

OMIT NOTICE IF SEEKING SHORTENED NOTICE TIME AND/OR EXPEDITED HEARING
CONTACT THE CLERK’S OFFICE WITH ANY QUESTIONS

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re:)
)
[Name of Debtor(s)],) Case No. (xx-xxxxx)
Debtor (s).)

MOTION TO SELL AT PRIVATE SALE
AND NOTICE OF OBJECTION DEADLINE

The [trustee/Debtor(s)] hereby move(s) the Court, pursuant to 11 U.S.C. 363(b)(and (f)*) and Local Rule B-6004-2, to approve the sale of property as described below, and state(s):

1. The property to be sold is: [describe]
2. *(if the debtor claims an exemption in the property to be sold)* The amount of the claimed exemption is [amount].
3. The Prospective Purchaser is: [name]
4. The sales price and an estimate of the net proceeds to be received by the estate are:
5. A copy of the contract (purchase agreement), if available, is attached to this motion as Exhibit A [attach or state “not available”]. *(if the contract is unavailable)* [state when the contract will be available and where a copy can be obtained]

The contingencies to the sale are: [describe or state “none”]

6. The property was marketed for sale as follows: [describe]

The other offers to purchase were as follows: [describe or state “none”]

7. The known relationships among the Prospective Purchaser and its insiders and the Debtor and its insiders or the trustee are as follows: [describe or state “none”]
8. The relationships or connections that (the trustee or) the Debtor or its insiders will have with the Prospective Purchaser after the sale are as follows: [describe or state “none”]
9. *(if the property includes personally identifiable information as defined in 11 U.S.C. §101(41A))* The measures that will be taken to comply with 11 U.S.C. §363(b)(1) are as follows: [describe]
10. *(if seeking to sell property free and clear of liens or other interests pursuant to 11 U.S.C. §363(f))* The names of the lien or interest holders are as follows: [list or state “none”]
11. *(if the case is under Chapter 11 and if schedules have not been filed)* A summary of the debtor’s debt structure, including the amount of the debtor’s secured debt, priority claims, and unsecured debt, is as follows: [describe]
12. *(if the case is under Chapter 11 and a creditors’ committee or its equivalent existed pre-petition)* The members of the pre-petition committee and the companies with which they are affiliated, and the identity of counsel to that pre-petition committee, are as follows: [describe or state “none”]

NOTICE: Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to enter an order approving the sale, or if you want the court to consider your views on the motion, then on or before [date] (**21 days** from the date of service), you or your attorney must file with the court a written objection explaining your position.

Those not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

(select the appropriate address)

Indianapolis

116 U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

Evansville and Terre Haute

352 Federal Bldg.
101 NW Martin Luther King Jr. Blvd.
Evansville, IN 47708

New Albany

110 U.S. Courthouse
121 West Spring Street
New Albany, IN 47150

If you mail your objection to the court, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy of your objection to:

(movant's attorney's name and address)

(names and addresses of others to be served)

If you or your attorney do not take these steps, the court may decide that you do not oppose an order approving the sale and may enter an order granting that relief.

WHEREFORE, [trustee/debtor(s)] move(s) the Court to enter an order approving the sale and granting such other relief as appropriate.

/s/ Counsel for [Trustee/Debtor(s)]
Counsel for [Trustee/Debtor(s)]
(required signature block)

CERTIFICATE OF SERVICE

(Certificates of Service are available on
the Court's website under Rules & Forms > Local Forms >
Motions & Related Notices/Certificates of Service/Orders)

[attach a copy of the contract/ purchase agreement]

***(Note: If the property is subject to any liens, and those liens will be paid from the proceeds of the sale – that is, the purchaser is NOT assuming responsibility for the liens – then the sale is pursuant to both 11 U.S.C. §363(b) and (f) and a filing fee must be paid.)**