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10 *Attorneys for Stanley J. Kartchner, Trustee*

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

13 In re:

14 THOMAS GREGORY MACEWICZ
15 dba ATTUNE WELLNESS LLC and
16 ELLUVIA DEALYNN MACEWICZ
17 aka ELLUVIA DEALYNN NUNEZ,

18 Debtors.

(Chapter 7 Case)

No. 4:22-bk-01902-BMW

**NOTICE TO CREDITORS AND
INTERESTED PARTIES OF
TRUSTEE'S MOTION TO SELL THE
ESTATE'S INTEREST IN BUSINESS
ENTITY SUBJECT TO LIENS,
CLAIMS, AND INTERESTS**

AND

**NOTICE TO CREDITORS AND
INTERESTED PARTIES OF SALE OF
PROPERTY**

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

20 **NOTICE IS GIVEN** that the Estate's interest in the below described property will be
21 auctioned on Friday, May 31, 2024, at 8:30 a.m. To bid by telephone call 1 (310) 372-7549 wait
22 for prompt – ACCESS CODE # 831482 then press #. The high bidder at auction will be deemed
23 the buyer and will close the sale no later than 2:00 p.m. on Wednesday, June 5, 2024.

24 **NOTICE IS ALSO GIVEN** that Stanley J. Kartchner, Chapter 7 Trustee ("**Trustee**"), has
25 filed a *Trustee's Motion To Sell The Estate's Interest In Business Entity Subject To Liens, Claims,*
26 *And Interests* ("**Motion**"). The pertinent details are set forth below. A complete copy of the
27 Motion is on file with the Clerk of the Court and available for inspection.

28 Property to be Sold:	Estate's interest in the following property: <ul style="list-style-type: none">• 50% ownership interest in Attune Wellness, LLC ("Property")
Terms of Sale:	Prospective purchasers are encouraged to personally inspect/perform their own due diligence of the Property being sold, as the Property will be sold "AS IS, WHERE"

1		IS”, with no representations, guarantees, or warranties, subject to liens, claims, encumbrances, and interests. All sales are subject to Trustee’s approval.
2		Trustee makes no representations regarding the title or condition of the Property nor does he make any warranties regarding encumbrances, liens or interests. The Estate’s interest in the Property will be transferred by Bill of Sale.
3	Proposed Purchaser:	Debtors for \$3,000.00 or the highest and best bid at auction.
4	Insider:	The proposed purchaser is an insider.
5	To View the Property or Obtain More information:	To obtain more information contact: adam.nach@lane-nach.com or call (602) 258-6000.
6	Description of Interest(s) in the Property:	Trustee is not aware of any liens against the Business Interest. Trustee has performed a search of the records of the Arizona Department of State website and has not discovered any UCC liens.
7		The Business Interest is not exempt. Debtor initially sought to exempt certain office furniture, two laptops, a client list, and a bank account owned by Attune Wellness, LLC. After Trustee objected to these claimed exemptions [Dkt. 28], Debtor filed a Response acknowledging that the claimed exemptions in the office furniture, laptops, and client list was inaccurate and must be amended [Dkt. 30]. No amendment was filed, and Trustee’s objection as to the laptop, office furniture, and client list remains pending. Debtor’s counsel conceded in the same Response that the checking accounts of Attune Wellness, LLC are not exempt [Dkt. 30]. There has been no claim of exemption in the Business Interest itself.
8		Trustee is not aware of another entity holding an interest in the Business Interest being sold.
9		There has been no stay relief sought as to this Property.
10		<i>Property is being sold “as is”/“where is” with no warranties express or implied, subject to liens, claims, encumbrances and interest to anyone submitting a higher and better offer.</i>
11	Appraisals:	The Trustee is not aware of any recent appraisals on the Property being sold.
12	Compensation/Fees:	There are no auctioneer fees associated with this sale.
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Any person opposing same shall file a written objection, specifying the reason therefor, together with a notice of hearing, on or before 21 days of the date of this mailing as follows: United States Bankruptcy Court, as follows: (a) by hand-delivery or mail to the Clerk of the

1 Court, 38 South Scott Avenue, Suite 101, Tucson, AZ 85701; or (b) electronically at the Court's
2 website: ecf.azb.uscourts.gov using the Court's electronic filing procedures, with a copy to: Lane
& Nach, P.C., at the above-address.

3 If a person timely objects in writing and a hearing is requested but has not yet been
4 conducted by the Court as of the date of the scheduled auction, bids will be taken and the normal
5 sales procedures followed. The closing of the sale remains dependent upon the outcome of the
6 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.**

7 DATED: April 24, 2024

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

9 By: Adam B. Nach
Adam B. Nach
10 Kristofer R. McDonald
11 *Attorneys for Trustee*

12 COPY of the foregoing
delivered via first-class mail to:

13 Victor Scozzarella
14 310 S Williams Blvd., Ste. 176
Tucson, AZ, 85711,

15 COPY of the foregoing
delivered via electronic notification to:

16 Candace E. Kallen
17 My Arizona Lawyers
18 1731 W. Baseline Rd., Ste. 101
Mesa, AZ 85202
19 Email: candace@myazlawyers.com
Attorney for Debtors

20 Office of U.S. Trustee
21 230 North First Avenue
Phoenix, AZ 85003
22 Email: Renee.S.Shamblin@usdoj.gov
Email: ustpregion14.px.ecf@usdoj.gov

23 By /s/ Danica Acosta