

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

Ronald E. Stadtmueller, Chapter 7 Trustee, #140720
10755 Scripps Poway Pkwy., #370
San Diego, CA 92131
(858) 564-9310

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re
MELISSA ANNE SPURGEON

BANKRUPTCY NO. 20-03256-CL7

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:

2014 Subaru Outback

VIEWING DATE, TIME, LOCATION:

preview inspection on November 16, 2020 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>

AUCTION DATE, TIME, LOCATION:

Fischer Auction Company, Inc. could conduct a public online auction on Tuesday, November 17, 2020 at 10am. At the Auctioneer's offices located at 1426 N. Magnolia Ave. El Cajon, CA 92020. Online auction access available via <http://fischerauctions.proxibid.com>

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)¹ 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 1184²] 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:

- identify the interest of the opposing party; and
- 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-day¹ 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: 10/14/2020

/s/ Ronald E. Stadtmueller

Chapter 7 Trustee

Address: 10755 Scripps Poway Pkwy., #370
San Diego, CA 92131

Phone No.: (858) 564-9310

E-mail: ronstadtmueller@aol.com

¹Depending on how you were served, you may have additional time for response. See [FRBP 9006](#).

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

Ronald E. Stadtmueller, Trustee
10755 Scripps Poway Parkway, #370
San Diego, CA 92131

Trustee in Bankruptcy

UNITED STATES BANKRUPTCY COURT

In re:) Bankruptcy Case No: 20-03256-CL7
Spurgeon, Melissa)
)
) DECLARATION OF
) DISINTEREST BY
) AUCTIONEER

I, Jeff Bloom, do hereby declare and state as follows:

1. I am an adult individual and am competent to make this declaration.
2. I am a licensed auctioneer. I make this declaration in support of the trustee’s application to employ Fischer Auction Company to act as auctioneer in the above referenced case.
3. To the best of my knowledge, Fischer Auction Company is a “disinterested person” with respect to the debtor within the meaning of Section 101(14) of the Bankruptcy Code.
4. To the best of my knowledge, neither I nor anyone at Fischer Auction Company holds or represents any interest materially adverse to the debtor or to the estate, with respect to the matter in which Fischer Auction Company is to be employed.
5. Fischer Auction Company has no connections with the Debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.
6. We charge all bidders a 10% Buyer’s Premium. We charge all bidders an additional 2% buyer’s premium for online bidding services which is paid to Proxibid. We charge all bidders an additional 3% buyer’s premium if paying with a credit card
7. We have no ownership in Proxibid and all items are sold through Proxibid

I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that this declaration was executed on this 13th day of October, 2020 at San Diego, California

(s) Jeff Bloom
Jeff Bloom, Auctioneer

Fischer Auction Co. Inc.

(619) 590-2828

1426 N. Magnolia Ave – El Cajon – CA 92020

Fax: (619) 590-0744

October 14, 2020

Ronald E. Stadtmueller, Trustee
10755 Scripps Poway Parkway, #370
San Diego, CA 92131

RE: Spurgeon, Melissa
BK# 20-03256-CL7

Dear Mr. Stadtmueller:

We have reviewed this asset of Ms. Spurgeon

2014 Subaru Outback Vin# 4S4BRDPC9E2308006

Fischer Auction Company could conduct a Public Online Auction of these assets under the following terms:

- Commission to be 10% of the gross proceeds
- Expense allowance for advertising not to exceed \$200, detailing not to exceed \$125, smog and safety inspection not to exceed \$100, pick up not to exceed \$150, for a total of expenses not to exceed \$575
- 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 Tuesday, November 17th, 2020 at 10am with a preview inspection on Monday, November 16th, 2020 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 \$11,000.

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

Sincerely,

Fischer Auction Co. Inc.

Jeff Bloom

(s) Jeff Bloom

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