

MICHAEL LEHNERS, ESQ.
429 Marsh Ave.
Reno, Nevada 89509
Nevada Bar Number 003331
(775) 786-1695

Attorney for Debtor(s)

RECEIVED 8/13/02

UNITED STATES BANKRUPTCY COURT AUG 13 P 3 :19

DISTRICT OF NEVADA

oOo

U.S. BANKRUPTCY COURT
PATRICIA GRAY, CLERK

IN RE

DENNIS KEITH BERTUCCI VICKIE
LYNN BERTUCCI,
Debtor(s).

BK-N- 01-31060
CHAPTER 13
Hearing Date: 8/6/02
and Time: 4:00 p.m.
Mtn No. _____

Est Time: 5 Minutes
ORDER AUTHORIZING SALE OF
PROPERTY FREE AND CLEAR OF LIENS

THIS MATTER having come before the Court on motion of the Debtors to sell their real property located at 1119 Sawmill Road, Gardnerville, Nevada to to OEM Products for \$500,000.00, Michael Lehnern, Esq. appearing on behalf of the Debtors, Gayle Kern, Esq. of Kern & Rosenauer, Ltd. appearing on behalf of Bank of America, N.A., William Cope, Esq. appearing on behalf of Jack Willis, Colleen Willis and Mickie Hempler (herein "Willis"), Chapter Thirteen Trustee, William Van Meter appearing for himself, the Court having reviewed the matters before it and good cause appearing therefore,

IT IS HEREBY ORDERED that the Debtors' motion is granted and that they may sell the above described real property free and clear of liens to OEM Products for \$500,000.00. The Debtors are empowered to sign any and all documents necessary to effect this transaction.

IT IS FURTHER ORDERED that a six percent Realtors' commission is approved and allowed. This commission shall be paid out of escrow. All other closing costs are allowed to be paid out of escrow including any charges for a phase one environmental study and the installation of a well pursuant to the terms of the sale contract. In addition, attorney fees of \$3,120.00 are approved and allowed as an administrative expense for Michael Lehnern, Esq. and shall be paid out of escrow.

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IT IS FURTHER ORDERED that Bank of America has a claim of \$126,873.92 plus per diem of \$20.13 from August 6, 2002. Of this sum, Bank of America shall be paid \$110,921.74 plus the per diem rate directly from escrow, made payable to Bank of America and delivered to Kern and Rosenauer 499 West Plumb Lane, Suite 202, Reno, Nevada, which represents its principal balance of \$107,368.88 plus interest at the non-default rate. The remainder of its claim is \$15,952.18. This sum shall be paid from escrow to the Trust Account of Kern and Rosenauer and held there until further order of this court.

IT IS FURTHER ORDERED that the secured claim of the SBA be paid directly from escrow in the approximate amount of \$143,000.00.

IT IS FURTHER ORDERED that Willis has a claim of \$177,229.39. The parties have agreed to reduce this claim to \$162,229.39. This amount shall be a fully allowed claim and shall be paid directly from escrow.

IT IS FURTHER ORDERED that all remaining proceeds shall be paid from escrow to Chapter Thirteen Trustee, William Van Meter.

Dated: This _____ day of _____, 2002

By: _____
UNITED STATES BANKRUPTCY JUDGE

Submitted by

Approved/Disapproved
as to Form and Content

Michael Lehnert, Esq.
Attorney for Debtors

William Cope, Esq.
Attorney for Willis

Approved/Disapproved
as to Form and Content

Approved/Disapproved
as to Form and Content

Gayle Kern, Esq.
Attorney for Bank of America



William Van Meter
Chapter Thirteen Trustee

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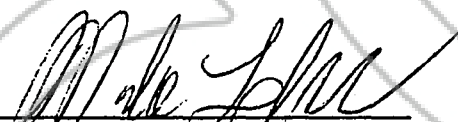
13 IT IS FURTHER ORDERED that all remaining proceeds shall be paid from escrow to
14 Chapter Thirteen Trustee, William Van Meter.

15 Dated: This 13 day of August, 2002

16 By: 
17 UNITED STATES BANKRUPTCY JUDGE

18 Submitted by

19 Approved/Disapproved
20 as to Form and Content

21 
22 Michael Lehnert, Esq.
23 Attorney for Debtors

24 See Attached
25 William Cope, Esq.
26 Attorney for Willis

27 Approved/Disapproved
28 as to Form and Content


Approved/Disapproved
as to Form and Content

29 See Attached
30 Gayle Kern, Esq.
31 Attorney for Bank of America

32 See Attached
33 William Van Meter
34 Chapter Thirteen Trustee

SEAL

35 I certify that this is a true copy.

36 Attest: 
37 Deputy Clerk, Bankruptcy Court

0549984

BK0802PG06507

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23 Attorney for Debtors

24 William Cope, Esq.
25 Attorney for Willis

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31 Attorney for Bank of America

32 William Van Meter
33 Chapter Thirteen Trustee

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 19 as to Form and Content

20 *[Signature]*
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 22 Attorney for Willis

23 Submitted by

24 Michael Lehnars, Esq
 25 Attorney for Debtors

26 Approved/Disapproved
 27 as to Form and Content

28 Gayle Kern, Esq.
 Attorney for Bank of America

Approved/Disapproved
 as to Form and Content

William Van Meter
 Chapter Thirteen Trustee

REQUESTED BY
 Stewart Title of Douglas County

IN OFFICIAL RECORDS OF
 DOUGLAS CO., NEVADA

2002 AUG 20 PM 4:18

LINDA SLATER
 RECORDER

\$18.00 PAID *[Signature]* DEPUTY

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