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11 *Attorneys for Robert A. MacKenzie, Trustee*

12 **IN THE UNITED STATES BANKRUPTCY COURT**
13 **FOR THE DISTRICT OF ARIZONA**

14 In re:

(Chapter 7 Case)

15 MARY FIELDS,

No. 2:22-bk-07750-BKM

16 Debtor.

**NOTICE OF HEARING ON
TRUSTEE’S (1) MOTION TO SELL
ESTATE’S INTEREST IN
STRUCTURED SETTLEMENT
ANNUITY FREE AND CLEAR OF
DISPUTED CLAIM OF EXEMPTION;
AND (2) APPLICATION FOR
AUTHORIZATION TO TRANSFER
STRUCTURED SETTLEMENT
ANNUITY PAYMENT RIGHTS TO
SUCCESSFUL PURCHASER**

17
18 **TO: CREDITORS AND PARTIES-IN-INTEREST:**

19 **NOTICE OF HEARING ON SALE MOTION**

20 PLEASE TAKE NOTICE that Robert A. MacKenzie, Trustee, (the “Trustee”), has filed a *Motion*
21 *to Sell the Estate’s Interest in Structured Settlement Annuity Payment Rights; and (2) Application*
22 *to for Authorization to Transfer Structured Settlement Annuity Payment Rights to Successful*
Purchaser (“**Motion and Application**”) a complete copy of which is on file with the Court and
available for inspection. The pertinent provisions of the Motion and Application are set forth below.

23 The Court has scheduled a hearing on this matter for **August 10, 2023**, to be held in the United
24 States Bankruptcy Court, 230 North First Avenue, Courtroom 701, Phoenix, Arizona, at the hour
of **11:00 a.m.**

25 Any person opposing the Motion and Application shall file a written objection, on or before
26 twenty-one (21) days of the date of this mailing, and shall appear at the hearing. Objections to
27 the Motion and Application should be mailed/delivered as follows: Clerk of the United States
28 Bankruptcy Court: (a) by hand-delivery/mail: to 230 North First Avenue, Suite 101, Phoenix,
Arizona 85003-1706; or (b) electronically at the Court’s website: ecf.azb.uscourts.gov using the
Court’s electronic filing procedures, with a copy to: Lane & Nach, P.C., 2001 E. Campbell Ave.,
Suite 103, Phoenix, AZ 85016. The failure to respond within the foregoing period of time, or to

1 appear at the hearing, may result in the Court approving the Motion and proceeding with the sale
2 without further notice.

3 **NOTICE OF SALE MOTION**

4 Property to be Sold:	Estate's interest in the receipt of payments (" Annuity Payment Rights ") Great American Insurance Company (as insurer for the Defendant) (" Settlement Agreement ") as follows: Policy Number: 871515TO01Z Purchase Date: October 7, 1987 Measuring Life: Mary Fields Age on Annuity Purchase Date: 29 Monthly Payment Amount: \$500.00 The Annuity provided for guaranteed monthly payments to be made to the Debtor or the Debtor's beneficiary, whether or not the Debtor was still living, for fifteen years. After this date, the Annuity provides that payments will continue thereunder until such time that the Debtor passes away. Based upon the foregoing, the term of guaranteed payments has expired and the payments under the Annuity will only continue until such time that the Debtor passes away.
13 Terms of Sale:	Interested buyers must do their own due diligence to determine the extent of the Estate's interest in the Annuity Payment Rights. The Annuity Payment Rights will be sold As-Is, Where-Is, with No Representations, Guarantees or Warranties , free and clear of any liens, claims, encumbrances and interests (including the disputed claim of exemption) with all valid and enforceable liens, claims, encumbrances and interests to attach to the sale proceeds in accordance with 11 U.S.C. §§ 363(b) and (f). Any bid placed on the Annuity Payment Rights, shall be made subject to the condition that the successful bidder will be purchasing the Estate's interest pursuant to a Bankruptcy Court sale order (" Sale Order ") (the proposed form of Sale Order is attached to the Motion and Application as Exhibit "A"), and subject to the further condition that if any other orders are required to effectuate a transfer of the Annuity Payment Rights to the successful bidder, including orders in a different court or forum, it is the sole responsibility of the successful bidder to seek such relief and the bid and the closing of the sale are not contingent upon the successful bidder obtaining such. <i>All sales are subject to Trustee's approval.</i>
25 Proposed Purchaser:	Structured Asset Sales, LLC or nominee (" Proposed Buyer ") to purchase the Estate's interest in the Annuity Payment Rights for a total purchase price of \$21,400.00 (the " Offer "). The average life expectancy of a U.S. born female is currently 80.2 years according to WorldDate.info as of April 17, 2023. Should the Debtor reach the average life expectancy, the Estate would receive additional payments from the Annuity totaling approximately \$91,200.00; however, such amount is speculative

	and would require the Trustee to keep the Estate open for the next 15.2 years. The current federal interest rate is 4.83%, and the present-day value of the projected Annuity payments is \$64,663.46. Payment from the party making the highest and best bid at the sale, which is approved by the Trustee and the Court, will be due the later of five (5) business days after the entry of this Court's order approving the Motion.
Bidding/Over Bids:	The sale is subject to higher and better bids at sale hearing. Interested parties must attend the hearing to bid. Interested bidders may request information regarding the Estate's interest in the Annuity Payment Rights from Stuart B. Rodgers at stuart.rodgers@lane-nach.com or by contacting him at 602-258-6000 ext. 319. Parties may be required to sign a non-disclosure agreement to receive the documentation. The Trustee makes no warranties or representations regarding the accuracy of the information that is produced. Interested bidders may not rely on the information in this Notice, or any other documentation provided to them by the Trustee in making an offer and/or bid and must perform their own due diligence to analyze the value of the Estate's interest in the Annuity Payment Rights.
Insider:	The Proposed Buyer is not an insider and is a good faith purchaser and is entitled to the benefits provided by 11 U.S.C. § 363(m).
To Obtain More information:	For more information contact Trustee's counsel, Stuart B. Rodgers, at the above-address/phone number.
Description of Interest(s) in the Property:	Upon information and belief, other than the disputed claim of exemption, there are no liens, claims, encumbrances or interests against the Estate's interest in the Annuity Payment Rights. The Trustee has conducted a UCC filing search with the Arizona Secretary of State, and no liens or encumbrances appear. The Trustee has filed an objection to the Debtor's <i>disputed</i> claim of exemption which is currently set for hearing on June 29, 2023.
Appraisals:	None
Compensation/Fees:	No commissions
Deadline to Object:	Any objection shall be filed within twenty-one days of the date of this mailing.
Motion for Stay Relief:	There have been no motions for relief sought as to the scheduled interest in the Annuity Payment Rights.

DATED: May 2, 2023.

LANE & NACH, P.C.

By: /s/ Stuart B. Rodgers 025720
 Stuart B. Rodgers
 Paul M. Hilkert
 Attorneys for Trustee

A COPY of the foregoing delivered via electronic mail / US mail / facsimile as indicated:

Mary Fields
 2505 N. 90th Avenue
 Phoenix, AZ 85037
 Debtor

1 Transamerica Occidental Life Insurance Company
2 1150 South Olive Street
3 Los Angeles, California 90015
4 *Annuity Issuer*

4 Transamerica Occidental Life Insurance Company
5 P.O. Box 305291
6 Nashville, TN 37230-5291
7 *Annuity Issuer*

6 Transamerica Occidental Life Insurance Company
7 4333 Edgewood Road NE.
8 Cedar Rapids, IA 52499
9 *Annuity Issuer*

9 Transamerica Annuity Service Corporation
10 1150 South Olive Street
11 Los Angeles, California 90015
12 *Annuity Owner*

11 Transamerica Annuity Service Corporation
12 P.O. Box 305291
13 Nashville, TN 37230-5291
14 *Annuity Owner*

14 Transamerica Annuity Service Corporation
15 4333 Edgewood Road NE.
16 Cedar Rapids, IA 52499
17 *Annuity Owner*

17 **A COPY** of the foregoing delivered via electronic notification to:

18 Gary R. Stickell
19 Attorney at Law, P.C.
20 301 E. Bethany Home Rd., Ste. B100
21 Phoenix, AZ 85012
22 Email: gstickell@garystickell.net
23 Attorney for Debtor

21 David Pullman
22 Structured Asset Sales, LLC
23 Email: dpullman@pullmanbonds.com

23 Office of U.S. Trustee
24 230 North First Avenue
25 Phoenix, AZ 85003
26 Email: Patty.Chan@usdoj.gov
27 Email: ustpreion14.px.ecf@usdoj.gov

26 By: /s/ S. Rochin