

1 **NACH, RODGERS, HILKERT & SANTILLI**

1220 E. Osborn Road, Suite 101

Phoenix, Arizona 85014

Telephone No.: (602) 258-6000

Facsimile No.: (602) 258-6003

Adam B. Nach – 013622

Helen K. Santilli – 032441

Email: adam.nach@NRHSlaw.com

helen.santilli@NRHSlaw.com

docket@NRHSlaw.com

Attorneys for Brian J. Mullen, Trustee

8 **IN THE UNITED STATES BANKRUPTCY COURT**

9 **FOR THE DISTRICT OF ARIZONA**

10 In re:

(Chapter 7 Case)

No. 2:25-bk-10166-EPB

11 CHARLES ROBERT HACKNEY and
12 SUZETTE LOUISE HACKNEY,

13 Debtors.

**NOTICE OF TRUSTEE'S MOTION
FOR ORDER: (1) AUTHORIZING
SALE OF PROPERTY OF THE
ESTATE FREE AND CLEAR OF ALL
LIENS, ENCUMBRANCES, AND
INTERESTS, AS-IS, WHERE-IS; AND
(2) APPROVING SALE AND BIDDING
PROCEDURES**

AND NOTICE OF AUCTION

18 **TO: ALL CREDITORS AND PARTIES-IN-INTEREST**

19 On September 10, 2026, Brian J. Mullen (“Trustee”) filed his Trustee’s *Motion for Order:*
20 *(1) Authorizing Sale of Property of the Estate Free and Clear of All Liens, Encumbrances, and*
Interests, As-Is, Where-Is; and (2) Approving Sale and Bidding Procedures (“Sale Motion”).

21 **NOTICE OF AUCTION**

22 **NOTICE IS FURTHER GIVEN** that the Estate’s interest in the below-described
23 Property will be offered to the person making the highest and best bid at public sale by Trustee,
24 through Auction Yard, LLC dba AuctionAZ (“AuctionAZ” or “Auctioneer”). Bidding will open
25 on or before **5:00 p.m. MST on October 14, 2026**. Bidders will be able to place bids through
the online bidding system at www.auctionaz.com. If anyone places a bid within the last two
minutes of bidding, the bidding will extend for an additional two minutes. Bidding will start to
close as indicated on the website on **October 21, 2026**.

Property to be Sold:	2009 Harley Davidson, Heritage Softail Classic with, VIN 1HD1BW5129Y061544 (“Property”)
Terms of Sale:	Prospective purchasers are encouraged to personally

inspect/perform their own due diligence of the Property.

The sale of the Property shall be **As-Is, Where-Is, with No Guarantees or Warranties**, and free and clear of liens, encumbrances, and interests with all valid and enforceable liens, encumbrances and interests to attach to the net proceeds derived from the sale of the Property as described above.

All sales are subject to Trustee and Bankruptcy Court approval. Trustee makes no representations regarding the title or condition of the Property nor does he make any warranties regarding encumbrances, liens or interests.

Auctioneer utilizes the following standard procedures for auctions:

Online Auctions: Bidding will open on or before **5:00 p.m. MST on October 14, 2026**, or as indicated on the website. Bidders will be able to place bids through the online bidding system at www.auctionaz.com. Online bidding will start to close **October 21, 2026**. A \$200.00 refundable bidder deposit is required. The deposit can be made with a credit card using the online bidding system.

Bidding: All auctions are live online.

Payment/Charges: (i) No Buyers Premium will be charged by Auctioneer; (ii) Auctioneer does not accept credit/debit cards; Auctioneer accepts cash, cashier's check, certified funds or wire transfers (with a \$25 fee). Payment is due no later than 4:00 pm MST on the first Wednesday following the auction; (iii) Sales Tax: For general assets and rolling stock, unless an Arizona tax resale license is provided at the time of payment, the purchaser will be required to pay the combined Arizona State and local sales tax totaling 9.2%. There is no sales tax on real estate.

Default: In the event of default, the second highest bidder will be given the option to become the successful bidder at his/her last bid. The bidder in default will be responsible for the difference in the bids, or the entire amount of his/her bid in the event that the second highest bidder does not take the option to become the successful bidder. The default bidder will also forfeit his/her deposit. A service charge of 1-1/2% per month, 18% APR, will be added to all overdue accounts. The bidder in default is also liable for all legal and collection fees.

Auctioneer Warranties: Trustee and Auctioneer provide no warranty relating to title, possession, quiet enjoyment or the like in this disposition. All items sold at the

	1 auction are being sold “AS IS, WHERE IS” with no 2 representations or warranties implied or stated, subject 3 to any existing liens and encumbrances known or 4 unknown by the Trustee. All due diligence is the 5 responsibility of the bidder/buyer. 6 <u>Additional Sale Terms:</u> Auctioneer is not responsible for 7 missing or broken items after the auction has ended. 8 There are absolutely no refunds. 9 The Sale is subject to Trustee approval. All bids at the 10 auction shall be subject to higher and better bids until 11 close of the auction. 12 The buyer of Property shall be solely responsible for 13 the costs of removing the purchased property and 14 shall work with the Auctioneer for the removal of the 15 Property.
Bidding Procedures:	16 Bidding will open at or before 5:00 p.m. MST on, 17 October 14, 2026 or as indicated on the website. 18 Bidding on the Property will start to close on October 19 21, 2026 or at the time listed on the website.
To View the Property or Obtain More information:	20 For more information, contact William Russell at (602) 21 412-3617 or www.AuctionAZ.com 22 The Property to be auctioned will be available for 23 preview on October 20, 2026 from 10:00 a.m. to 2:00 24 p.m. at 7577 W. Mountain View Road, Peoria, Arizona 25 85345.
Description of Interest(s) in the Property:	26 As more fully set forth in the Motion, the Trustee is 27 unaware of any liens, claims, interests, or encumbrances. 28 (Exhibit A to Motion). Upon information and belief, there is no properly perfected interest in the Property. The Property is a titled asset and no party has a property perfected interest in the title as evidenced by Exhibit A to the Motion. Auctioneer fees shall not exceed 10%. After completion of the sale, the Trustee shall file a report of sale and request to pay auctioneer to obtain approval of Auctioneer fees and costs. There has been no stay relief sought as to this Property.
Appraisals:	The Trustee is not aware of any recent appraisals on the Property being sold.
Compensation/Fees:	Any and all compensation to Auctioneer is subject to further Court Order.

1
2 DATED: September 10, 2026

NACH, RODGERS, HILKERT & SANTILLI

3 By: /s/ Helen K. Santilli
4 Helen K. Santilli
Attorney for Trustee

5 COPY of the foregoing delivered via electronically:

6 Martin J. Berkley
Berkley Law Office
7 7301 N. 16th St., Ste. 102
Phoenix, AZ 85020
8 Email: mjberkley@yahoo.com
Attorney for Debtor

9 Office of U.S. Trustee
10 230 North First Avenue
Phoenix, AZ 85003
11 Email: Edward.J.Bernatavicius@usdoj.gov
Email: ustpreion14.px.ecf@usdoj.gov

12 All parties on the attached mailing matrix.¹

13
14 By: /s/ Danica Acosta

15
16
17
18
19
20
21
22
23
24
25
26
27
28 ¹ A copy of the master mailing matrix shall not be mailed but is available upon written request to helen.santilli@nrhslaw.com.