

CSD 2064 [05/19/17]  
Court Telephone: (619) 557-5620 Court Hours: 9:00am-4:00pm, Monday-Friday  
www.casb.uscourts.gov

Christopher R. Barclay, Chapter 7 Trustee  
5055 N. Harbor Drive, Suite 210  
San Diego, CA 92106  
U.S. Mail: P.O. Box 2819, La Mesa, CA 91943-2819  
Tel.: (619) 255-1529; Email: admin@crb7trustee.com

**UNITED STATES BANKRUPTCY COURT**  
SOUTHERN DISTRICT OF CALIFORNIA  
325 West F Street, San Diego, California 92101-6991

In Re  
Robert L Cooley, Jr. & Carol J Cooley

BANKRUPTCY NO. 19-04182-MM7

Debtor.

**TRUSTEE'S NOTICE OF PROPOSED AUCTION**

TO THE DEBTOR, ALL CREDITORS, AND OTHER PARTIES IN INTEREST:

In accordance with FRBP 6004(a), notice is hereby given that the undersigned Trustee proposes to sell the following property at auction. The sale property may be viewed at the date, time, and location given below:

**PROPERTY DESCRIPTION:**

2015 Cadillac Escalade VIN 1GYS3NKJXFR551702; and  
2013 Ford F150 VIN 1FTFX1CF5DFD83917.

**VIEWING DATE, TIME, LOCATION:**

Date: December 11, 2019  
Time: 10:00am to 4:00pm  
Location: Fischer Auction Co. Inc., 1426 N. Magnolia Ave, El Cajon, CA 92020

**AUCTION DATE, TIME, LOCATION:**

Public online auction at [www.fischerauctions.proxibid.com](http://www.fischerauctions.proxibid.com)  
Date: December 12, 2019  
Time: 10:00am

See attached proposal from auctioneer concerning the property to be sold.

Any additional information concerning the property to be sold or any special terms or conditions of the sale may be obtained by contacting the Trustee.

IF YOU OBJECT TO THE PROPOSED AUCTION :

1. **You are required** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to this bankruptcy case. Determine which deputy to call by looking at the Bankruptcy Case No. in the caption on Page 1 of this notice. If the case number is followed by the letters:

-	MM	-	call (619) 557-7407	-	DEPARTMENT ONE (Room 218)
-	LA	-	call (619) 557-6594	-	DEPARTMENT TWO (Room 118)
-	LT	-	call (619) 557-6018	-	DEPARTMENT THREE (Room 129)
-	CL	-	call (619) 557-6019	-	DEPARTMENT FIVE (Room 318)
  
2. **Within twenty-one (21)<sup>1</sup> days from the date of this notice**, you are further required to serve a copy of your **Declaration in Opposition to the Proposed Auction** and separate **Request and Notice of Hearing** [Local Form CSD 1184<sup>2</sup>] upon the undersigned trustee, together with any opposing papers. A copy of these documents must also be served upon the United States Trustee at 880 Front Street, Suite 3230, San Diego, CA 92101. The opposing declaration must be signed and verified in the manner prescribed by FRBP 9011, and the declaration must:
  - a. identify the interest of the opposing party; and
  - b. state, with particularity, the factual and legal grounds for the opposition.
  
3. **You must** file the original and one copy of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West F Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

**If you fail to serve your “Declaration in Opposition to the Proposed Auction” and “Request and Notice of Hearing”** within the 21-day<sup>1</sup> period provided by this notice, **no hearing will take place**, you will lose your opportunity for hearing, and the moving party may proceed to take the intended action.

Dated: November 4, 2019

/s/ Christopher R. Barclay

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Chapter 7 Trustee  
Address: P.O. Box 2819  
La Mesa, CA 91943-2819

Phone No.: (619) 255-1529  
E-mail: admin@crb7trustee.com

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<sup>1</sup>Depending on how you were served, you may have additional time for response. See FRBP 9006.

<sup>2</sup>You may obtain Local Form CSD 1184 from the office of the Clerk of the U.S. Bankruptcy Court.

# *Fischer Auction Co. Inc.*

(619) 590-2828

1426 N. Magnolia Ave – El Cajon – CA 92020

Fax: (619) 590-0744

October 30, 2019

Christopher R. Barclay, Trustee  
P.O. Box 2819  
La Mesa, CA 91943

RE: Cooley, Robert L Jr. & Carol J.  
BK # 19-04182-MM7

Dear Mr. Barclay:

We have reviewed the  
2015 Cadillac Escalade Vin 1GYS3NKJXFR551702  
2013 Ford F150 Vin 1FTFX1CF5DFD83917

Fischer Auction Company could conduct a Public Online Auction of this asset under the following terms:

- Commission to be 10% of the gross proceeds.
- Expense allowance for Advertising not to exceed \$500, detailing not to exceed \$250, Pick up not to exceed \$150, smog & safety not to exceed \$200, and payoff on the escalade not to exceed \$13,500. For a total of expenses not to exceed \$14,600
- A 10% Buyer's Premium to be charged to all buyers, an additional 2% will be charged to all buyers and paid to Proxibid for online bidding services, an additional 3% will be charged to all buyers paying with a credit card.

Fischer Auction Company, Inc. could conduct a public online auction on Thursday, December 12th, 2019 at 10am with a preview inspection on Wednesday December 11th, 2019 from 10:00-4:00. At our offices located at 1426 N. Magnolia Ave. El Cajon, CA 92020. Online auction access available via <http://fischerauctions.proxibid.com>

I expect the gross proceeds of the sale to be approximately \$45,750.

We look forward to the opportunity to be of service to you.

Sincerely,

Fischer Auction Co. Inc.

*Jeff Bloom*

