

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

PARRILLO DESIGNS, LLC
dba DERAILED BOUTIQUE,

Debtor.

CHAPTER 7

CASE NO. 21-10020-BAH

Hearing Date: March 3, 2021

Hearing Time: 9:00 a.m.

**CHAPTER 7 TRUSTEE'S MOTION FOR AUTHORITY TO SELL
CERTAIN ASSET BY WAY OF PUBLIC AUCTION FREE AND CLEAR OF
ALL LIENS, CLAIMS AND ENCUMBRANCES**

Olga L. Gordon, the duly appointed Chapter 7 Trustee (the "Trustee") of the estate of the above captioned debtor hereby requests authority pursuant to Section 363 of the Bankruptcy Code, Rules 2002(a)(2) and 6004 of the Federal Rules of Bankruptcy Procedure and LBR 6004-1 to sell, by way of public auction, certain assets by way of public auction (the "Assets" and the "Auction"), which is property of the debtor's bankruptcy estate. The Sale will be free and clear of all liens, claims and encumbrances with all liens, claims and encumbrances attaching to the proceeds of the Sale to the extent permitted by law.

In support thereof, the Trustee states as follows:

1. On January 15, 2021, Parrillo Designs, LLC dba Derailed Boutique (the "Debtor") filed a voluntary petition pursuant to Chapter 7 of 11 U.S.C. §§ 101-1330 (the "Bankruptcy Code").

2. On January 19, 2021, the Trustee was appointed as the Chapter 7 Trustee of the Debtor's bankruptcy estate.

1. The Assets consists of the following which are property of the bankruptcy estate:

Inventory and fixtures Inventory and fixtures, more specifically -

*150+/- Designer prom dresses & gowns
Racks of women's designer jeans & slacks*

Racks of women's blouses & shirts
Assortment of sweaters & coats
Shelves of women's lingerie & shapewear
Women's scarfs
Costume & designer jewelry to include: bracelets, earrings, necklaces, etc.
Clothing racks
Mannequins
Retail displays & props
Display tables
Wall hangings to include photos & mirrors
Checkout counter
Office furniture & equipment to include desks, chairs, computer, POS system, lamps
Flat screen TV
Rack of greeting cards
Loveseat, chairs & stools (the "Assets").

2. The Trustee has not obtained an appraisal of the Assets. The Trustee believes that through the notices and publications of the Auction as detailed below, the estate will obtain the fair market value for the Assets.

3. The Auctioneer will arrange to have the auction advertised primarily on-line and through the Auctioneer's database of contacts who may be interested in purchasing the Assets and will also contact other parties who the Trustee and the Auctioneer regard as potential bidders.

7. The sale will be "AS IS" and "WHERE IS" without any representations or warranties of any kind including WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

8. The Trustee believes that there are no secured claims against the Assets.

9. If this Motion is approved by the Court, it is the Trustee's intention to sell the Assets at a public auction to be held on-line to close on March 15, 2021 or a date thereafter.

11. The Trustee believes a public sale of the Assets will bring the estate an amount equal to that which would be obtained by way of a private sale.

12. The Trustee states that, pursuant to LBR 7102(b)(2), an accompanying memorandum of law should not be required for the relief requested herein because the relevant law has been sufficiently set forth in this Motion.

WHEREFORE, Olga L. Gordon, the Trustee herein, requests that this honorable Court enter an Order:

- a) granting the Trustee the authority to sell the Assets by way of a public auction free and clear of all liens, claims and encumbrances;
- b) providing that all valid liens, claims and encumbrances shall attach to the proceeds of the sale in the order provided by law;
- c) allowing the Trustee to pay from the proceeds of the sale of the Assets all secured and ownership claims that are not disputed by the Trustee;
- d) approving the form of the proposed Notice of Intended Public Sale which is filed concurrently herewith; and
- e) granting such other relief that is just and equitable.

Respectfully submitted,

OLGA L. GORDON, CHAPTER 7 TRUSTEE,

/s/ Olga L. Gordon

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Dated: January 22, 2021