

1 Linda F. Cantor (CA Bar No. 153762)  
2 Pachulski Stang Ziehl & Jones LLP  
3 10100 Santa Monica Blvd., 13<sup>th</sup> Floor  
4 Los Angeles, California 90067  
5 Telephone: 310-277-6910  
6 Facsimile: 310-201-0760  
7 E-mail: [lcantor@pszjlaw.com](mailto:lcantor@pszjlaw.com)

8 Proposed Counsel for Weneta M.A. Kosmala, Chapter 7 Trustee  
9 for The Tulving Company, Inc.

10 **UNITED STATES BANKRUPTCY COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**  
12 **SANTA ANA DIVISION**

13 In re:  
14 THE TULVING COMPANY, INC., a  
15 California corporation,

16 Debtor

17 Case No.: 8:14-bk-11492-ES

18 Chapter 7

19 **BLANKET AND INDIVIDUAL AUCTIONEER**  
20 **BONDS OF HERITAGE NUMISMATIC**  
21 **AUCTIONS, D/B/A HERITAGE AUCTIONS IN**  
22 **CONNECTION WITH THE ORDER**  
23 **AUTHORIZING THE TRUSTEE TO (A)**  
24 **EMPLOY HERITAGE NUMISMATIC**  
25 **AUCTIONS, INC., D/B/A HERITAGE**  
26 **AUCTIONS AS AUCTIONEER, AND (B) SELL**  
27 **CERTAIN ESTATE PROPERTY AT PUBLIC**  
28 **AUCTION OUTSIDE THE ORDINARY**  
**COURSE OF BUSINESS, PURSUANT TO 11**  
**U.S.C. §§ 363(B), 327 AND 328)**

[No Hearing Required]

Weneta M.A. Kosmala, in her capacity as Chapter 7 Trustee (the "Trustee") of The Tulving Company, Inc. (the "Debtor") hereby files a copy of the "Blanket Auctioneer's Bond" in the amount of \$600,000.00, attached hereto as **Exhibit A**, and a copy of the "Individual Auctioneer's Bond" in the amount of \$600,000.00, attached hereto as **Exhibit B**, on behalf of Heritage Auctions (collectively the "Bonds"). The Bonds are being submitted in connection with the *Order Authorizing the Trustee to (A) Employ Heritage Numismatic Auctions, Inc., d/b/a Heritage Auctions as Auctioneer, and (B) Sell Certain Estate Property at Public Auction Outside the Ordinary Course*

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1 *Of Business, Pursuant to 11 U.S.C. §§ 363(B), 327 and 328* [Docket 450]. The original Bonds are  
2 being submitted to the Office of the United States Trustee.

3 DATED: June 7, 2016

PACHULSKI STANG ZIEHL & JONES LLP

5  
6 By: /s/ Linda F. Cantor  
Linda F. Cantor

7 Proposed attorneys for Weneta M.A. Kosmala, Chapter  
8 7 Trustee for The Tulving Company, Inc.

PACHULSKI STANG ZIEHL & JONES LLP  
ATTORNEYS AT LAW  
LOS ANGELES, CALIFORNIA

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

# **Exhibit A**

UNITED STATES BANKRUPTCY COURT FOR THE  
Central DISTRICT OF California  
Santa Ana Division

Bond No: PB12266800035

Case No: \_\_\_\_\_

**AUCTIONEER'S BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions, of 3500 Maple Ave., 17th Floor, Dallas, TX 75219 as Principal and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the state of PA, with an office and usual place of business at One Bala Plaza, Suite 101, Bala Cynwyd, PA 19004, as Surety, are held and firmly bound unto the UNITED STATES OF AMERICA in the sum of SIX HUNDRED THOUSAND & 00/100 (\$ 600,000.00 ) Dollars, lawful money of the Unites States of America, for the payment of which sum we do hereby bond and oblige ourselves and our respective heirs, executors, Administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the said Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions desires to conduct sales as auctioneer in accordance with the rules, orders, and decrees of the United States Bankruptcy Court for the Central District of California Santa Ana Division

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH, that if the said Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions auctioneer, shall faithfully and promptly account for all monies and property which may come into his possession as such auctioneer, and shall fully comply with all rules, orders and shall in all respects faithfully perform the duties of auctioneer in accordance with the Bankruptcy Code, the said rules of Court and said order and decrees, then this obligation to be void, otherwise to be and remain in full force and effect.

That if the Surety shall so elect, this bond may be cancelled by giving Sixty (60) days written notice to the United States Bankruptcy Court of the Central District of California Santa Ana Division

The Surety, however, shall remain liable for any default occurring during the period up to the expiration of said sixty (60) days notice.

IN WITNESS WHEREOF, the Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions, has hereunto set his hand and seal and the Philadelphia Indemnity Insurance Company has caused this instrument to be executed by its proper officers duly authorized, and its corporate seal to be hereunto affixed this 6th day of June, 2016

*Ann Beach*  
Witness to Signature

Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions  
Principal  
By: *Jaguar Byers*

BOND

Philadelphia Indemnity Insurance Company  
Surety  
*Jacqueline Kirk*  
Jacqueline Kirk Attorney-in-Fact

United States Bankruptcy Judge

Dated: \_\_\_\_\_

State of Texas } SS.

County of Dallas

On this 6th day of June, 2016, before me, the undersigned Notary Public, in and for the State, personally appeared Jacqueline Kirk a person known to me (or proved to me on the basis of satisfactory evidence), to be the person who executed the written instrument as Attorney-in-Fact on behalf of the corporation therein named and acknowledged to me that the corporation executed it.

Given under my hand and Notarial Seal this 6th day of June, A.D., 2016.

Commission Expires May 26, 2018

Sharon A. Parmley  
Notary Public



PHILADELPHIA INDEMNITY INSURANCE COMPANY  
One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Mark R. Dewitt, Cindy Fowler, Donald Gregory Stitts, Anne Crowner, Dione R. Young and Jacqueline Kirk of Holmes Murphy & Associates, Inc., its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000.00

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 1<sup>st</sup> day of July, 2011.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached.

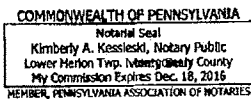
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 10<sup>TH</sup> DAY OF JUNE 2013.



(Seal)

Robert D. O'Leary Jr., President & CEO  
Philadelphia Indemnity Insurance Company

On this 10<sup>th</sup> day of June 2013, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



(Notary Seal)

Notary Public: \_\_\_\_\_

residing at: Bala Cynwyd, PA

My commission expires: December 18, 2016

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 10<sup>TH</sup> day of June 2013 true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 6<sup>th</sup> day of June, 2016



Edward Sayago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY

# **Exhibit B**

UNITED STATES BANKRUPTCY COURT FOR THE  
Central DISTRICT OF California  
Santa Ana Division

Bond No: PB12266800034

Case No: 8:14-bk-11492-ES

**AUCTIONEER'S BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions, of 3500 Maple Ave., 17th Floor, Dallas, TX 75219 as Principal and Philadelphia Indemnity Insurance Company, a corporation organized and existing under the laws of the state of PA, with an office and usual place of business at One Bala Plaza, Suite 101, Bala Cynwyd, PA 19004, as Surety, are held and firmly bound unto the UNITED STATES OF AMERICA in the sum of SIX HUNDRED THOUSAND & 00/100 (\$ 600,000.00 ) Dollars, lawful money of the Unites States of America, for the payment of which sum we do hereby bond and oblige ourselves and our respective heirs, executors, Administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, the said Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions desires to conduct sales as auctioneer in accordance with the rules, orders, and decrees of the United States Bankruptcy Court for the Central District of California Santa Ana Division

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH, that if the said Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions auctioneer, shall faithfully and promptly account for all monies and property which may come into his possession as such auctioneer, and shall fully comply with all rules, orders and shall in all respects faithfully perform the duties of auctioneer in accordance with the Bankruptcy Code, the said rules of Court and said order and decrees, then this obligation to be void, otherwise to be and remain in full force and effect.

That if the Surety shall so elect, this bond may be cancelled by giving Sixty (60) days written notice to the United States Bankruptcy Court of the Central District of California Santa Ana Division

The Surety, however, shall remain liable for any default occurring during the period up to the expiration of said sixty (60) days notice.

IN WITNESS WHEREOF, the Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions, has hereunto set his hand and seal and the Philadelphia Indemnity Insurance Company has caused this instrument to be executed by its proper officers duly authorized, and its corporate seal to be hereunto affixed this 6th day of June, 2016

Ron Burch  
Witness to Signature

Heritage Numismatic Auctions, Inc. d/b/a/ Heritage Auctions  
Principal  
By: Jaguar Byers

BOND

Philadelphia Indemnity Insurance Company  
Surety  
Jacqueline Kirk  
Attorney-in-Fact  
Jacqueline Kirk

United States Bankruptcy Judge

Dated: \_\_\_\_\_



State of Texas } SS.

County of Dallas

On this 6th day of June, 2016, before me, the undersigned Notary Public, in and for the State, personally appeared Jacqueline Kirk a person known to me (or proved to me on the basis of satisfactory evidence), to be the person who executed the written instrument as Attorney-in-Fact on behalf of the corporation therein named and acknowledged to me that the corporation executed it.

Given under my hand and Notarial Seal this 6th day of June, A.D., 2016.

Commission Expires May 26, 2018

Sharon A. Parkley  
Notary Public



**PHILADELPHIA INDEMNITY INSURANCE COMPANY**

One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Mark R. Dewitt, Cindy Fowler, Donald Gregory Stitts, Anne Crowner, Dione R. Young and Jacqueline Kirk of Holmes Murphy & Associates, Inc.**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$25,000,000.00**

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 1<sup>st</sup> day of July, 2011.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached.

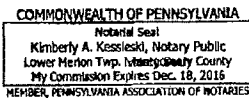
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 10<sup>TH</sup> DAY OF JUNE 2013.



(Seal)

Robert D. O'Leary Jr., President & CEO  
Philadelphia Indemnity Insurance Company

On this 10<sup>th</sup> day of June 2013, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



(Notary Seal)

Notary Public: \_\_\_\_\_

residing at: Bala Cynwyd, PA

My commission expires: December 18, 2016

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 10<sup>TH</sup> day of June 2013 true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 6<sup>th</sup> day of June , 2016



Edward Sayago, Corporate Secretary  
**PHILADELPHIA INDEMNITY INSURANCE COMPANY**



1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

2 Michael R Adele on behalf of Defendant  
3 Armen Haig Gugasian  
4 techlitcenter@yahoo.com, kadele@wglp.com

david.gibbs@gibbslaw.com,  
ecf@gibbslaw.com

4 Michael R Adele on behalf of Defendant  
5 Levon Gugasian  
6 techlitcenter@yahoo.com, kadele@wglp.com

Nancy S Goldenberg on behalf of U.S. Trustee  
United States Trustee (SA)  
nancy.goldenberg@usdoj.gov

6 Wesley H Avery on behalf of Consumer  
7 Privacy Ombudsman Wesley H Avery  
8 wamiracle6@yahoo.com,  
9 wavery@rpmlaw.com

Lawrence J Hilton on behalf of Creditor  
Jeffrey Roth  
lhilton@onellp.com,  
lthomas@onellp.com;info@onellp.com;jander  
son@onellp.com;crodriguez@onellp.com;lit  
@oneil-llp.com

8 Candice Bryner on behalf of Creditor  
9 Giuseppe Minuti  
10 candice@brynerlaw.com

James KT Hunter on behalf of Plaintiff R.  
TODD NEILSON  
jhunter@pszjlaw.com

10 Candice Bryner on behalf of Interested Party  
11 Candice Bryner  
12 candice@brynerlaw.com

James KT Hunter on behalf of Plaintiff R.  
Todd Neilson  
jhunter@pszjlaw.com

12 Philip Burkhardt on behalf of Other  
13 Professional Karen Duddlesten  
14 phil@burkhardtandlarson.com,  
15 stacey@burkhardtandlarson.com

John H Kim on behalf of Creditor Ford Motor  
Credit Company LLC  
jkim@cookseylaw.com

15 Stephen L Burton on behalf of Attorney  
16 Stephen L. Burton  
17 steveburtonlaw@aol.com,  
18 ellie.burtonlaw@gmail.com

Weneta M Kosmala (TR)  
ecf.alert+Kosmala@titlexi.com,  
wkosmala@txitrustee.com;dmf@txitrustee.co  
m;kgeorge@kosmalalaw.com

17 Frank Cadigan on behalf of U.S. Trustee  
18 United States Trustee (SA)  
19 frank.cadigan@usdoj.gov

Nanette D Sanders on behalf of Creditor  
Levon Gugasian  
becky@ringstadlaw.com

19 Linda F Cantor, ESQ on behalf of Other  
20 Professional Pachulski Stang Ziehl & Jones  
21 LLP  
22 lcantor@pszjlaw.com, lcantor@pszjlaw.com

Richard C Spencer on behalf of Interested  
Party Courtesy NEF  
rspencer@rspencerlaw.com

22 David L Gibbs on behalf of Creditor Kenneth  
23 W Stach

United States Trustee (SA)  
ustpregion16.sa.ecf@usdoj.gov

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1 **2. SERVED BY UNITED STATES MAIL:**

2 Chapter 7 Trustee

3 Weneta M.A. Kosmala  
4 3 MacArthur Place, Suite 760  
5 Santa Ana, CA 92707

6 Attorneys for Debtor

7 James F. Wyatt, III  
8 Wyatt & Blake, LLP  
9 435 East Morehead Street  
10 Charlotte, NC 28202

11 Laurence P Nokes on behalf of Interested Party John Frankel

12 Nokes & Quinn  
13 410 Broadway St Ste 200  
14 Laguna Beach, CA 92651

15 Brent Murdoch

16 Murdoch & Morris, LLP  
17 114 Pacifica, Ste. 320  
18 Irvine, CA 92618

19 Interested Party

20 Frye & Hsieh  
21 Douglas J Frye Esquire  
22 24955 Pacific Coast Highway # A201  
23 Malibu, CA 90265

24 Counsel for Creditor Levon Gugasian

25 Nanette D. Sanders, Esq.  
26 Ringstad & Sanders LLP  
27 2030 Main Street, Suite 1600  
28 Irvine, CA 92614

29 Benjamin Bain-Creed

30 Assistant United States Attorney  
31 Florida Bar #0021436  
32 Suite 1650, Carillon Building  
33 227 West Trade Street  
34 Charlotte, North Carolina 28202