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7 Chapter 7 Trustee

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA,**
10 **LOS ANGELES DIVISION**

11 In re

Case No. 2:20-bk-21022-BR

12 GIRARDI KEESE,

Chapter 7

13 Debtor.

**APPLICATION BY CHAPTER 7 TRUSTEE
TO AMEND APPLICATION AND ORDER
AUTHORIZING TRUSTEE TO JOINTLY
EMPLOY THREESIXTY ASSET
ADVISORS, LLC AND JOHN MORAN
AUCTIONEERS, INC. AS AUCTIONEERS
TO ADD TO THE LIST OF ITEMS BEING
AUCTIONED**

[Relates to Dkt. Nos. 1330 and 1364]

Auction Date: To Be Set

No Hearing Date Required]

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20 **TO THE HONORABLE BARRY RUSSELL, UNITED STATE BANKRUPTCY JUDGE,**
21 **OFFICE OF THE UNITED STATES TRUSTEE, CREDITORS AND ALL INTERESTED**
22 **PARTIES:**

23 Elissa D. Miller, the Chapter 7 Trustee (the "Trustee") for Girardi Keese (the
24 "Debtor") hereby files her "*Application By Chapter 7 Trustee to Amend Application and*
25 *Order Authorizing Trustee to Jointly Employ ThreeSixty Asset Advisors, LLC and John*
26 *Moran Auctioneers, Inc. As Auctioneers to Add to the List of Items to be Auctioned.*"

27 On September 27, 2022 [Dkt. No. 1364] this Court entered its Order On the
28 Trustee's Application to retain ThreeSixty Asset Advisors, LLC ("360") and John Moran

1 Auctioneers, Inc. ("Moran" and together with 360, "360Moran") (the "Application") as her
2 auctioneer to sell Erika Girardi's Earrings (the "Earrings") and jewelry turned over to the
3 estate by a friend of Mr. Girardi's (the "Friend's Jewelry" and jointly the "Girardi Jewelry")
4 (the "Original Order").

5 After entry of the entry of the Original Order, the Trustee was advised that the
6 Friend had found some additional pieces of jewelry in the back of her closet and was
7 subsequently delivered to the Trustee three additional items—all Cartier, a watch, a Love
8 necklace and a Love bracelet (the "Friend's Additional Jewelry"). The Trustee was not
9 aware at the time she prepared the Application or at the time she submitted the Original
10 Order on the Application of the Friend's Additional Jewelry.

11 Therefore, by this Application, the Trustee Amends her Application and
12 respectfully requests that the Court enter an Amended Order, the form of which is
13 attached hereto as Exhibit "1" so that all jewelry, including the newly turned over Friend's
14 Jewelry may be included in the Auction set for December, 2022.

15 The Trustee has been informed and believes that the total auction value of the
16 Friend's Additional Jewelry is approximately \$6,500 to \$9,500. She has also confirmed
17 that 360Moran's insurance and bond are sufficient to cover the value of all jewelry being
18 sold including the Friend's Additional Jewelry.

19 **WHEREFORE**, the Trustee respectfully requests that the Court enter the
20 Amended Order attached hereto and lodged concurrently herewith authorizing her to
21 employ John Moran Auctioneers, Inc. and ThreeSixty Asset Advisors, LLC as her
22 auctioneer, for authority for John Moran Auctioneers, Inc. and ThreeSixty Asset Advisors,
23 LLC to conduct a public sale of the Girardi Jewelry identified in the Application as well as
24 the Friend's Additional Jewelry identified herein, and to pay them in accordance with the
25 terms set forth herein upon entry of an Order, and that this Court grant such other and
26 further relief as it may deem just and proper.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed
2 in Los Angeles, California.

3 DATED: October 5, 2022

Respectfully submitted,

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/s/ Elissa D. Miller

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Elissa D. Miller

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Chapter 7 Trustee

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EXHIBIT 1

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7 Chapter 7 Trustee

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA,**
10 **LOS ANGELES DIVISION**

11 In re

12 GIRARDI KEESE,

13 Debtor.

Case No. 2:20-bk-21022-BR

Chapter 7

**AMENDED ORDER GRANTING
APPLICATION BY CHAPTER 7 TRUSTEE
FOR AUTHORITY TO JOINTLY EMPLOY
THREESIXTY ASSET ADVISORS, LLC
AND JOHN MORAN AUCTIONEERS, INC.
AS AUCTIONEERS; TO AUTHORIZE
PUBLIC SALE BY AUCTIONEER AND TO
PAY AUCTIONEER UPON CONCLUSION
OF SALE IN ACCORDANCE WITH THE
TERMS HEREOF**

[Relates to Dkt. No. 1364]

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19 The "*Application By Chapter 7 Trustee For Authority To Jointly Employ ThreeSixty*
20 *Asset Advisors, LLC And John Moran Auctioneers, Inc. As Auctioneers; To Authorize*
21 *Public Sale By Auctioneer And To Pay Auctioneer Upon Conclusion Of Sale in*
22 *Accordance with the Terms Hereof; Statements Of Disinterestedness; Declaration In*
23 *Support Thereof*" (the "Application") [Dkt. No 1330] as supplemented and Amended by
24 *Application By Chapter 7 Trustee to Amend Application and Order Authorizing Trustee to*
25 *Jointly Employ ThreeSixty Asset Advisors, LLC and John Moran Auctioneers, Inc. As*
26 *Auctioneers to Add to the List of Items to be Auctioned*" (The "Amendment") filed on
27 _____, [Dkt. No. ___] filed by Elissa D. Miller, Chapter 7 Trustee of the above
28 referenced case came on regularly before the Court, the Honorable Barry Russell, United

1 States Bankruptcy Judge presiding. Pursuant to the Application and the Amendment, the
2 Trustee she seeks authority to retain ThreeSixty Asset Advisors, LLC ("360") and John
3 Moran Auctioneers, Inc. ("Moran" and together with 360, "360Moran") as her auctioneer
4 to sell personal property of the estate consisting of the Erika Jayne Girardi Diamond Stud
5 Earrings (approx. 7 carat weight each) (the "Erika Earrings") as well as miscellaneous
6 other jewelry including pieces turned over after September 27, 2022 by a friend of Tom V.
7 Girardi (all referred to as the "Friend's Jewelry"). (The "Friend's Jewelry" together with
8 the Erika Earrings, is herein the "Girardi Jewelry")

9 The Court read and considered the Application and the Requested Amendment to
10 the Application and Order and finding good cause appearing therefor,

11 **HEREBY ORDERS** that:

- 12 1. The Application is granted;
- 13 2. 360Moran is entitled to receive compensation as set forth in the Application;
- 14 3. The Trustee is authorized to reimburse 360Moran its expenses in an
15 amount as set forth in the Application; and
- 16 4. The Trustee is authorized to take any and all other actions necessary or
17 appropriate to auction the Girardi Jewelry consistent with the Application.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 333 South Grand Avenue, Suite 3400, Los Angeles, CA 90071.

A true and correct copy of the foregoing document entitled (*specify*): **APPLICATION BY CHAPTER 7 TRUSTEE TO AMEND APPLICATION AND ORDER AUTHORIZING TRUSTEE TO JOINTLY EMPLOY THREESIXTY ASSET ADVISORS, LLC AND JOHN MORAN AUCTIONEERS, INC. AS AUCTIONEERS TO ADD TO THE LIST OF ITEMS BEING AUCTIONED** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) October 5, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See Attached ECF List

Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (*date*) October 5, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 5, 2022

Date

Cheryl Caldwell

Printed Name

/s/Cheryl Caldwell

Signature

ADDITIONAL SERVICE INFORMATION (if needed):

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