

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In re:

Dan Mathis, Jr.,

Case Number: 8:12-bk-19111-KRM

Chapter 7

Debtor.

_____ /

**ORDER GRANTING TRUSTEE'S
MOTION TO SELL PROPERTY OF ESTATE**

THIS CASE came on for hearing on September 10, 2013, on the Trustee's Motion to Sell Property of the Estate (1960 Corvette VIN #00867S103535)(Doc. No. 41) and the Objection thereto filed by Kevin McKay and Corvette Repair, Inc. (Doc. No. 45), Response and Objection to Motion to Sell filed by the Debtor (Doc. No. 46) and the Objection to the Trustee's Motion to Sell Property of the Estate filed by Bernstein-Burkley, P.C. (Doc. No. 47). Present in Court were Allan C. Watkins representing Carolyn R. Chaney, Trustee, Sheila D. Norman representing the Debtor, Joshua D. Bonn representing Gino Burelli, David E. Hicks, representing Kevin McKay and Corvette Repair, Inc. and Domenico Idoni. Present by telephone was Robert Bernstein representing Bernstein-Burkley, PC and Bryan Shook also representing Kevin McKay and Corvette Repair, Inc. The Court having heard argument of counsel and being otherwise fully advised in the premise and for the reasons stated orally and recorded in open Court which shall constitute the findings of the Court, it is here by

ORDERED:

1. The Trustee's Motion to Sell the Estate's interest in the 1960 Corvette (VIN#00867S103535) and whatever the Estate's interest is in the partnership between Domenico Idoni, be and it is hereby **Granted** for \$25,000 or the highest bid received by the Trustee's counsel on or before twenty-one (21) days after entry of this order;

2. The Sale of the Debtor's interest in both the 1960 Corvette and partnership agreement is subject to all adverse claims, objections, defenses and defects raised in the pending Pennsylvania Litigation and transfers Mathis's position and standing in the Pennsylvania litigation to the purchaser;

3. This Order is in no way an adjudication or determination of the validity of the Debtor's claim of interest or determination of the validity of the Debtor's claim of interest or chain of title in the vehicle, his claim of interest in the partnership agreement, nor the validity or enforceability of the partnership agreement;

4. As to the Pennsylvania litigants, none are good faith purchasers within the meaning of 11 U.S.C. §363(m). The Court specifically makes no finding as to the applicability of 11 U.S.C. §363(m) to others that may bid.

DONE and ORDERED in Tampa, Florida _____ September 24, 2013.



K. RODNEY MAY
United States Bankruptcy Judge

Attorney, Allan C. Watkins, Esq. is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.

