

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

STOLLINGS TRUCKING COMPANY, INC.

**Case No. 15-20624
Chapter 11**

Debtor.

**MOTION TO SELL ALL EQUIPMENT AND MACHINERY
OWNED BY DEBTOR, STOLLINGS TRUCKING COMPANY, INC.
TO RIVER MACHINERY CO.**

Comes now the Debtor-in-Possession, Stollings Trucking Company, Inc., by Counsel, Joseph W. Caldwell, and states for its application as follows:

1. The Debtor is a Chapter 11 Debtor-in-Possession and authorized to maintain assets and operate its affairs under 11 U.S.C. § 1107 and 1108.
2. This case was filed on December 7, 2015, and the Debtor continues in possession of its property.
3. The Debtor seeks authority pursuant to 11 U.S.C. § 363 for the sale of the personal property listed below to River Machinery Co., 83 Isabelle Ln., Garner, Kentucky 41817, for the total consideration of \$205,000. This sale will be free and clear of liens with liens to attach to the proceeds.

Description	Serial Number	Condition
Mack Grease Truck	2M2P282C0LC001155	
Mack Water Truck	2M2P156C3LC00159	
Mack DM800 Finn Hydorseeder	2M2P156C5L001163	
1992 Ford 5800 Welding Truck		
GMC Top Kick	1GDM7H1J8PJ519459	
1999 Caterpillar 980G Wheel Loader	2KR-3402	Runs

Description	Serial Number	Condition
1992 Caterpillar 992C Wheel Loader	49Z-2052	Runs?
2000 Caterpillar 950G Wheel Loader	5FW-1461	Runs
2002 Caterpillar 950G Wheel Loader	5FW-2336	Parts
1989 Caterpillar 926E Wheel Loader	94Z-03307	Runs?
1997 Caterpillar 992D Wheel Loader	7MJ-00724	Parts
1993 Caterpillar 992D Wheel Loader	7MJ-00141	Parts
1989 Caterpillar D10N Crawler Dozer	2YD-1150	Runs - With Problems
1992 Caterpillar 777B End Dump	4YC-1706	Parts
1996 Caterpillar 777C End Dump	4XJ-1083	Parts
Caterpillar 777B Carcass with Bed		Parts
1992 Caterpillar EL240 Excavator	5WG-00701	Parts
1994 Caterpillar 375 Excavator	1JM-00174	Parts
2002 Caterpillar 320C Excavator	ANB-02690	Parts
2006 Caterpillar 325C Excavator	BFE-01995	Runs - Needs Starter?
1978 Caterpillar 16G Motor Grader	93U-01311	Runs ?
2012 Ford F250 Pick Up Truck	1FT7W2861CEA14575	???
Home Made Bucket for Fork Lift		
Spare Bucket for 992C or D		
Various pieces of metal		
Old Drill Steel		
Various Parts for 992D or C		
Ingersoll Rand Drill and Miscellaneous Parts	7274	
Cardinal Scales		
3412 Cat Engine		Unknown

4. The equipment and machinery is subject to liens in favor of the West Virginia State Tax Department and the Internal Revenue Service of the United States of America. The Debtor also reserves the right, by separate application, to seek approval from the U.S. Bankruptcy Court for the Southern District of West Virginia to pay certain administrative fees, including professional fees, from the sale proceeds.

5. It is in the best interest of the Debtor and the Debtor's estate for the Debtor to sell this property.

6. Any party interested in submitting an upset bid should file a Notice of Upset Bid with counsel for the Debtor, counsel for the taxing authorities, and the Office of the U.S. Trustee, as well as counsel for the Unsecured Creditors Committee. Any upset bid shall be in increments of at least \$5,000 more than the proposed sale price. All upset bids or objections shall be filed on or before December 11, 2017.

7. Notice of this Motion has been served upon the Office of the U.S. Trustee and all creditors in the case.

8. The Debtor believes that the terms of the offer are favorable to the bankruptcy estate and the purchaser is a disinterested entity.

WHEREFORE, Stollings Trucking Company, Inc., by counsel, respectfully requests that the Court enter an Order authorizing the sale of the above described machinery and equipment to River Machinery Co. for the consideration of \$205,000, pursuant to 11 U.S.C. § 363. The Debtor also respectfully requests such other and further relief as the Court deems appropriate.

STOLLINGS TRUCKING COMPANY, INC.

By Counsel

/s/ Joseph W. Caldwell

Joseph W. Caldwell (State Bar #586)

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