

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In Re:

CASE NO.: 20-20024-BKC-EPK
Chapter 7
(Jointly Administered)

TM HEALTHCARE HOLDINGS, LLC¹

Debtor.

**TRUSTEE'S MOTION FOR COURT ORDER AUTHORIZING THE TRUSTEE TO:
(I) RETAIN AUCTIONEER; AND (II) TO SELL MEDICAL EQUIPMENT LOCATED
IN STUART STORAGE UNITS FREE AND CLEAR OF LIENS, CLAIMS,
ENCUMBERANCES, AND INTERESTS PURSUANT TO 11 U.S.C. §363(b)
AND 11 U.S.C. §363(f); AND FURTHER (III) APPROVING THE AGREEMENT
BETWEEN THE TRUSTEE AND KEYBANK, N.A. TO EQUALLY DIVIDE
AND DISTRIBUTE THE NET PROCEEDS FROM THE SALE OF
SUCH MEDICAL EQUIPMENT AT AUCTION**

Michael R. Bakst, Trustee in Bankruptcy for TM Healthcare Holdings, LLC, along with the eleven other jointly administered debtors listed in footnote one (1) below (the “Debtors”), by and through undersigned counsel, files this: *Trustee’s Motion for Court Order Authorizing the Trustee to: (I) Retain Auctioneer; and (II) to Sell Medical Equipment Located in Stuart Storage Units Free and Clear of Liens, Claims, Encumbrances, and Interests Pursuant to 11 U.S.C. §363(b) and 11 U.S.C. §363(f); and Further (III) Approving the Agreement Between the Trustee and KeyBank, N.A. to Equally Divide and Distribute the Net Proceeds From the Sale of Such Medical Equipment at Auction.* In support, the Trustee would respectfully show the Court as follows:

1. On September 17, 2020 (the Petition Date), TM Healthcare Holdings, LLC and its affiliated entities, Golden Gate Holding Company, LLC, Pacific Addiction and Treatment

¹ The Debtors in these chapter 7 cases, along with the case number for each Debtor, are: TM Healthcare Holdings, LLC (20-20024-EPK), Golden Gate Holding Company, LLC (20-20027-EPK), Pacific Addiction and Treatment Company, LLC (20-20028-EPK), SoCal Addiction & Treatment Company, LLC (20-20029-EPK), West Coast Recovery Center, LLC (20-20032-EPK), West Coast Wellness Centers, LLC (20-20029-EPK), Golden Gate Employment Services, LLC (20-20037-EPK), Bass Holding Company, LLC (20-20038-EPK), Treatment Management Company, LLC (20-20025-EPK), Wellness Management Company, LLC (20-20036-EPK), Wellness Counseling & Residential Detoxification Services, LLC (20-20026-EPK), and Bass Employment Services, LLC (20-20040-EPK).

Company, LLC, SoCal Addiction & Treatment Company, LLC, West Coast Recovery Center, LLC, West Coast Wellness Centers, LLC, Golden Gate Employment Services, LLC, Bass Holding Company, LLC, Treatment Management Company, LLC, Wellness Management Company, LLC, Wellness Counseling & Residential Detoxification Services, LLC, and Bass Employment Services, LLC (hereinafter referred to jointly and severally as the “Debtor”) filed separate voluntary petitions for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Florida.

2. On the Petition Date, the Debtor filed its *Ex Parte Motion to Jointly Administer Chapter 11 Cases* [ECF No. 5] (the “Motion to Jointly Administer”) seeking court approval to administer the twelve (12) separate Chapter 11 Petitions jointly which was granted by ex parte order [ECF No. 15].

3. On September 17, 2020, the Debtors filed their *Emergency Motion for Entry of Order Authorizing Debtors to Use Cash Collateral and Provide Adequate Protection* [ECF No. 10].

4. On January 22, 2021, the Court entered its *Final Order Authorizing the Use of Cash Collateral and Providing Adequate Protection* [ECF No. 219] (the “Final Cash Collateral Order”), which, *inter alia*, recognized the Prepetition Secured Lenders’² properly perfected first-priority lien on the Cash Collateral and granted the Prepetition Secured Lenders adequate protection for the Debtors’ authorized post-petition use of Cash Collateral in the form of Replacement Liens and a Superpriority Claim, such Replacement Liens and Superpriority Claim being subject to the Carve Out set forth in the Final Cash Collateral Order.

5. On March 5, 2021, the Debtor filed a *Motion to Convert Chapter 11 Case to*

² Capitalized but undefined terms shall have the same meanings as ascribed to them in the Final Cash Collateral Order.

Chapter 7 [ECF No. 255] (the “Motion to Convert”). The Motion to Convert was heard before the Court on March 17, 2021, and ultimately granted by the Court’s *Order Converting Cases Under Chapter 11 to Cases Under Chapter 7* [ECF No. 288] (the “Conversion Order”).

6. On March 18, 2021 (the “Conversion Date”), Michael R. Bakst was appointed Chapter 7 Trustee (the “Trustee”) for the Debtors’ estates [ECF No. 290].

7. The Trustee has undertaken efforts to secure all records and assets of the estate for the benefit of the creditors and interested parties.

8. It was discovered by the Trustee that the Debtors had entered into post-petition contracts with Tropical Self Storage for the rental of eight (8) storage units at the storage facility in Stuart, Florida (the “Stuart Storage Units”).

9. The Stuart Storage Units were hoarded to capacity and the Trustee, with relief granted by Court orders has, over the course of the past few weeks, completed the process of culling the contents of such units to contain only assets, records, or files necessary to the Trustee’s investigative and administrative duties.

10. Additionally, the Trustee has moved the majority of such culled contents to storage units in Miami, which the Trustee has leased on behalf of the Debtor estates (the “Miami Storage Units”), thus providing for the opportunity to eventually phase out the Stuart Storage Units and streamline costs attributed to the bankruptcy estates.

11. During the culling process of the Stuart Storage Units, the Trustee discovered certain medical equipment which he believes may be of significant value to the estate of Debtor, Treatment Management Company, LLC and its creditors.

12. Upon reason and belief, due to the fact that the Stuart Storage Units were leased by Debtor, Treatment Management Company, LLC, the contents contained therein are under the custody and control of Debtor, Treatment Management Company, LLC.

13. It is the Trustee's position that all such items are owned by Debtor, Treatment Management Company, LLC, subject to the lien of KeyBank, such property can be sold free and clear of liens and encumbrances. In abundance of caution, the Trustee has reached out to counsel representing individuals and entities with most knowledge as to the ownership of the medical equipment, in order to confirm such determination and further investigate as to any liens or ownership interest which may be attached to the medical equipment.

14. Accordingly, to the extent that any non-Debtor subsidiaries within the corporate structure of the Debtors, leasing agents, or any such other individuals or entities, are able to claim ownership interest in the medical equipment, the Trustee seeks an order from the Court allowing him to sell the medical equipment for the benefit of the Treatment Management Company, LLC estate, and permitting the Trustee to sign all necessary and reasonable documents to effectuate the sale of the medical equipment.

15. Property of the estate may be sold outside the ordinary course of business. Bankruptcy Code § 363(b)(1) provides that "[t]he trustee, after notice and a hearing, may use, sell, or lease, other than in the ordinary course of business, property of the estate." 11 U.S.C. § 363(b)(1). Courts have held that transactions should be approved under Bankruptcy Code § 363(b)(1) when: (a) they are supported by the sound business judgment of the trustee; (b) interested parties are provided with adequate and reasonable notice; (c) the sale price is fair and reasonable; and (d) the purchaser is acting in good faith. *See, e.g., Meyers v. Martin (In re Martin)*, 933 F.3d 513, 515 (7th Cir. 1991); *In re Abbott Dairies of Penn, Inc.*, 788 F.2d 143 (3d Cir. 1986); *Comm.*

of Equity Sec. Holders v. Lionel Corp. (In re Lionel Corp.), 722 F.2d 1063, 1071 (2d Cir. 1983); *In re Delaware & Hudson Ry. Co.*, 124 B.R. 169 (D. Del. 1991); *In re Phoenix Steel Corp.*, 82 B.R. 334, 335-36 (D. Del. 1987); *In re General Motors Corp.*, 407 B.R. 463, 498 Bankr. S.D.N.Y. 2009); *In re Chrysler LLC*, 405 B.R. 84, 94 (Bankr. S.D.N.Y. 2009). Here, each of these factors is met.

16. The Trustee, in the sound exercise of his business judgment, has concluded that the sale of the medical equipment at auction presents the best option for monetizing and maximizing the value of the medical equipment. Accordingly, the Trustee respectfully submits that ample business justification exists for the sale of the medical equipment at auction.

17. Pursuant to Bankruptcy Code §363(f)(4), the Trustee may sell property free and clear of any interest in such property of an entity other than the estate, only if-

- i. applicable non-bankruptcy law permits sale of such property free and clear of such interest;
- ii. each entity holding a lien, claim or interest consents;
- iii. such interest is a lien and the price at which such property is to be sold is greater than the aggregate value of all liens on such property;
- iv. such interest is in bona fide dispute, or
- v. such entity could be compelled, in a legal or equitable proceeding, to accept a money satisfaction of such interest.

11 U.S.C. § 363(f); *In re Smart World Tech., LLC*, 423 F.3d 166, 169 n. 3 (2d Cir. 2005); *In re Elliot*, 94 B.R. 343, 345 (E.D. Pa. 1988) (determining Bankruptcy Code § 363(f) is written in the disjunctive; the court may approve a sale “free and clear” provided at least one of the subsections is met).

18. Pursuant to Bankruptcy Code § 363(f)(4)(ii), the Trustee seeks the ability to sell the medical equipment free and clear of all liens, claims, liabilities, encumbrances and other interests,

with any such liens, claims, encumbrances, and other asserted interests to attach to the proceeds pending an adjudication by this Court of their validity.

19. Absent approval of the sale of the sale by any unknown individual, entity, or leasing agent who may claim ownership interest, pursuant to Bankruptcy Code § 363(f)(4)(iv), the Trustee is of the opinion that he would have the ability to sell the medical equipment free and clear of all liens, claims, liabilities, encumbrances and other interests, with any such liens, claims, encumbrances, and other asserted interests to attach to the proceeds pending an adjudication by this Court of their validity.

20. The Trustee is of the opinion that a bona fide dispute would be found to exist as to the true ownership of the medical equipment based upon the source of funds used to lease, insure, maintain and control the Stuart Storage Units wherein the medical equipment is stored, being the Debtor, Treatment Management Company, LLC.

21. As previously stated herein, the Trustee believes that the highest and best value for the medical equipment will be generated pursuant to an auction and that an auction is in the best interest of the estate.

22. As such, it is the Trustee's intent to retain auctioneer, Auction America, Inc. in order to sell such medical equipment at auction, free and clear of any liens claims and encumbrances, for the benefit of the Treatment Management Company, LLC estate and its creditors.

23. The proposed auctioneer is disinterested within the meaning of 11 U.S.C. §101(14) and §327(a).

24. The Trustee believes that the retention of the auctioneer is in the best interest of the estate as the terms upon which they have agreed to handle this sale are the terms which are common

throughout this district, i.e., a 10% buyer's premium. The Trustee has dealt with other auctioneers within the area and believes that the auctioneer is the best prospective party for handling the sale of this particular asset.

25. The auctioneer's reasonable advertising and labor costs shall be paid from the gross auction proceeds, and the auctioneer shall submit an Expense Invoice to the Trustee reflecting the sale expenses incurred in connection with the auction of the medical equipment. Such funds will be necessary to advertise and handle the sale of the medical equipment. The auctioneer has agreed to be compensated on a 10% buyer's premium. The 10% buyer's premium shall be included in Auctioneer's Report of Sale, but Auctioneer shall be authorized to deduct its buyer's premium from the sale proceeds and remit the net balance to Trustee.

26. Attached hereto as Exhibit "1" is the Declaration of Auctioneer.

27. The auctioneer is licensed and bonded as an auctioneer and is authorized to conduct auctions in the State of Florida pursuant to Florida Statute §468.381 et seq §468.387 for out-of-state auctioneers. In addition, the auctioneer has obtained an annual state bond which will be in place which is greater than the revenues expected to be generated by the auction of the medical equipment. A copy of the licenses and bonds are attached hereto as Exhibit "2". The bond is issued by a federally approved surety company.

28. Trustee will serve copies of any order granting the instant motion, together with the sale notice in accordance with B.R. 2002(a)(2), and 2002(c)(1) and 6004.

29. Upon completion of the auction, the auctioneer will file a report summarizing the results of the auction and stating the fees and expenses which will be paid to the auctioneer in accordance with the order approving the retention. The report shall be served only on the Assistant U.S. Trustee, the Trustee, and any other interested parties who specifically request a copy. The

fees and expenses will be paid without the necessity of further notice or hearing unless any party in interest files an objection within fourteen (14) days from the filing of the report.

30. Accordingly, the Trustee seeks an order from the Court authorizing him to retain Auction America, Inc., pursuant to the terms and provisions outlined herein, for the purpose of selling the medical equipment located within the Stuart Storage Units, at auction, for the benefit of the Treatment Management Company, LLC estate and its Creditors.

31. Further, KeyBank asserts a lien upon many assets of the Debtor estates the scope of which, upon reason and belief, would include the subject medical equipment.

32. With regard to auction proceeds from the sale of the medical equipment, the Trustee has proposed and KeyBank has agreed to the following terms (the "Agreement"):

- a) upon conclusion of the auction, the auctioneer will remit net proceeds of the sale of the medical equipment to the Trustee;
- b) the Trustee shall retain half of the net proceeds and remit the other half to KeyBank, with it being understood between the Trustee and KeyBank that net proceeds would be those funds remaining after all costs of sale, including advertising, moving and storage costs, have been paid;
- c) provided that KeyBank shall have no claim of lien upon the auction proceeds retained by the Trustee for the benefit of the Treatment Management Company, LLC Debtor estate;
- d) provided that KeyBank is not required to waive any right that it may hold as a general unsecured creditor.

33. Accordingly, the Trustee seeks an order from the Court approving the Agreement between the Trustee and KeyBank as to the division of net proceeds from the auction of the medical

equipment, in accordance with the terms outlined herein. It is the Trustee's position that the amount of money due on the lien of KeyBank far exceeds the value of the medical equipment the Trustee would sell. This proposed agreement where the estate receives half of the net proceeds warrants the Trustee administering such property and equally allows KeyBank to receive some benefit from this sale based on the funds that would be paid to them.

WHEREFORE, the Trustee requests that the Court enter an order allowing the Trustee to: (I) Retain Auctioneer, Auction America, Inc.; and (II) to Sell Medical Equipment Located in Stuart Storage Units Free and Clear of Liens, Claims, Encumbrances, and Interests Pursuant to 11 U.S.C. §363(b) and 11 U.S.C. §363(f); and Further (III) Approving the Agreement Between the Trustee and KeyBank, N.A. to Equally Divide and Distribute the Proceeds From the Sale of Such Medical Equipment at Auction, plus grant such other and further relief as the Court deems just and proper.

I HEREBY CERTIFY that I am admitted to the Bar of the United States District Court for the Southern District of Florida, and I am in compliance with the additional qualifications to practice in this Court set forth in Local Rule 2090-1(A).

Dated this 8th day of December, 2021.

Respectfully Submitted,
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CERTIFICATE OF SERVICE

I certify that on December 8, 2021, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List, either via transmission of Notices of Electronic Filing generated by CM/ECF, or by first class U.S. mail on those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing as indicated below.

/s/ Michael R. Bakst
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3500 Sunrise Highway, Suite D122
Great River, NY 11739-1001

Netsmart Technologies, Inc.
PO Box 823519
Philadelphia, PA 19182-3519

Office of Attorney General
State of Florida
The Capitol PL-01
Tallahassee, FL 32399-1050

Office of the US Trustee
51 S.W. 1st Ave.
Suite 1204
Miami, FL 33130-1614

Oracle America, Inc.
c/o Shawn M. Christianson, Esq. Buchalte
55 2nd St., 17th Fl.
San Francisco, CA 94105-3493

PMN Investments, LLC
876 N. Mountain Ave., #201
Upland, CA 91786-4166

Rancho Pool Service
Westside Pools and Spa
26359 S Western Ave
Lomita, CA 90717-3521

Robert W. Gilarski/One Page Analytics
413 SW Magnolia
Port St Lucie, FL 34986-2325

S&L Events
160 NE Dixie Highway
Stuart, FL 34994-1842

SEC Headquarters
100 F Street, NE
Washington, DC 20549-2001

Securities and Exchange Commission
801 Brickell Ave., Suite 1800
Miami, FL 33131-4901

SoCalGas
PO Box C
Monterey Park, CA 91754-0932

(p)SPRINT
C O AMERICAN INFOSOURCE
4515 N SANTA FE AVE
OKLAHOMA CITY OK 73118-7901

State Street LLC
c/o Hallie D. Hannah, Esq.
100 Pacifica, Suite 370
I
Irvine, CA 92618-7448

(p)T MOBILE
C O AMERICAN INFOSOURCE LP
4515 N SANTA FE AVE
OKLAHOMA CITY OK 73118-7901

US Attorney Southern District of Florida
500 South Australian Avenue
Suite 400
West Palm Beach, FL 33401-6209

United States Attorney General's Office
US Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530-0001

Waste Management
PO Box 4648
Carol Stream, IL 60197-4648

Williams & Connolly LLP
725 12th St NW
Washington, DC 20005-5901

Alan R Lepene
3900 Key Center
127 Public Square
Cleveland, OH 44114-1217

Bradley S Shraiberg
2385 NW Executive Center Dr. #300
Boca Raton, FL 33431-8530

Eric Huebscher
630 3rd Avenue
21st Floor
New York, NY 10017-6751

Eric M Huebscher
c/o Zachary J Bancroft
200 South Orange Avenue, Suite 2900
Orlando, FL 32801-3448

Eric S Pendergraft
Shraiberg, Landau & Page, P.A.
2385 N.W. Executive Center Drive
Suite 300
Boca Raton, FL 33431-8530

Farlie Turner
401 E. las Olas Boulevard
Suite 2360
Fort Lauderdale, FL 33301-4270

Gregg F Stewart
PO Box 670
Jensen Beach, FL 34958-0670

Jeff Patterson
17272 Darwin Ave., Suite B4
Hesperia, CA 92345-5133

Joel D. Glick
Berkowitz Pollack Advisors and CPA
200 S Biscayne Blvd., 7 floor
Miami, FL 33131-2310

John Templeton
222 Lakeview Ave.,
Suite 1200
West Palm Beach, FL 33401-6174

John C Allerding
3900 Key Center
127 Public Square
Cleveland, OH 44114-1217

Jon McKenzie
7750 Okeechobee Blvd 4-390
West Palm Beach, FL 33411-2104

Joshua Lanphear
Shraiberg, Landau & Page, P.A.
2385 NW Executive Center Dr., #300
Boca Raton, FL 33431-8530

Matthew J Kerschner
3900 Key Center
127 Public Square
Cleveland, OH 44114-1217

Michael R Bakst
P. O. Box 407
West Palm Beach, FL 33402-0407

Paul Steven Singerman
1450 Brickell Avenue, Suite 1900
Miami, FL 33131-3453

Richard A. Pollack
200 S Biscayne Blvd 6 Fl
Miami, FL 33131-5351

Stan L Crooks
9645 Lantana Rd
Lake Worth, FL 33467-6114

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Sprint Corp.
Attn Bankruptcy Dept
PO Box 7949
Overland Park KS 66207-0949

T-Mobile
P.O. Box 742596
Cincinnati, OH 45274-259

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Green Meadow Ranch, LLC

(u) Inner Harbour Properties, LLC

(u)Auto Center Healthcare Realty, LLC

(u)BTD Real Estate, LLC

(u)Caribbean Shores Waterfront, LLC

(u)Creditor Committee

(u)Deering Rentals, LLC

(u)Hideaway Apartments, LLC

(du)Inner Harbour Properties, LLC

(u)Jensen Beach Wellness Center, LLC

(u)Kanner Cottages, LLC

(u)Landmark Motel, LLC

(u)Manatee Place, LLC

(u)Meeting House, LLC

(u)National Laboratories Realty, LLC

(u)RSM US LLP

(u)Remedy Therapy, LLC

(u)Serenity Treatment Center, LLC

(u)Serenity Treatment Company, LLC

(u)Wellness Counseling Real Estate, LLC

(u)West Palm Beach

(d)Ambrosia Medical Billing, LLC
c/o Kelley, Fulton & Kaplan, PL
1665 Palm Beach Lakes Blvd., Ste. 1000
West Palm Beach, FL 33401-2109

(d)Debra A Deering
c/o Denise D. Dell-Powell
420 S. Orange Avenue, Suite 700
Orlando, FL 32801-4911

(u)Mike Zahariades
Retirement Plan Experts

End of Label Matrix

Mailable recipients 105

Bypassed recipients 24

Total 129

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In Re:

CASE NO.: 20-20024-BKC-EPK
Chapter 7
(Jointly Administered)

TM HEALTHCARE HOLDINGS, LLC¹

Debtor.

_____ /

SWORN DECLARATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this date personally appeared Stan L. Crooks of Auction America, Inc., who, being first duly sworn, deposes and says:

1. That I am an Auctioneer with, and am the president of Auction America, Inc., located at 9645 Lantana Road, Lake Worth, FL 33467.

2. I am authorized to make this declaration pursuant to Bankruptcy Rule 2014 and Local Rule 6005-1, and I am over the age of eighteen.

3. That neither I, nor Auction America, Inc., have any connection to the Debtor, the Debtor's estate, the Trustee or the U.S. Trustee, and we are disinterested persons within the meaning of 11 U.S.C. §327(a).

4. That I am duly licensed and bonded as an Auctioneer and am authorized to conduct auctions in the State of Florida pursuant to Florida Statute §468.381 et seq. True copies of said license and bond are attached hereto.

5. That in addition to the foregoing, I have attached hereto a copy of a state bond in the amount of \$100,000.00, which is an amount greater than the revenues expected to be generated by the auction of the property. The bonds are issued by a federally approved surety company.

6. That I have read the application of the Trustee regarding the retention and

¹ The Debtors in these chapter 7 cases, along with the case number for each Debtor, are: TM Healthcare Holdings, LLC (20-20024-EPK), Golden Gate Holding Company, LLC (20-20027-EPK), Pacific Addiction and Treatment Company, LLC (20-20028-EPK), SoCal Addiction & Treatment Company, LLC (20-20029-EPK), West Coast Recovery Center, LLC (20-20032-EPK), West Coast Wellness Centers, LLC (20-20029-EPK), Golden Gate Employment Services, LLC (20-20037-EPK), Bass Holding Company, LLC (20-20038-EPK), Treatment Management Company, LLC (20-20025-EPK), Wellness Management Company, LLC (20-20036-EPK), Wellness Counseling & Residential Detoxification Services, LLC (20-20026-EPK), and Bass Employment Services, LLC (20-20040-EPK).

compensation of Auction America, Inc., and agree to be bound by the terms and conditions represented therein.


7. The property subject to this proposed auction will not be sold together with any non-bankruptcy property.

8. That I further understand that the Court, in its discretion, may alter the terms and conditions of employment and compensation as it deems appropriate.

This concludes my Declaration.

28 U.S.C § 1746 Declaration

I declare under penalty of perjury that the foregoing is true and correct; executed on December 8th, 2021.


STAN L. CROOKS



Travelers Casualty and Surety Company of America

**CONTINUATION CERTIFICATE
FIDELITY OR SURETY BONDS/POLICIES**

License No. _____

In consideration of **\$500.00** dollars renewal premium, the term of Bond/Policy No. **106943053** in the amount of **\$100,000.00**, issued on behalf of **Auction America, Inc.**, whose address is **1696 Old Okeechobee Rd., Ste. 2H, West Palm Beach, FL 33409**, in favor of **United States of American - District of Florida**, whose address is **Flagler Waterview Bldg., 1515 North Flagler Dr., 8th Floor, West Palm Beach, FL 33401**, in connection with **Bankruptcy Court Auction Performance Bond** is hereby extended to **6/20/2022**, subject to all covenants and conditions of said bond/policy.

This certificate is designed to extend only the term of the bond/policy. It does not increase the amount which may be payable thereunder. The aggregate liability of the Company under the said bond/policy together with this certificate shall be exactly the same as, and no greater than it would have been, if the said bond/policy had originally been written to expire on the date to which it is now being extended.

Signed, sealed and dated 6/16/2021 **Auction America, Inc.**

By: _____

Travelers Casualty and Surety Company of America

By: Carolyn F. Smith
Carolyn F. Smith Attorney-in-Fact



CERTIFICATE OF GARAGE INSURANCE

DATE(MM/DD/YYYY)
3/25/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER JK PERSONAL SALES INC 5820 Funston St Hollywood, FL 33023	CONTACT NAME: JEFF KERZER
	PHONE (A/C, No, Ext): (954) 987-8797
INSURED AUCTION AMERICA INC 1696 Old Okeechobee Road 2H West Palm Beach, FL 33409	FAX (A/C, No): (954) 967-6781
	E-MAIL ADDRESS: jkpers@peoplepc.com
INSURER(S) AFFORDING COVERAGE	
INSURER A	HALLMARK SPECIALTY INSURANCE CO
INSURER B	
INSURER C	
INSURER D	
INSURER E	
INSURER F	

COVERAGES PROD / CUSTOMER ID: CERTIFICATE #: REVISION #:

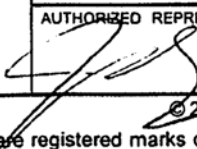
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADBL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GARAGE LIABILITY			76GA000304035-0	04/04/21	04/04/22	AUTO ONLY (Ea accident) \$ 100,000	
	<input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS USED IN GARAGE BUSINESS <input checked="" type="checkbox"/> PIP \$10,000 LIMIT						OTHER THAN AUTO ONLY	EA ACCIDENT \$ 100,000
							AGGREGATE \$ 100,000	
	GARAGE KEEPERS LIABILITY						<input type="checkbox"/> COMP/OTC LOC \$ <input type="checkbox"/> SPECIFIED PERILS LOC \$ <input type="checkbox"/> COLLISION LOC \$ <input type="checkbox"/> LOC \$	
	LEGAL LIABILITY							
	DIRECT BASIS							
	PRIMARY <input type="checkbox"/> EXCESS <input type="checkbox"/>							
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
	CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/>							
	GEN'L AGGREGATE LIMIT APPLIES PER							
	POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/>							
	OTHER:							
	UMBRELLA LIAB						EACH OCCURRENCE \$	
	EXCESS LIAB						AGGREGATE \$	
	DED						\$	
	RETENTION \$						\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$	
	If yes, describe under REMARKS below	Y/N	N/A				E.L. DISEASE - EA EMPLOYEE \$	
							E.L. DISEASE - POLICY LIMIT \$	
A	U.M. PHYSICAL DAMAGE			76GA000304035-0	04/04/21	04/04/22	\$ 20,000	
				76GA000304035-0	04/04/21	04/04/22	\$ 100,000	

REMARKS (ACORD 101 Additional Remarks Schedule, may be attached if more space is required)

USED AUTO DEALER

5 DEALER TAGS

CERTIFICATE HOLDER DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES 2900 APALACHEE PARKWAY NEIL KIRKMAN BLDG MS 65 RM A312 TALLAHASSEE, FL 32399	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--



ANNE M. GANNON
 CONSTITUTIONAL TAX COLLECTOR
 Serving Palm Beach County

P.O. Box 3353, West Palm Beach, FL 33402-3353
 www.pbctax.com Tel: (561) 355-2264

****LOCATED AT****

1696 OLD OKEECHOBEE RD STE
 2H
 WEST PALM BEACH, FL 33409

Serving you.

TYPE OF BUSINESS	OWNER	CERTIFICATION #	RECEIPT #/DATE PAID	AMT PAID	BILL #
81-0499 AUCTION BUSINESS	CROOKS STAN	AB1298	B21.555657 - 07/12/21	\$33.00	B40124757

This document is valid only when received by the Tax Collector's Office.

**STATE OF FLORIDA
 PALM BEACH COUNTY
 2021/2022 LOCAL BUSINESS TAX RECEIPT**

**LBTR Number: 200818131
 EXPIRES: SEPTEMBER 30, 2022**



21
 6-5642

AUCTION AMERICA INC
 AUCTION AMERICA INC
 9645 LANTANA RD
 LAKE WORTH FL 33467-6114



This receipt grants the privilege of engaging in or managing any business profession or occupation within its jurisdiction and **MUST** be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.



ANNE M. GANNON
 CONSTITUTIONAL TAX COLLECTOR
 Serving Palm Beach County

P.O. Box 3353, West Palm Beach, FL 33402-3353
 www.pbctax.com Tel: (561) 355-2264

****LOCATED AT****

1696 OLD OKEECHOBEE RD STE
 2H
 WEST PALM BEACH, FL 33409

Serving you.

TYPE OF BUSINESS	OWNER	CERTIFICATION #	RECEIPT #/DATE PAID	AMT PAID	BILL #
56-0038 AUCTIONEER	CROOKS STAN	AU1794	B21.555594 - 07/12/21	\$33.00	B40101074

This document is valid only when received by the Tax Collector's Office.

**STATE OF FLORIDA
 PALM BEACH COUNTY
 2021/2022 LOCAL BUSINESS TAX RECEIPT**

**LBTR Number: 199911797
 EXPIRES: SEPTEMBER 30, 2022**



21
 6-5605

AUCTION AMERICA INC
 AUCTION AMERICA INC
 9645 LANTANA RD
 LAKE WORTH FL 33467-6114



This receipt grants the privilege of engaging in or managing any business profession or occupation within its jurisdiction and **MUST** be conspicuously displayed at the place of business and in such a manner as to be open to the view of the public.