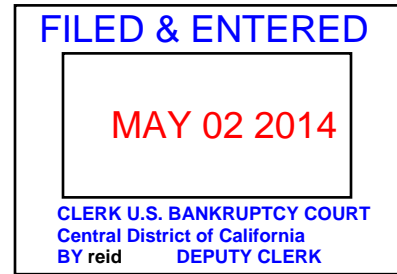


1 Linda F. Cantor (CA Bar No. 153762)
2 PACHULSKI STANG ZIEHL & JONES LLP
3 10100 Santa Monica Blvd., 13th Floor
4 Los Angeles, California 90067
5 Telephone: 310-277-6910
6 Facsimile: 310-201-0760
7 E-mail: lcantor@pszjlaw.com



8 Proposed Counsel for R. Todd Neilson, Chapter 11
9 Trustee 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 11

19 **ORDER APPROVING CHAPTER 11**
20 **TRUSTEE'S MOTION FOR ORDER: (1)**
21 **APPROVING THE EMPLOYMENT OF VAN**
22 **HORN AUCTIONS APPRAISAL GROUP, LLC**
23 **AS AUCTIONEER FOR THE ESTATE**
24 **PURSUANT TO 11 U.S.C. §§ 327 AND 328(A);**
25 **(2) AUTHORIZING THE SALE OF ESTATE**
26 **PROPERTY AT PUBLIC AUCTION OUTSIDE**
27 **THE ORDINARY COURSE OF BUSINESS**
28 **PURSUANT TO 11 U.S.C. §363(B); (3)**
AUTHORIZING PAYMENT OF COSTS AND
ALLOWING COMPENSATION; AND (4)
WAIVING 14-DAY STAY PERIOD

Hearing:

Date: April 29, 2014
Time: 9:30 a.m.
Place: 411 West Fourth Street
Courtroom 5A
Santa Ana, CA 92701

25 This matter came before the Court upon the motion of R. Todd Neilson, chapter 11 trustee
26 (the "Trustee") for the bankruptcy case of The Tulving Company (the "Debtor"), for an order (1)
27 approving the employment of Van Horn Auctions Appraisal Group, LLC as auctioneer for the estate
28 pursuant to 11 U.S.C. §§ 327 and 328(a); (2) authorizing the sale of estate property at public auction

1 outside the ordinary course of business pursuant to 11 U.S.C. §363(b); (3) authorizing payment of
2 costs and allowing compensation; and (4) waiving 14-day stay period; Memorandum of Points and
3 Authorities; Declaration Of Scott Van Horn and Declaration of R. Todd Neilson in support thereof
4 [Docket No. 52] (the “Motion”).¹


5 The Court, having considered the Motion and the absence of any objections thereto, and
6 having found that sufficient and proper notice of the Motion has been given, and good cause
7 appearing therefor:

8 **IT IS HEREBY ORDERED** that:

- 9 1. The Motion is granted.
- 10 2. The Trustee is hereby authorized to retain and to compensate Van Horn Auctions &
11 Appraisal Group, LLC (“VHA”) on the terms and conditions set forth in the Motion
12 pursuant to 11 U.S.C. §§ 327 and 328(a).
- 13 3. VHA is authorized to conduct an auction of the Property outside the ordinary course of
14 business pursuant to 11 U.S.C. § 363(b).
- 15 4. The Property shall be sold free and clear of all liens, claims and interests pursuant to 11
16 U.S.C. § 363(f)(2).
- 17 5. The 14-day stay period imposed by Rule 6004(h) of the Federal Rules of Bankruptcy
18 Procedure is hereby waived.
- 19 6. This Court shall retain jurisdiction to decide any matters relating to the Motion or this
20 Order.

21 ###

22
23
24 Date: May 2, 2014


25 Eritha Smith
26 United States Bankruptcy Judge

27
28

¹ Capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.