHT
Attorneys for Thomas A. Bruinsma, Trustee

Dated: June 4, 2014

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

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