**LANE & NACH, P.C.**

2001 East Campbell Avenue, Suite 103

Phoenix, Arizona 85026

Telephone No.: (602) 258-6000

Facsimile No.: (602) 258-6003

Adam B. Nach – 013622

Email: [adam.nach@lane-nach.com](mailto:adam.nach@lane-nach.com)

Helen K. Santilli - 032441

Email: [helen.santilli@lane-nach.com](mailto:helen.santilli@lane-nach.com)

*Attorneys for Trudy A. Nowak, Trustee*

**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF ARIZONA**

|  |  |  |
| --- | --- | --- |
| In re:  SAUL PADILLA CARRANZA aka SAUL PADILLA aka SAUL CARRANZA,  Debtor. |  | (Chapter 7 Case)  No. 4:21-bk-00785-BMW  **NOTICE TO CREDITORS AND PARTIES-IN-INTEREST OF *CONTINUED* SALE** |

**TO: CREDITORS AND PARTIES-IN-INTEREST**

**PLEASE TAKE NOTICE** that Trudy A. Nowak, Trustee has filed a *Motion to Sell Property of the Estate and for Approval of Bidding Procedures* (“**Motion**”). A complete copy of the Motion is on file with the Clerk of the Court and available for inspection or by written request to the Trustee’s counsel as indicated above. The pertinent provisions of the Motion are set forth below.

|  |  |
| --- | --- |
| Property to be Sold: | The Estate’s Interest in a 2019 Jeep Compass (VIN 3C4NJCCB8KT742928) (“**Vehicle**”) |
| Terms of Sale: | **Prospective purchasers may not rely on the information in the Motion in making an offer and/or bid and must perform their own due diligence to analyze the value of the Vehicle.  The property will be sold on an “AS IS” / “WHERE IS” basis, with no warranties, guarantees express or implied.**  Online bidding will open at or before 4:00 p.m. MST on Friday, **March 24, 2023**. All bidding will start to close beginning at 2:00pm a.m. MST on Wednesday, **March 29, 2023**, or at the time listed on the website (https://www.cunninghamauctions.com/). Online bidding will be available simultaneously during the live auction.  Auctioneer utilizes the following standard procedures for personal property auction items:  **Online Onsite Auctions:** Auction items are sold at onsite online auctions. Auctions begin on a Friday as noticed and will begin to close on Wednesday at 2:00 p.m.  **Bidder Registration:** All bidders are required to register and provide the necessary information requested before bidding. Upon successful registration, each bidder is assigned a bidder number. A major credit card is required to bid online. A $25 hold will be placed on each bidder’s credit card account, which hold will be reversed if the bidder is not the successful bidder. The hold will remain for successful bidders until payment has been made in full. Bidders are responsible for all purchases made with his/her bidder number, whether by the registered bidder or by anyone he/she might allow to use his/her number.  **Bidding:** All auctions are live online.  **Payment/Charges**: (i) No buyer’s premium will be charged by Auctioneer. (ii) Auctioneer does not accept credit/debit cards; Auctioneer accepts cash, cashier’s check, certified funds or wire transfers (with a $25 fee). Payment is due no later than 4:00 p.m. on the Friday after the auction. (iii) Sales Tax: For general assets and rolling stock, unless an Arizona tax resale license is provided at the time of payment, the purchaser will be required to pay the combined Arizona State and local sales tax totaling 8.3%. There is no sales tax on real estate.  **Default:** In the event of default, the second highest bidder will be given the option to become the successful bidder at his/her last bid. The bidder in default will be responsible for the difference in the bids, or the entire amount of his/her bid in the event that the second highest bidder does not take the option to become the successful bidder. The default bidder will also forfeit his/her deposit. A service charge of 1-1/2% per month, 18% APR, will be added to all overdue accounts. The bidder in default is also liable for all legal and collection fees.  **Auctioneer Warranties:** Auctioneer provides no warranty relating to title, possession, quiet enjoyment, or the like in this disposition. Everything in the auction is being sold “as is – where is” to the highest bidder, without warranty, representation, or guarantee of any kind. Potential bidders must perform their own due diligence.  **Additional Sale Terms:** (i) Auctioneer is not responsible for missing or broken items after the auction has ended. There are absolutely no refunds. The property to be auctioned will be available for preview on Tuesday, **March 28, 2023** from 10:00 am to 2:00 p.m. The Sale is subject to Trustee approval. All bids at the auction shall be subject to higher and better bids until close of the auction. **The buyer of Vehicle shall be solely responsible for the costs of removing the Vehicle.**  ***All Sales are subject to Trustee’s Approval.*** |
| Bidding Procedures: | Online bidding will open at or before 4:00 p.m. MST on Friday, **March 24, 2023**. All bidding will start to close with the commencement of a live auction beginning at 8:30 a.m. MST on Wednesday, **March 29, 2023**, or at the time listed on the website (https://www.cunninghamauctions.com/). Online bidding will be available simultaneously during the live auction.  **The auction date is subject to change. Please check the Auctioneer’s website for details.** |
| To View the Property or Obtain More information: | The Property to be auctioned will be available for preview on **March 28, 2023** from 10:00 am to 2:00 p.m. by requesting an appointment with George Cunningham, (602) 469-4635. |
| Description of Interest(s) in the Property: | The Trustee is unaware of any interests encumbering the Vehicle. |
| Appraisals: | The Trustee is not aware of any recent appraisals on the Vehicle being sold. |
| Compensation/Fees: | Auctioneer’s fee will be a commission of ten percent (10%) of any sale proceeds, plus any reasonable and necessary costs incurred in appraising, inventorying, and advertising the Property, subject to further Court Order. Cunningham & Associates, Inc., is not an insider. |
| Motion for Stay Relief: | There have been no motions for relief from stay. |

If you have an objection to Motion, you must file your objection, specifying the reason and basis for the objection with the Clerk of the Court 38 South Scott Avenue, Suite 100, Tucson, AZ 85701, and serve a copy upon the attorney for the Trustee at the address set forth above on or before the expiration of 21 days from the mailing of this Notice.

If a person timely objects in writing and a hearing is requested but has not yet been conducted by the Court as of the date of the scheduled auction, bids will be taken and the normal sales procedures followed. The closing of the sale remains dependent upon the outcome of the Court hearing regarding the objection. If there is no timely objection and request for hearing, no hearing will be held, and the Trustee will proceed to sell the property without further order of the Court.

DATED this 3rd day of March 2023.

**LANE & NACH, P.C.**

By/s/ ABN – 013622

Adam B. Nach

*Attorneys for Trustee*