

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	
HERMAN E. TALMADGE, JR.,)	CASE NO. 14-50312 -wlh
)	CHAPTER 11
Debtor.)	
_____)	

**MOTION TO APPROVE SALE OF TARA DOOR FROM “GONE WITH
THE WIND”**

COMES NOW J. Michael Levengood, Chapter 11 Trustee (“Trustee”), by and through undersigned counsel, and pursuant to 11 U.S.C. §§363(b) and (f), and Fed. R. Bankr. P. 6004, files this Motion to Approve Sale of Tara Door From “Gone with the Wind” (the "Motion"), respectfully showing the Court as follows:

RELIEF REQUESTED

1.

By this motion, Trustee moves for the entry of an order under 11 U.S.C. § 363(b) and (f), and Federal Rule of Bankruptcy Procedure 6004 authorizing Trustee to sell certain personal property owned 100% by Debtor Herman E. Talmadge, Jr. Specifically, Trustee seeks approval to sell the Tara Door presently on loan to the Atlanta Historical Society’s Margaret Mitchell House. Said sale will be conducted by Auction Management Corporation (“AMC”). Trustee filed an Application for Authority to Employ AMC [ECF No. 309], and same has been

approved by this Court [ECF No. ____]. Trustee anticipates that the sale will net the Bankruptcy Estate significant funds which will be necessary to help pay accrued administrative expenses and allowed claims, as Trustee works toward implementation of the Plan and resolution of this Chapter 11 case.

JURISDICTION AND VENUE

2.

This Court has jurisdiction over this Motion pursuant to 28 U.S.C. § 1334(b). This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue for this Motion is proper before this Court pursuant to 28 U.S.C. § 1409. The statutory predicates for relief sought herein are 11 U.S.C. §§ 105 and 363(b) and (f), and Rule 6004 of the Federal Rules of Bankruptcy Procedure.

BACKGROUND

3.

Debtor Herman E. Talmadge ("Debtor") filed his Voluntary Petition for relief under Chapter 11 of the Bankruptcy Code on January 6, 2014 (the "Petition Date").

4.

Following the death of Debtor in November, 2014, on January 29, 2015, the U.S. Trustee appointed J. Michael Levengood as Chapter 11 Trustee [ECF No. 99],

and on February 2, 2015, this Court approved the appointment of J. Michael Levengood as Chapter 11 Trustee in this case. [ECF No. 103]

5.

As reflected in Debtor's schedules [ECF No. 23], Debtor owns a 100% interest in certain personal property, including the Tara Door presently on loan to the Atlanta Historical Society's Margaret Mitchell House (the "Tara Door"). The Tara Door is unencumbered; however, consistent with this Court's direction given at the Confirmation hearing on September 24, 2018, Trustee has served the instant Motion on the Atlanta Historical Society in an abundance of caution.

6.

Trustee proposes to sell the Tara Door with the assistance of AMC. Trustee previously retained AMC due to its experience, reputation and expertise in the sale of estates and antiques such as the Tara Door, as well as their unique ability to market the Tara Door to its existing and extensive customer base. The proposed marketing campaign will consist of several elements, including, but not limited to, internet promotion, targeted email campaigns, placement in strategic web venues, webcast bidding at AMC's online bidding platform, and telemarketing and direct marketing to prospective buyers. A copy of AMC's auction proposal detailing the terms of sale is attached hereto as Exhibit "A".

7.

Because the sale of the Tara Door can be a specialized business, and in order to maximize the return to the estate, Trustee previously filed an Application for Authority to Employ AMC [ECF No. 309], which was granted at the hearing held on September 24, 2018. While the Exhibit “A” speaks for itself and takes precedence over any comments contained herein, AMC will receive a fee equal to 25% (10% seller’s fee and 15% buyer’s fee). Additionally, AMC has proposed a \$7,900.00 marketing budget to be advanced by AMC and recovered from the proceeds of sale.

8.

Trustee anticipates that such sale will take place as soon as is practicable after this Court approves said sale, and no later than 8 to 12 weeks after approval. Trustee has consulted with AMC and believes that a sale at this time will help to secure the maximum possible value for the Tara Door and all personal property of Debtor.

9.

As the Tara Door is unique and will likely sell to an unknown purchaser, it is not possible for the Trustee to identify a specific purchaser or sale price in this Motion. The sale will be conducted by AMC as outlined in Exhibit “A” and after

extensive marketing, and bids will be taken on-line.

10.

Trustee believes that the proposed sale will generate significant revenues that can be used to pay administrative expenses and allowed claims, as the Trustee works toward implementation of the Plan and resolution of this Chapter 11 case. The relief sought herein is consistent with Trustee's Plan of Reorganization submitted May 1, 2018, as amended.

BASIS FOR RELIEF REQUESTED

11.

Section 363 of the Bankruptcy Code provides that a Trustee "may use, sell or lease, other than in the ordinary course of business, property of the estate." *See* 11 U.S.C. § 363(b). § 363(f) of the Bankruptcy Code provides that a Trustee may sell property under § 363(b) free and clear of any interest in such property of an entity other than the estate upon certain conditions. *See* 11 U.S.C. § 363(f).

12.

In the exercise of his business judgment, Trustee believes that the sale of the Tara Door, as proposed herein, is fair and in the best interest of the Bankruptcy Estate and creditors. Furthermore, Trustee, with the help of AMC, has evaluated all options regarding its sale. As a result, Trustee believes that the procedures

proposed in this Motion represent the best mechanism to obtain the highest and best price for the Tara Door. Frankly, Trustee does “give a damn” that the proposed sale brings the greatest return to the Bankruptcy Estate.

13.

Notice of this Motion is being given contemporaneous with its filing to (a) all Creditors and Parties in interest, including, but not limited to the Atlanta Historical Society’s Margaret Mitchell House (who presently holds the Tara Door on loan), (b) the Office of the United States Trustee, and (c) all Parties listed on the matrix maintained by the Clerk of Court.

Wherefore, based upon the foregoing, Trustee requests entry of an order authorizing Trustee to consummate the contemplated Tara Door sale, and for such other and further relief as this Court deems just and proper.

Dated this 4th day of October, 2018.

ANDERSEN, TATE & CARR, P.C.

By: /s/ James C. Joedecke, Jr.
James C. Joedecke, Jr.
Ga. Bar No. 391885
Counsel to J. Michael Levensgood,
Chapter 11 Trustee

One Sugarloaf Centre, Suite 4000
1960 Satellite Boulevard
Duluth, GA 30097
Phone: 770-822-0900
Fax: 770-822-9680
Email: jjoedecke@atclawfirm.com

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date electronically filed the within and foregoing **MOTION TO APPROVE SALE OF TARA DOOR FROM “GONE WITH THE WIND”** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys and parties of record, and I served a copy of the foregoing by United States Mail, with sufficient First Class postage affixed thereon, addressed as follows:

J. Michael Levengood
Chapter 11 Trustee
Estate of Herman E. Talmadge, Jr.
150 S. Perry St., Suite 208
Lawrenceville, GA 30046

James L. Paul
Chamberlain, Hrdlicka, White,
Williams & Aughtry
191 Peachtree Street, N.E., 34th Floor
Atlanta, GA 30303

Peter C. Ensign
Ensign Law
6139 Preservation Drive, Suite 2
Chattanooga, TN 37416

J. William Boone, Esq.
James-Bates-Brannan-Groover LLP
Buckhead Tower at Lenox Square
3399 Peachtree Road, N.E.,
Suite 1700
Atlanta, GA 30326

James H. Morawetz, Esq.
Trial Attorney
Office of the United States Trustee
362 Richard Russell Building
75 Spring Street, SW
Atlanta, GA 30303

Thomas R. Walker
McGuire Woods LLP
1230 Peachtree Street, N.E.
Suite 2100
Atlanta, Georgia 30309

Joseph Chad Brannen
The Brannen Firm, LLC
Suite G
7147 Jonesboro Rd.
Morrow, GA 30260

Atlanta Historical Society, Inc.
130 West Paces Ferry Road, NW
Atlanta, GA 30305
Attn: F. Sheffield Hale, Reg. Agent

all creditors and appearing counsel shown on Exhibit "B"

Dated, this 4th day of October, 2018.

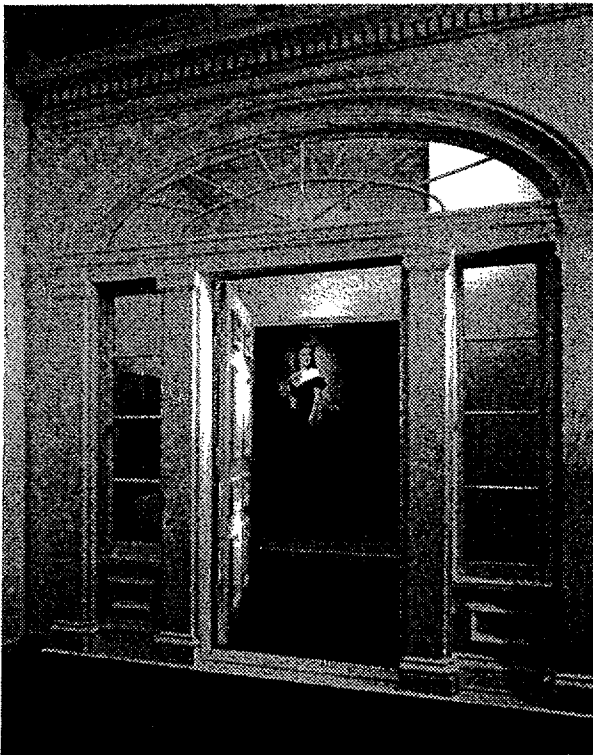
ANDERSEN, TATE & CARR, P.C.

By: /s/ James C. Joedecke, Jr.
James C. Joedecke, Jr.
Ga. Bar No. 391885
Counsel to J. Michael Levengood,
Chapter 11 Trustee

One Sugarloaf Centre
Suite 4000
1960 Satellite Boulevard
Duluth, GA 30097
Phone: 770-822-0900
Fax: 770-822-9680
Email: jjoedecke@atclawfirm.com

EXHIBIT A

Auction for Herman E. Talmadge, Jr. Bankruptcy Estate



AUCTION PROPOSAL

MICHAEL LEVENGOOD

CHAPTER 11 TRUSTEE

FEBRUARY 14, 2018



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

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Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

INTRODUCTION

February 14, 2018

J. Michael Levengood
Chapter 11 Trustee
150 South Perry Street, Suite 208
Lawrenceville, Georgia 30046

RE: Herman E. Talmadge, Jr. Bankruptcy Estate

Dear Mr. Levengood,

Thank you for the opportunity to present our auction proposal for the liquidation of the personal property of the Herman E. Talmadge, Jr. Bankruptcy Estate located at 215 Talmadge Drive in Hampton, GA. We are very familiar with this type of auction, and excited about this assignment. Below please find our proposal, listing agreement, advertising budget, timeline, and list of references.

We suggest that your assets be sold via an online only auction. We have auctioned assets in a variety of different methods and have found that for this type of auction, the online only format will maximize revenues.

Bidders would be able to inspect the assets at a predetermined period and removal would occur immediately after the auction. During the auction each item will have a 5 minute auto-extend feature where any bids placed in last 5 minutes extends the bidding another 5 minutes which will maximize the bids for all the items.

We are excited about working with you. This project is right in our backyard where we have sold thousands of assets over the past 20 years. You will always be dealing with Jeb Howell or myself.

We believe that AMC provides an exceptional marketing platform for the sales process for these properties, and that no other auction company in the U.S could do a better job selling your assets.

Please call if you have any questions.

Thank you,

Bruce Bryant
Associate Broker/ Auctioneer
Auction Management Corporation
1827 Powers Ferry Road, Bldg 5
Atlanta GA 30339
(770) 980-9565 / www.auctionEbid.com



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

EXECUTIVE SUMMARY

SUBJECT PROPERTIES:

Description	Address	City	State	Zip
FF&E, Firearms, and rolling stock belonging to bankruptcy estate	215 Talmadge Dr.	Hampton	GA	30228

SALE FORMAT:

Online Only Auction

PROPOSED SALE DATE: _____, 2018

TYPE OF PROPERTIES: FF&E, Autos, Firearms, GWTW Memorabilia

MARKETING STRATEGIES:

Digital, Print, and Email utilizing both in-house and purchased lists, PR/ signage/ inspections. Focused marketing to prospective buyers by way of Zip codes, telemarketing and industry publications.

MARKETING BUDGET: \$7,900.

FEE STRUCTURE:

The Auction Management fee for marketing and conducting the auction will be 10% of the high bid. In addition, Auction Management Corporation will charge and collect, as a fee, a buyers' Premium. Buyers will pay a 15% Buyers Premium that will be added to the high bid to achieve the purchase price (plus an additional 3% if paid by credit card).

Marketing expenses will be paid by the seller in the amount of \$7,900. The marketing funds will be advanced by Auction Management and refunded from Auction proceeds. All commissions and reimbursements will be deducted from settlement and paid to Auction Management Corporation.

AUCTION SALE TERMS:

Buyer will pay 15% Buyer's Premium to achieve purchase price. Property will sell in a cash sale, AS-IS/ WHERE-IS, with no warranties or guarantees, expressed or implied.

AGENT: Bruce Bryant (404) 245-4453



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

SELLER RESPONSIBILITIES

- Review proposal and ask any questions you have regarding any aspect of the process.
- Sign the contract.
- Provide Auctioneer with all information and documentation related to the sale assets.
- If you have any documents or are aware of any information regarding the assets, please share and let us decide if it is relevant to the sale. Even the most seemingly insignificant detail may affect the sale positively or negatively.
- Please refer any inquiries about the property to the Auctioneer.
- Ask any questions you may have at any time during the process. We want you to feel included and informed.

AUCTIONEER RESPONSIBILITIES

- Gather all information relevant to the sale of the properties.
- Present information in marketing text for use in digital and print media.
- Post on our company website along with images, video and documentation deemed relevant to the item(s) offered at auction.
- Place appropriate signage.
- Advertise as agreed in both print and digital media.
- Keep an ongoing list of prospects and communication with them regarding the auction.
- Send client marketing updates and prospect reports.
- Aggressively market sale to utilizing all appropriate marketing platforms.
- Advertise and attend property inspection/ preview.
- Conduct the online auction.
- Collect all money including taxes and hold in escrow, to be disbursed in accordance with Trustee's instructions and applicable statutes.



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

MARKETING PROPOSAL

This proposal addresses the elements of our marketing plan for the liquidation of all the remaining personal property of the Herman E. Talmadge, Jr. Bankruptcy Estate located at 215 Talmadge Drive in Hampton, GA 30228. This auction will be online only.

The auction marketing period will begin approximately 30-45 days prior to the auction. See *Preliminary Schedule of Events*.

1. The marketing campaign will consist of several elements, including the following:
 - a. Internet promotion including email campaigns to in-house and targeted prospects, and placement in various industry-specific web venues and several other potential web venues.
 - b. Signage and directionals in front of the property where allowed.
 - c. Webcast bidding at our online bidding platform.
 - d. We will also employ telemarketing, direct marketing to prospective buyers.
 - e. For these assets, we developed a marketing budget totaling \$7,900.00 to properly advertise this sale (*see Proposed Advertising Budget*).
2. Prospects can obtain and download detailed information, site tour video imagery, terms, etc. via our website at www.auctionEbid.com.
3. We will coordinate inspections of these assets, providing staff to oversee any required inspection periods.
4. We will advertise the fact that the property will be sold with a fifteen (15%) percent buyer's premium plus three (3%) percent if paid by credit card, which will be added to all winning bids. For example, a \$1,000 bid, plus the 15% buyer's premium (\$150), would yield a purchase price of \$1,150.



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

5. We recommend that the asset be online only. Bidding can be accessed through our website at www.amcbid.com. Constant promotions through a variety of media guide online bidders to our website, where they register to bid. The process is as simple as possible, while requiring bidders to be properly qualified.
6. We will require immediate payment by cash, cashiers check, credit card or wire transfer.
7. A three (3) day move-out period will be adequate for this sale with the possible exception of the Façade setting – we will make special arrangements for its removal.
8. The winning bidder will also be required to pay immediately upon the completion of the auction.
9. We propose a commission of ten (10%) percent of the winning bid, paid by the seller. In addition, we will charge the buyers a commission of fifteen percent (15%) in the form of a buyer's premium (plus 3% if paid by credit card) to be added to the winning bid.
10. The only other expense of the sale would be the marketing/ advertising budget. We have carefully analyzed your assets with the most cost-effective advertising material, and we feel that the \$7,900 budget is the appropriate amount necessary to properly market your assets. We will advance the entire marketing budget, and receive reimbursement at final settlement out of the gross proceeds.

On the following pages, we enclose a detailed list of marketing expenses, a sample marketing timeline illustrating approximately 60 days from the time of our engagement to the receipt of all closing proceeds.

We look forward to selling your assets in the shortest possible timeframe, while generating the maximum level of interest, using our accelerated marketing techniques.



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

PROPOSED ADVERTISING BUDGET

EXPENSE TYPE	BUDGET
AUCTION MATERIALS	
Bills of Sale, Copies, Flyers, 3 Part Materials	\$100.
SIGNAGE	
4 x 4 Double Sided Sign plus misc. directional & placement	\$250.
PRINT MEDIA	
Local newspaper - Display, Classified Ads	\$1,000.
ONLINE PROMOTIONS	
Heavy Online Ads, Social Media, Blasts, Banner Ads, and additional auction websites	\$1,500.
Internal email Campaigns (auctionEbid.com)	\$300.
SETUP EXPENSES	
Materials & Labor	\$1,000.
SPECIAL PROMOTIONS	
PR Campaign including Press Releases & Direct Contact to Media Outlets	\$2,500.
AUCTION DAY & MOVE OUT EXPENSES	
Staffing, security, labor, etc.	\$1,250.
TOTAL EXPENSES	\$7,900.



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

PRELIMINARY SCHEDULE OF EVENTS

EVENT	DATE
AUCTION SERVICES AGREEMENT FINALIZED	Week 1
PRELIMINARY POSTING TO WEBSITE	Week 1
MARKETING MATERIAL SUBMITTED FOR APPROVAL	Week 1
AD SUBMITTED TO MISC. WEBSITES	Week 2
SETUP BEGINS	Week 2
SIGNS ORDERED	Week 2
SIGNS PLACED / INITIAL VIDEOS SHOT	Week 3
POSTED TO WEBSITES & INITIAL EMAIL ANNOUNCEMENT	Week 3
FINAL EMAIL ANNOUNCEMENT	Week 6
INSPECTION/ PREVIEW	Week 6-7
AUCTION	Week 7
MOVE-OUT & SETTLEMENT PERIOD	Week 8



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

PERSONAL PROPERTY AUCTION SERVICES LISTING AGREEMENT

State of Georgia, County of Henry

This Agreement, made and entered into this February 14, 2018 between J. Michael Levengood, Chapter 11 Trustee for Herman E. Talmadge, Jr. Bankruptcy Estate ("**SELLER**") and Auction Management Corporation ("**AUCTIONEER**"), located at 1827 Powers Ferry Road, Building 5, Atlanta, GA 30339, whereby **SELLER** in consideration of the mutual covenants herein contained, does hereby grant to **AUCTIONEER** the exclusive right to sell the herein described property at public auction for the highest price obtainable on or before _____, 2018.

The **SELLER** agrees to turn over to the **AUCTIONEER**, to be sold at Public Auction, the item(s) indicated below and/or any attached documents, and that all items will be sold to the highest bidder, unless specified to be offered with Reserve by the **SELLER** in writing at the signing of this contract. Any items remaining unsold following the Auction for any reason will be returned to the **SELLER(S)**. **SELLER(S)** agrees that the **AUCTIONEER** shall be held harmless for any monies attributed to such unsold items.

SELLER agrees to pay fees in the amount of Seven Thousand Nine Hundred Dollars (\$7,900) for the promotion of the Auction. **SELLER** agrees to sell all assets on an unreserved basis, **AUCTIONEER** shall advance the funds and receive reimbursement from settlement proceeds. Cleanup and hauling fees of ___N/A___ Dollars (\$ ___N/A___) will be paid by the **SELLER** if applicable, plus a commission in cash on day of sale of ten (10%) percent of the highest bid(s) obtained. Buyers will pay **AUCTIONEER** a buyer's premium of fifteen (15%) percent which will be added to their last bid.

SELLER agrees to pay **AUCTIONEER** said commission if a sale is obtained by **AUCTIONEER** and **AUCTIONEER** is prevented in closing the sale by existing liens, judgments, or suits pending against this property or the **SELLER**, or **AUCTIONEER** is prevented in closing the sale by the unwillingness of **SELLER** to close same after having agreed in writing to such a sale. **SELLER** agrees that upon the sale of the property, payment shall be immediately made to **AUCTIONEER** and all earnest money received will be deposited in **AUCTIONEER**'s escrow account to be disbursed upon consummation of sale.

As an inducement for **AUCTIONEER** to conduct this auction, **SELLER** further agrees to indemnify **AUCTIONEER** against any loss incurred by **AUCTIONEER**, directly or indirectly, by reason of any and all claims made against and upon Property by or on behalf of any parties laying claim to the assets formerly in possession of Herman E. Talmadge, Jr. Bankruptcy Estate and/or its transferees and assigns. This indemnity shall include any loss payments made by **AUCTIONEER** by reason of such claim or claims, if at any time in **AUCTIONEER**'s discretion **AUCTIONEER** shall deem it necessary, for **AUCTIONEER**'s protection, after ten (10) days written notice to **SELLER** of such proposed payment, mailed to the address shown below, and **SELLER** agrees to reimburse **AUCTIONEER** for any such payment within ten (10) days receipt of such notice.



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

SELLER has title and warrants title to said property and agrees to convey good and marketable title to said property to any purchaser to whom **AUCTIONEER** may sell by such legal conveyance as is necessary to complete this sale. If there are any defects in title, **SELLER** agrees to have said defects cured if possible and to pay all expenses incident to same. In the event that there are any defects in title, that are incurable or which the **SELLER** fails or refuses to cure, **SELLER** agrees to pay **AUCTIONEER** full commission as herein set forth. **SELLER** shall have a reasonable time, not to exceed 90 days from date of sale if necessary, to cure any defects in title. **SELLER** shall provide all necessary property insurance for said property up to and through time of closing. In the event that property is damaged or destroyed before closing, **AUCTIONEER** shall be entitled to full commission as herein set forth. In the event of default by **SELLER**, **SELLER** agrees to pay any unpaid commission and/or expenses as herein set forth plus cost of collecting same including reasonable attorney fees. A vendors lien on said property is expressly reserved to secure payment of said commission and/or expenses. **SELLER** hereby grants a security interest in said property for said commission and/or expenses. **SELLER** agrees that no property will be sold, priced, transferred, exchanged, or removed prior to auction. If the property sells at Absolute, neither **SELLER** nor any entity controlled by **SELLER** may bid on the Property.

AUCTIONEER shall have 15 days after the auction to close the sale or obtain another buyer. If the property is sold by either party within 15 days, **AUCTIONEER** shall be entitled to the stated commission. **AUCTIONEER** agrees to conduct the auction in its usual manner to obtain the highest available bid for said property and to endeavor to have a high bidder submit a written offer by sales contract or such other form or memorandum of sale as prescribed by **AUCTIONEER**. It is expressly agreed that **AUCTIONEER** does not guarantee performance by a high bidder and shall not be responsible if, for any reason, a high bidder shall refuse to submit a written offer conforming to the bidding at the auction or shall fail to perform his agreement to purchase or to comply with escrow instructions or other terms and conditions of sale that may thereafter be executed. **AUCTIONEER** further agrees to market the property at public auction in its customary manner.

In the event of Postponement for any reason, the Auction will be rescheduled at a time mutually agreed upon by the parties to this **AGREEMENT**. Any expenses incurred by the **AUCTIONEER** to that date will be paid by the **SELLER**. **AUCTIONEER** further agrees to inventory all items to be sold, and to furnish a complete list of items sold to the **SELLER** at closing.

The **AUCTIONEER** agrees to keep accurate records of the Auction and to furnish the **SELLER** such records upon settlement of the funds which will take place within fifteen (15) business days following the Auction, and at such time the **AUCTIONEER** will deduct all fees and expenses due as agreed herein.

SELLER, its affiliated agents/delegates, and **AUCTIONEER** agree that any unresolved claim arising out of or relating to this contract, or the breach thereof, or to the warranty of **SELLER**, shall be settled by arbitration in accordance with the Commercial Arbitration Rules of the American Arbitration Association. **SELLER** and **AUCTIONEER** shall each pick an arbitrator. The two



Auction for Herman E. Talmadge, Jr. Bankruptcy Estate

chosen arbitrators shall choose a third arbitrator. The decision of this panel of arbitrators shall be final and may be enforced by any court having jurisdiction thereof. This panel of arbitrators shall assess the cost and payment of the arbitration.

Description of Property

Personal property consisting of : All assets of Herman E. Talmadge, Jr. Bankruptcy Estate located at 215 Talmadge Drive, Hampton, GA. List of property to be attached. Bulk transfer affidavit if required to be attached.

Other terms and conditions:

I/we, **SELLER** agree I have read and/or the contract has been explained to me. I/we further state that no representations as to guarantee of appraised value or price to be obtained has been made to me/us by Auction Management Corporation or its agents, and I/we acknowledge receipt of a copy of this Agreement.

IN WITNESS Whereof, the parties have hereunto affixed their hands and seals the date first above written.

WITNESSETH:

AUCTION MANAGEMENT CORPORATION, AUCTIONEER

Julian E. Howell III, President

SELLER

(Signature) – J. Michael Levengood, Chapter 11 Trustee for
Herman E. Talmadge, Jr. Bankruptcy Estate

Address: 150 South Perry Street, Suite 208; Lawrenceville, GA 30046

Phone/ Email: _____

Tax ID #: _____



AUCTION MANAGEMENT CORPORATION

COMPANY OVERVIEW



Auction Management Corporation is located in Atlanta, GA, with offices and affiliates in Florida, South Carolina, Arkansas, Michigan, Texas, Nevada, New York, and California. Auction Management Corporation was founded in 1996 and has since successfully auctioned over 6,000 commercial, residential, and business assets nationwide. In our Atlanta office, we have five licensed brokers and auctioneers, and a professional administrative staff. In addition, we have two licensed auctioneers in our Florida office, 2 in our Arkansas office, 1 in South Carolina, and licensed auctioneers and brokers throughout our affiliate network.

We specialize in the sale of assets for estates, financial institutions, and corporate and individual sellers who understand the time value of money and who wish to sell quickly at a fair market price.

In addition to real estate, we are a knowledgeable and trusted liquidator of technology assets, equipment and other business liquidations.

Whether it is a long-held family estate in Georgia, investment home in Maine, convenience stores in Minnesota, or a vineyard in California, we apply the same diligence and care to every asset so that all parties to the transaction are winners.

Auctions are the best way to buy and sell assets in today's fast-paced environment.



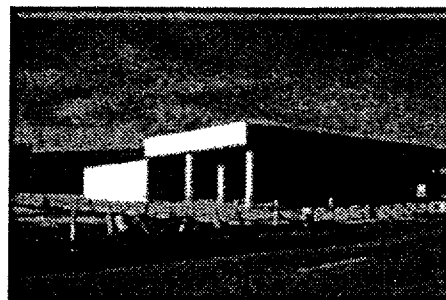


AUCTION MANAGEMENT CORPORATION

TEAM EXPERIENCE

Recent Sales Include:

- ✓ Homes and acreage on behalf of Estates in Loganville and Marietta, GA
- ✓ Apartment Complexes in AR, GA, AL, MI, NC, TN, RI
- ✓ Land & Lots in AL, AR, CA, FL, IL, MA, MD, MI, MO, NC, NJ, NM, NY, NV, OH, OR, SC, TN++
- ✓ 19,948 sf YWCA in Kansas City, KS
- ✓ Golf Courses in Lexington and Jefferson, SC
- ✓ Inventory Liquidation - 100,000 SF Warehouse for Bankruptcy Trustee in Atlanta, GA
- ✓ Restaurants in CA, TX, GA, SC, IA, MN, OH, MI, NY, TN, MS, MO, IL and WI
- ✓ Machinery and Equipment in GA, FL, AL, NC, SC
- ✓ Auto Dealership in Houston, TX
- ✓ 10,000 to 800,000 Industrial Buildings in GA, FL, NC, SC, and MI
- ✓ Multi-property Commercial Real Estate Auctions in AL, AR, GA, FL, MI, NC, TN, and SC
- ✓ Manufacturing Equipment - 30,000 SF Warehouse in Greensboro, NC
- ✓ Bed & Breakfast, Churches, Funeral Homes in GA, NC, SC, and TX
- ✓ Bank Branch Buildings in IL, MA, MI, MO, NJ, NY, FL, WA, TX, NV, PA, SC, GA, VA, MD, ME, CA, CT, OR, AZ, NH, NM
- ✓ Investor owned houses and commercial property in TN and KY
- ✓ Downtown Office Building and Landmark Midrise Hotel in Atlanta, GA
- ✓ Expansive and Well-appointed Horse Ranch in Redlands, CA





AUCTION MANAGEMENT CORPORATION

THE AMC TEAM

Jeb Howell, CAI, AARE - President



After earlier careers as a geologist and real estate developer, Jeb joined the Resolution Trust Corporation in 1990, where he was selected to run the Atlanta office of RTC's auction program, where he was responsible for the RTC's first several hundred real estate auctions in the nation. These highly successful events resulted in the sale of billions of dollars of real estate back to the private sector.

In 1992, he left the RTC to head up the Atlanta office of a national auction firm, where he began a series of regular auctions - The Atlanta Quarterly/Georgia Statewide Auction - which have established a regular "large auction" format for multiple seller/multiple property real estate auctions, and which Auction Management Corporation continues in GA, AL, FL, TN,

NC, LA, MS AR, and SC.

In 1996, he convinced the Atlanta Committee for the Olympic Games to auction off all the remaining assets of the Centennial Olympic Games, in a series of gigantic auctions that spanned a year. He was one of the first auctioneers in the country to utilize the Internet for auction promotions, and co-owned the first national auctioneer web hosting site, Auctionweb.com.

In March of 1998, he started Auction Management Corporation, where he serves as President. His company conducts real estate auctions in all states in the U.S, and he personally holds real estate and auctioneers licenses in over a dozen states.

Jeb has earned the top designations in the auction industry, the CAI (Certified Auctioneers Institute) and AARE (Accredited Auctioneer of Real Estate). He has a B.S in Geology from University of Colorado, and an M.B.A. in Real Estate from Georgia State University. As a sideline, he owns Sky Valley Vineyards in northeast Georgia where he grows and crafts French varietals.

Amy Martin - Auctioneer



Amy Martin has 17 years of experience as an Auctioneer. For the past four years, Amy has worked closely with Jeb Howell in the facilitation of auctions of bank owned properties in over 15 states. She has managed both onsite and online auctions.

Amy started her career as a licensed auctioneer in Atlanta, Georgia where she primarily conducted estate and antique auctions. Amy is a current Board member of the Georgia Auctioneers Association. She recently won the Georgia Bid Calling Contest, being the first woman to ever receive that award.

Ms. Martin is a Certified Estate Specialist through the NAA and has completed the course of study for Accredited Auctioneer of Real Estate, Graduate Personal Property Appraiser and Benefit Auction Specialist.

She is a Georgia licensed real estate salesperson.

Amy is a Metro Atlanta native, and she serves on the Board of Directors of More for Atlanta, a local Atlanta based charity.



AUCTION MANAGEMENT CORPORATION

Marsha H. Howell – Associate Broker, Auctioneer



Marsha is a licensed auctioneer and real estate broker. She assists in auction marketing and administration of our auctions. She has been in the real estate business for over 25 years.

She began in property management and leasing with Johnstown Properties and then served for over 5 years as regional portfolio manager with Balcor, a national multifamily owner. After several years in new home sales, she moved into commercial leasing and sales for EBC and HQ/Vantas, both national firms, before becoming Associate Broker with AMC Realty, an Auction Management affiliate.

Bruce Bryant - Associate Broker, Auctioneer



Before joining Auction Management Corporation, Bruce Bryant spent 12 years as an SBA lender with PNC Bank, Zions Bancorp, and Quantum National Bank. He specialized in real estate and business acquisition finance throughout the Southeast. He was a founding member of the Georgia Lender's Quality Circle (www.glqc.org - the association of SBA Lenders in Georgia) and served as Chairman from 2005-2006.

Previously, Bruce was in the development and construction business specializing in multi-family properties. For 18 years, he owned and operated a full service real estate company that developed office buildings, apartments, and cluster homes in Metro Atlanta.

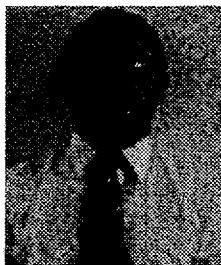
Bruce has been on the Support Faculty at Kennesaw State University since 1992 where he has taught both graduate and undergraduate real estate classes. He has been selected as the Outstanding Support Faculty of the Year in the Coles College of Business three times. Bruce earned a B.A. from Vanderbilt University and a M.S. in Real Estate and Urban Affairs from Georgia State University.

Currently Bruce is a member of the Advisory Board of the Atlanta Neighborhood Development Partnership (One Home Makes a Difference), and recently was the Membership Chair for the Atlanta Chapter of the Risk Management Association.

Bruce has coached "way too many" youth sports teams and is actively involved in the Westminster Schools Alumni Association and been a community coach for the lacrosse team. He and his wife, Jan, have three adult children – Watson, William, and Carter.



AUCTION MANAGEMENT CORPORATION

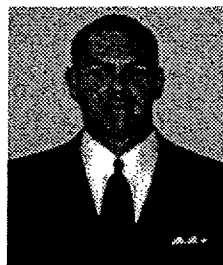


Chris Fisher-Licensed Broker & Auctioneer

Chris joined the Auction Management Corporation team in June of 2007, where he serves as our Florida affiliate. Chris has been in the auction business nearly all of his life. After a 7 year stint in the Marine Corps, he re-joined his father in the family auction business, Fisher's Auction and Appraisal, in 1986. As Co-Owner of Fisher's Auction and Appraisal, he continues to serve Central Florida's personal property auction needs.

Chris has conducted nearly 3,000 auctions in Florida, Georgia, Indiana, Michigan & New York. He has conducted Estate, Antique & Personal Property Auctions, Business Liquidations, Governmental, Bankruptcy, Charity & Real Estate Auctions.

He is a graduate of the Certified Auctioneers Institute (CAI) and the Certified Estate Professional (CES) Courses. He has attended both classes of the Graduate Personal Property Appraiser course. He is a Past President of The Florida Auctioneers Association.



Rickey Heaton-Licensed Broker & Auctioneer

Rickey joined Auction Management Corporation in November 2004 after 15 years of sales, marketing and buying experience in the Retail, Technology Staffing, Advertising and Tobacco industries. His primary responsibilities are account management, new business development and sales. Rickey is a South Carolina licensed Real Estate Agent. He has a B.S. in Political Science from Presbyterian College.



Austin McRoberts - Licensed Real Estate Agent & Auctioneer Apprentice

Austin joined Auction Management Corporation in June of 2015 after 10 years of sales and marketing experience including Real Estate analysis, leasing, property management, retail site selection and build-out management. His primary responsibilities are marketing and business development.

Austin is a Georgia licensed Real Estate Agent and has a Bachelor of Business Administration in Real Estate Finance from The University of Georgia. He is currently assisting in deal writing, valuation and sales as an auctioneer apprentice and will soon be a fully licensed auctioneer.



AUCTION MANAGEMENT CORPORATION

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EXHIBIT B

Label Matrix for local noticing
113E-1
Case 14-50312-wlh
Northern District of Georgia
Atlanta
Thu Oct 4 09:22:31 EDT 2018

American Express
Business Green Rewards Card
PO Box 650448
Dallas, TX 75265-0448

Atlanta Digital Security Sys.
PO Box 124
McDonough, GA 30253-0124

Jim Branch
234 West Washington Street
Madison, GA 30650-1210

CHUBB Group of Ins. Co.s
c/o Great Northern Ins Co.
PO Box 7247-0180
Philadelphia, PA 19170-0001

Capital One Bank USA, NA
Platinum Mastercard
PO Box 71083
Charlotte, NC 28272-1083

Clara Company
5138 Old Atlanta Road
Hampton, GA 30228-2542

Dee Smith
215 Talmadge Road
Hampton, GA 30228-1877

FIA Card Services
PO Box 851001
Dallas, TX 75285-1001

Georgia Department of Revenue
164 Burke Street
Stockbridge, GA 30281-3432

AT&T
PO Box 105262
Atlanta, GA 30348-5262

American Express Bank, FSB
c o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

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Charlotte, NC 28272-1083

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5138 Old Atlanta Road
Hampton, GA 30228-2542

Clayton Water Authority
1600 Battle Creek Road
Morrow, GA 30260-4302

Thomas Wayne Dworschak
Office of the U. S. Trustee
Room 362
75 Ted Turner Drive, SW
Atlanta, GA 30303-3330

GE Capital Retail Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

Acorn 6A Front Street Real Estate, LLC
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by American InfoSource LP as agent
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Wilmington, DE 19886-5153

Comcast
PO Box 530098
Atlanta, GA 30353-0098

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Georgia Power
96 Annex
Atlanta, GA 30396-0002

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Atlanta, GA 30309-3449

Hedcon Properties, LLC
c/o 1175 Peachtree St NE
100 Colony Sq., #300
Atlanta, GA 30361-6203

(p)HENRY COUNTY TAX COMMISSIONER
140 HENRY PARKWAY
MCDONOUGH GA 30253-6696

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Hampton, GA 30228-1877

Holland & Knight LLP
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Internal Revenue Service
P. O. Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Services
Center of Insolvency Operation
PO Box 7346
Philadelphia, PA 19101-7346

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Atlanta, GA 30309-2439

J. Michael Levengood
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Lawrenceville, GA 30046-4847

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215 Talmadge Road
Hampton, GA 30228-1877

Margaret Elizabeth Talmadge
215 Talmadge Road
Hampton, GA 30228-1877

Margaret Talmadge
Tyler Talmadge
6139 Preservation Dr. Ste.2
Chattanooga, TN 37416-3661

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362 Richard Russell Bldg.
75 Ted Turner Drive, SW
Atlanta, GA 30303-3330

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Peach Appraisal Group, Inc.
675 Charles Cox Drive
Canton, GA 30115-5411

Progressive Insurance
c/o Terrell Starr Ins.
PO Box 545
Forest Park, GA 30298-0545

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Atlanta, GA 30353-0981

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Toni M. Schwahn
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115 Westridge Industrial Boulevard
McDonough, GA 30253-9028

Secretary of the Treasury
15th & Pennsylvania Avenue, NW
Washington, DC 20200

Shailendra Group, LLC
1170 Peachtree Street
Suite 2350
Atlanta, GA 30309-7694

(p)SPRINT NEXTEL CORRESPONDENCE
ATTN BANKRUPTCY DEPT
PO BOX 7949
OVERLAND PARK KS 66207-0949

State Bank and Trust Company
3399 Peachtree Road, N.E.
Suite 1700, The Lenox Building
Atlanta, GA 30326-1120

(p) STATE BANK AND TRUST COMPANY
ATTN BANKRUPTCIES
PO BOX 4748
MACON GA 31208-4748

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk VA 23541-1021

Herman E. Talmadge Jr.
PO Box 364
Lovejoy, GA 30250-0364

Tammie L. Mersereau
130 River Trace Court
McDonough, GA 30253-8260

Tyler Welch Talmadge
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U. S. Attorney
600 Richard B. Russell Bldg.
75 Spring Street, SW
Atlanta GA 30303-3315

U. S. Securities and Exchange Commission
Office of Reorganization
Suite 900
950 East Paces Ferry Road, NE
Atlanta, GA 30326-1382

United States of America
United States Attorney
600 U.S. Courthouse
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PO Box 1347
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Nathan A. Wood
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1230 Peachtree Street, N.E.
Atlanta, GA 30309-3574

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).

Georgia Dept. of Revenue
Bankruptcy Section
Suite 9100
1800 Century Blvd., NE
Atlanta GA 30345

Henry County Tax Commissioner
Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253-0488

(d) Henry County Tax Commissioner
140 Henry Parkway
McDonough, GA 30253

Sprint
PO Box 4191
Carol Stream, IL 60197

State Bank and Trust Company
c/o J. William Boone, Esq.
James-Bates-Brannan-Groover-LLP
3399 Peachtree Road N.E.
Suite 1700
Atlanta, Georgia 30326

(d) State Bank and Trust Company
c/o James Bates Brannan Groove
3399 Peachtree Rd., NE #1700
Atlanta, GA 30326

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

(u)Acorn 6A Front Street Real Estate, LLC

(u)Thomas C. Carson

(u)Thomas C. Carson
Peach Appraisal Group, Inc.

(d)Georgia Power Company
c/o Nathan A. Wood
McGuireWoods LLP
1230 Peachtree St. NE, Suite 2100,
Atlanta, GA 30309-3534

(u)J.B. Prince & Associates, Inc.

(u)SFS Ltd

(u)Herman E Talmadge III
Chamberlain, Hrdlicka, White, Williams
191 Peachtree St, NE
191 Peachtre
ATLANTA

(u)Margaret E. Talmadge

(u)Tyler W. Talmadge

End of Label Matrix

Mailable recipients	75
Bypassed recipients	9
Total	84

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)
) Chapter 11
HERMAN E. TALMADGE, JR.,)
) Case No. 14-50312-wlh
DEBTOR.)

**NOTICE OF TRUSTEE’S MOTION TO APPROVE SALE OF TARA
DOOR FROM “GONE WITH THE WIND”**

PLEASE TAKE NOTICE that on October 3, 2018 counsel for Chapter 11 Trustee, filed his "*Motion to Approve Sale of Tara Door From “Gone with the Wind”*" [ECF No. ____] authorizing Trustee to sell certain personal property owned 100% by Debtor Herman E. Talmadge, Jr.

NOTICE IS HEREBY FURTHER GIVEN that the Motion to Approve Sale of Tara Door From “Gone with the Wind” is on file with the Clerk of the United States Bankruptcy Court for the Northern District of Georgia, U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive SW, Atlanta, Georgia 30303 and is available for viewing and copying there during normal business hours. Copies of the Application for Interim Compensation are also available at <https://ecf.gamb.uscourts.gov> or by contacting the undersigned counsel.

PLEASE TAKE FURTHER NOTICE THAT the Court will hold a hearing on the Motion to Approve Sale of Tara Door From “Gone with the Wind”

in Courtroom 1403, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303 at 1:30 p.m. on Thursday, November 8, 2018.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings 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.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least **two business days** before the hearing. The address of the Clerk's office is: Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive SW, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

This 4th day of October, 2018.

Respectfully submitted,
ANDERSEN, TATE & CARR, P.C.

/s/ James C. Joedecke, Jr.

James C. Joedecke, Jr.,
Georgia Bar No. 391885

Attorney for Chapter 11 Trustee,
J. Michael Levengood
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Duluth, Georgia 30097
(770) 822-0900
(770) 822-9680
jjoedecke@atclawfirm.com

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date electronically filed the within and foregoing **NOTICE OF TRUSTEE'S MOTION TO APPROVE SALE OF TARA DOOR FROM "GONE WITH THE WIND"** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys and parties of record, and I served a copy of the foregoing by United States Mail, with sufficient First Class postage affixed thereon, addressed as follows:

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Chapter 11 Trustee
Estate of Herman E. Talmadge, Jr.
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Atlanta Historical Society, Inc.
130 West Paces Ferry Road, NW
Atlanta, GA 30305
Attn: F. Sheffield Hale, Reg. Agent

all creditors and appearing counsel shown on Exhibit "B"

Dated, this 4th of October, 2018.

ANDERSEN, TATE & CARR, P.C.

By: /s/ James C. Joedecke, Jr.
James C. Joedecke, Jr.
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Counsel to J. Michael Levengood,
Chapter 11 Trustee

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