

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
NEW BERN DIVISION

IN RE:

SUITE ZERO ONE, LLC

DEBTOR

CASE NO. 19-02411-5-DMW

CHAPTER 7

**NOTICE OF PROPOSED PUBLIC SALE AND  
NOTICE OF COMPENSATION OF AUCTIONEER**

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.)

TO: ALL PARTIES IN INTEREST

Pursuant to 11 U.S.C. §363(b), Federal Rules of Bankruptcy Procedure 6004, 2002 (a), and 2002 (c) (1), notice is hereby given that JOHN C. BIRCHER III, Chapter 7 Trustee in the above referenced case (“Trustee”) proposes to sell the following described property:

See attached Exhibit A  
(collectively the “Property”)

Notice is further given that the Trustee proposes to sell said Property, for one lump sum *with a minimum opening bid of \$10,000.00*, via public internet sale hereinafter set out:

**DATES: November 18, 2019 – December 2, 2019**  
**INTERNET LOCATION: Bidspotter.com**

The Trustee has filed an application with the Court for an order authorizing employment and compensation of Country Boys Auction & Realty Co., Inc. as auctioneer whose compensation shall be fixed at a rate not to exceed the following:

REAL PROPERTY  
10% of first \$25,000.00  
4% of balance

PERSONAL PROPERTY  
20% of first \$20,000.00  
10% of next \$50,000.00  
4% of balance

The above scale includes compensation for all expenses associated with conducting a sale, such as advertising, fliers, postage mailing, electronic mail and signage. The Auctioneer may apply to the court for additional expenses such as hauling, repairs and assembly.

If you do not want the Court to allow the sale and compensation, or if you want the Court to consider your views on the sale and compensation, then within twenty-one days (21) of the date of this Notice, unless otherwise ordered, you or your attorney must file with the Court, pursuant to 9014-2, a written response, an answer explaining your position. If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the notice at a date, time and place to be later set and all parties will be notified accordingly.

DATED: 10/22/19

s/ John C. Bircher III

John C. Bircher III

NC State Bar No. 24119

WHITE & ALLEN, P.A.

PO Drawer U

New Bern, NC 28563

Telephone: (252) 638-5792

Facsimile: (252) 637-7548

Email: [jbircher@whiteandallen.com](mailto:jbircher@whiteandallen.com)

High Top Table & 2 Stools

Leather Sofa

Umbrella Stand

Wall Table

Plant

(2) Life Fitness Flex Strider Elliptical Walkers Model# 95FS

(3) Life Fitness Elliptical Model# 95X

(5) Life Fitness Treadmills, Flex Deck Model# 95T

Life Fitness Power Mill

(2) Concept 2 2713 Model E Rowers

(2) Life Fitness, Life Cycles Recumbent Bike Model# 95R

Life Fitness Adjustable Decline Bench SADB

Life Fitness SBE Signature Back Extension

Life Fitness Abdominal Press Model# SSAB

Life Fitness Triceps Press Model# SS-TP

Life Fitness Biceps Curl Model # SS-BC

Life Fitness Chest Press Model # SS-CP

Life Fitness Shoulder Press Model# SS-SP

Life Fitness Pectoral Fly, Rear Deltoid Model# SS-FLY

Life Fitness Lateral Raise Model # SS-LR

Life Fitness Assist Pip, Assist Chin Model # SS-ADC

Life Fitness Seated Leg Press Model# SS-SLP

Life Fitness Leg Curl Model# SS-LC

Life Fitness Leg Extension Model# SS-LE

Life Fitness Hip Abductor OSHAA Tower Box Model# PLT

Life Fitness Glute Model# SS-GF

Life Fitness Model# MJLPO

Life Fitness Rack w/ Bars

Life Fitness Balance Trainer

Life Fitness Synergy 360 Training Center Model# FXTX-CVVR

Life Fitness Signature Smith Machine

Life Fitness Hammer Strength Model# HDLHRL

Life Fitness Hammer Strength Model# HSPR

Life Fitness Bench Model# SFB

Life Fitness Seat Model# SUB

Life Fitness Adjustable Bench

(2) Life Fitness Weight Racks & Weights

(2) Life Fitness Incline Press Model# SPLIP

Life Fitness Weight Bar Rack & Bars

Life Fitness Linear Leg Press Model# SPLLP

Life Fitness Row Machine Model# SPLROW

(3) Life Fitness Flat Screen TV's

Media Center, Live Wire Power, DVD/DC Player, Atlas Sound Mixer

Amp, Behringer Mixer Board, NEC Projector

(3) Life Fitness 1 Life Cycle Model# GX Bikes

Life Fitness Body Bars & Rack

Life Fitness Small Hand Weights & Rack

Life Fitness Yoga Racks

(4) Trash Cans

(2) Large Ceiling Fans

Metro Rack

Haier Cooler

Hydro Massage Table, Water Massage

Heathometer Scales 500KL

(2) Cubby Units

Bench

(2) Wall Racks

(2) Shoe Racks

Defibrillator

Media Cabinet Camera System, Mixer Amp, Monitors

HP OfficeJet 8610 Printer

**Computer Desk**

**(2) Side Chairs**

**Office Chair**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that he is over eighteen (18) years of age and the **NOTICE OF PROPOSED PUBLIC SALE AND NOTICE OF COMPENSATION OF AUCTIONEER** was this day served upon the below named parties by first class mail, bearing sufficient postage or electronically as indicated:

Marjorie K. Lynch, Esquire  
Bankruptcy Administrator  
(via CM/ECF)

Attached mailing matrix

DATED: 10/22/19

s/ John C. Bircher III  
John C. Bircher III  
NC State Bar No. 24119  
WHITE & ALLEN, P.A.  
PO Drawer U  
New Bern, NC 28563  
Telephone: (252) 638-5792  
Facsimile: (252) 637-7548  
Email: [jbircher@whiteandallen.com](mailto:jbircher@whiteandallen.com)

Label Matrix for local noticing  
0417-5  
Case 19-02411-5-DMW  
Eastern District of North Carolina  
Raleigh  
Mon Oct 21 09:49:13 EDT 2019

Anytime Fitness  
111 Weir Drive  
Saint Paul, MN 55125-3200

BC Wood Properties  
PO Box 794  
Middletown, OH 45044-0794

~~Bankruptcy Administrator~~  
~~Two Hannover Square, Ste. 640~~  
~~434 Fayetteville Street~~  
~~Raleigh, NC 27601-1701~~

~~(p)JOHN C BIRCHER III~~  
~~WHITE & ALLEN PA~~  
~~1319 COMMERCE DRIVE~~  
~~PO DRAWER U~~  
~~NEW BERN NC 28563-8520~~

~~Danny Bradford~~  
~~Paul D. Bradford, PLLC~~  
~~dba Bradford Law Offices~~  
~~455 Swiftside Drive, Suite 106~~  
~~Cary, NC 27518-7200~~

Capital One  
PO Box 85184  
Richmond, VA 23285-5184

Citibank  
c/o Bankruptcy Dept.  
PO Box 9025  
Des Moines, IA 50368

Flora Debrick  
1148 Weighhouse Place  
Kennesaw, GA 30152-4109

Antione Dedrick  
1148 Weighhouse Place  
Kennesaw, GA 30152-4109

Fundation  
11501 Sunset Hills RD  
Ste. 100  
Reston, VA 20190-6700

~~Stephanie Goodbar~~  
~~Poyner Spruill~~  
~~301 Fayetteville Street, Suite 1900~~  
~~PO Box 1801~~  
~~Raleigh, NC 27602-1801~~

Jackson & Sons, Inc. 2330 Indian Sp  
2330 Indian Springs  
Dudley, NC 28333-6402

Lending Tree  
1115 Rushmore Drive  
Charlotte, NC 28277

~~Marjorie K. Lynch~~  
~~Bankruptcy Administrator~~  
~~434 Fayetteville Street, Suite 640~~  
~~Raleigh, NC 27601-1888~~

Spectrum Business  
PO Box 70872  
Charlotte, NC 28272-0872

Suite Zero One, LLC  
1148 Weighhouse Place  
Kennesaw, GA 30152-4109

USAA CREDIT Card Services  
10750 McDermott Freeway  
San Antonio, TX 78288-1600

Verizon Wireless  
PO Box 920041  
Dallas, TX 75392-0041

~~Matthew P. Weiner~~  
~~Poyner Spruill LLP~~  
~~301 Fayetteville Street, Suite 1900~~  
~~Raleigh, NC 27601-2173~~

Wells Fargo  
3476 Stateview Boulevard  
Fort Mill, SC 29715-7200

Wells Fargo Bank SBA  
PO Box 2715  
Winston Salem, NC 27102-2715

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).

~~John C. Bircher III~~  
~~White & Allen, PA~~  
~~1319 Commerce Drive~~  
~~PO Drawer U~~  
~~New Bern, NC 28563~~

~~(d)John C. Bircher III~~  
~~White & Allen, PA~~  
~~1319 Commerce Drive~~  
~~PO Drawer U~~  
~~New Bern, NC 28563~~

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

(u)Bankruptcy Administrator

(u)Wells Fargo Bank, N.A.

End of Label Matrix	
Mailable recipients	21
Bypassed recipients	2
Total	23