

David B. Shemano (State Bar No. 176020)
dshemano@shemanolaw.com
SHEMANOLAW
1801 Century Park East, Suite 2500
Los Angeles, CA 90067
Telephone: (310) 492-5033

Bankruptcy Counsel for the Debtor and Debtor in
Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

JEFFERSON LA BREA D&J
PROPERTIES, LLC,

Debtor.

Case No. 2:22-bk-14481-VZ

Chapter 11

**AMENDED NOTICE OF HEARING ON
MOTION OF THE DEBTOR FOR ORDER
AUTHORIZING AND APPROVING (1)
SALE OF DEBTOR'S REAL PROPERTY
FREE AND CLEAR OF ALL LIENS,
CLAIMS, ENCUMBRANCES AND OTHER
INTERESTS PURSUANT TO SECTION 363
OF THE BANKRUPTCY CODE, AND (2)
REJECTION OF REAL PROPERTY
LEASES PURSUANT TO SECTION 365 OF
THE BANKRUPTCY CODE**

Hearing:

Date: November 19, 2024
Time: 11:00 a.m.
Place: Courtroom 1368
255 E. Temple Street
Los Angeles, CA 90012

PLEASE TAKE NOTICE that on November 19, 2024, at 11:00 a.m., or as soon thereafter as the matter can be heard, before the Honorable Vincent P. Zurzolo, United States Bankruptcy Judge, the above-captioned debtor (the “Debtor”) will move for entry of an order authorizing the Debtor to (1) sell its real property free and clear of all liens, claims, encumbrances and other interests pursuant to section 363 of the Bankruptcy Code, and (2) reject its real property leases pursuant to section 365 of the Bankruptcy Code (the “Motion”).

PLEASE TAKE FURTHER NOTICE that the Motion is based on the separately filed Motion and the Memorandum of Points and Authorities and Declarations of Jason E. Upchurch and Sam Shakerchi attached to the Motion, the records and files in the chapter 11 case, and upon such additional evidence may be presented to the Court. The following is a summary of the material information related to the proposed sale more fully described in the Motion:

Date, Time, and Place of hearing on the proposed sale:	Hearing Date and Time: November 19, 2024, at 11:00 a.m. Hearing Place: U.S. Bankruptcy Court, Courtroom 1368, 255 East Temple Street, Los Angeles, CA 90012
Name and address of the proposed buyer:	Lauren Moshi, LLC c/o Peter Svidler PartnersCRE Telephone: (818) 653-2664 Email: peter@svidlercre.com
Description of the property to be sold:	Real property located at 5112-5118 W. Jefferson Blvd., Los Angeles, 3409-3421 S. La Brea Avenue, Los Angeles, and 3416-3416 ½ S. Orange Drive, Los Angeles
Terms and conditions of the proposed sale, including the price and all contingencies:	As described in the sale documents (the “Agreement”), the purchase price is \$5,650,000 (subject to a \$25,000 credit for closing costs), which is non-contingent and subject to overbid. The Buyer is paying all cash and is purchasing the Property “AS IS” without warranties of any kind, expressed or implied, being given by the Debtor, concerning the condition of the Property or the quality of the title thereto, or any other

1		matters relating to the Property, except that
2		the Debtor has represented that the lease
3		terms for all leases has expired and the
4		current tenants are renting on a month to
5	Whether the proposed sale is free and clear of	The sale of the Property shall be free and
6	liens, claims or interests, or subject to them,	clear of liens, claims, encumbrances and
7	and a description of all such liens, claims or	other interests pursuant to section 363(f) of
8	interests:	the Bankruptcy Code. The known liens are
9		asserted by: (1) Mega Bank, (2) Bernice J.
10		McCombie, Trustee of the JBM Family Trust
11		dated 4-14-05;, and John Andrew Becker and
12		Lorraine Elizabeth Becker, Trustee of the
13		Becker Family Trust dated 7-18-02 as
14	Whether the proposed sale is subject to	amended and restated 4-27-06, as Tenants in
15	higher and better bids:	Common, and (3) Tony Lewis. In addition,
16		the sale shall be free and clear of (1) the
17		disputed leasehold interests asserted by
18		Emilio Lopez and Sumeya, LLC, and (2) any
19		direct ownership interest asserted by Tony
20		Lewis.
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1		and/or to coordinate due diligence efforts:
2		Sam Shakerchi
3		Compass Commercial – Beverly Hills
4		Telephone: (310) 525-0872
5		Email: samshakerchi@gmail.com ;
6		sam.shakerchi@compass.com
7	Consideration to be received by the Estate, including estimated commissions, fees and other costs of sale:	Purchase price of \$5,650,000, minus a \$25,000 credit for closing costs. All costs of sale, including real estate taxes (estimated at \$28,000), escrow and title fees (estimated at \$12,000) and real estate commissions (5% real estate commission or \$282,500) will be paid at closing. Through the Motion, the Trustee seeks authorization to pay a real estate broker commission (discussed below).
8	If authorization is sought to pay a commission, the identity of the auctioneer, broker, or sales agent and the amount or percentage of the proposed commission to be paid:	On October 4, 2022, the Court entered its Order [Doc 35] authorizing the Debtor to employ Compass as its real property on the terms set forth in the prepetition listing agreement. Pursuant to the listing agreement, Compass is entitled to receive a commission of five percent (5%) of the gross proceeds of any sale of the Real Property, which is \$282,500. Compass has agreed that 2% (\$113,000) of the 5% commission will be paid to the Buyer's broker, Keller Williams Beverly Hills. In the event there is a successful overbid for the Real Property and the successful bidder is represented by a broker, the Debtor requests authorization to pay at the closing of the sale a commission of 3.5% to Compass and 1.5% to the successful overbidder's broker.
9	A description of the estimated or possible tax consequences to the Estate, if known, and how any tax liability generated by the sale of the property will be paid:	The Debtor is a limited liability company taxed as a partnership which is a pass-through tax entity such that any gain will flow through to the members of the Debtor and any taxes because of such gains will be reported on the members' tax returns and paid by the members. The sale will incur a Los Angeles City property transfer tax, which imposes a 4% tax on transfers of property exceeding

	\$5,150,000. The transfer of the Real Property will not be subject to the 4% tax because the Real Property consists of individual parcels that will be transferred separately for consideration below \$5,150,000,
Date which objection must be filed and served:	Objections, if any, must be filed and served 14 days prior to the Hearing Date, so the deadline is November 5, 2024.

DATED: October 5, 2024

SHEMANOLAW

By: /s/ David B. Shemano
David B. Shemano

Bankruptcy Counsel for the Debtor and Debtor in Possession

SHEMANOLAW
LOS ANGELES

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is

SHEMANOLAW
1801 Century Park East, Suite 2500
Los Angeles, CA 90067.

A true and correct copy of the foregoing document **AMENDED NOTICE OF HEARING ON MOTION OF THE DEBTOR FOR ORDER AUTHORIZING AND APPROVING (1) SALE OF DEBTOR'S REAL PROPERTY FREE AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND OTHER INTERESTS PURSUANT TO SECTION 363 OF THE BANKRUPTCY CODE, AND (2) REJECTION OF REAL PROPERTY LEASES PURSUANT TO SECTION 365 OF THE BANKRUPTCY CODE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On October 5, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email address stated below:

- Paul Brent snb300@aol.com
- Jon H Freis jon@jhflaw.net
- Kelly L Morrison kelly.l.morrison@usdoj.gov
- David L Prince dlp@redchamber.com
- David B Shemano dshemano@shemanolaw.com
- United States Trustee (LA) ustregion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On October 5, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on October 5, 2024, I served the following persons and/or entities by email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Bruce Landau (counsel for Lauren Moshi LLC)
Bruce@landauandlandau.com

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 5, 2024
Date

David B. Shemano
Printed Name

/s David B. Shemano
Signature

AT&T
PO Box 5025
Carol Stream, IL 60197

Jason E. Upchurch
11445 Bay Drive
Little River, SC 29566

JBM Family Trust
3627 Motor Avenue
Los Angeles, CA 90034

Jon H. Freis
433 N. Camden Dr Ste 600
Beverly Hills, CA 90210

Los Angeles County Tax Collector
PO Box 54027
Los Angeles, CA 90054-0027

LADWP
PO Box 515407
Los Angeles, CA 90051

McIntire Kingstone
129 S. 1st Avenue
Arcadia, California 91006

Mega BK
245 W Valley Blvd
San Gabriel, CA 91776

Miller & Desatnik Management Company
3623 Motor Ave
Los Angeles, CA 90034

Neil Solarz
Weinstock Manion
1875 Century Park East Ste 2000
Los Angeles, CA 90067

Russell I. Glazer
TroyGould PC
1801 Century Park East 16th Fl
Los Angeles, CA 90067

State Board of Equalization
Account Information Group MIC 29
PO Box 942879
Sacramento, CA 94279-0029

Tony Lewis
1155 N. La Cienega Blvd PH 10
West Hollywood, CA 90069

Current Tenants:

Chanda Enterprises Inc.
5112 W. Jefferson Blvd.
Los Angeles, CA 90016

Gerard O'Brien
5116-5118 W. Washington Blvd.
Los Angeles, CA 90028

Lopez Flowers
3409 S. La Brea Avenue
Los Angeles, CA 90016

Sumeya, LLC
3417 S. La Brea Avenue
Los Angeles, CA 90016