

UNITED STATES BANKRUPTCY COURT
Middle District of Alabama

In re

Tracy Leon Hawsey and Ericca Chonteau Hawsey

Debtors

Case No. 09-30142
Chapter 7

ORDER

This case is before the court on the following matter:

Order Granting Trustee's Rule 9007-1 Motion (Notice of Sale) (Related Doc # [28]) Entered On 3/27/2009. (BL)
It appears that notice has been given pursuant to LBR 9007-1 and that no response has been filed. Accordingly, it is **ORDERED**, that the motion is **GRANTED** according to the terms stated.

Done this 27th day of March, 2009.

/s/ William R. Sawyer
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF ALABAMA**

IN RE: **Hawsey, Tracy & Ericca**

Case No. **09-30142**

NOTICE OF SALE

PURSUANT TO LBR 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 20 DAYS OF SERVICE. RESPONSES MUST BE FILED AND SERVED UPON THE MOVING PARTY WITHIN 20 DAYS OF SERVICE. RESPONSES MUST BE FILED ELECTRONICALLY WITH THE CLERK OF THE BANKRUPTCY COURT, P.O. BOX 1248, MONTGOMERY, ALABAMA 36102.

This pleading is being filed and noticed pursuant to M.D. AL L.B.R. 9007-1 procedures for:
Notice of Sale pursuant to 6004(a).

Please take notice that Susan Shirock DePaola, Trustee in the above-styled cause proposes to sell the Estate's interest in FCC Broadcast Station License W40BE as more specifically described hereinafter in consideration of the payment of \$20,000.00. In support of said sale the Trustee would show the following.

1. At the time of the filing of the petition, the debtor Ericca Hawsey was the holder of FCC License Number BLTTL-19980304JZ. This license covered the operations of W40BE which is television station TV 40 in Andalusia Alabama. The FCC facility identification number is 15777.
2. Upon information and belief, the license was acquired in 2005 in consideration of a payment of \$40,000.00 to the holder and \$15,000 to a broker who marketed the license.
3. The purchaser is Blaine L. Wilson or his assignee. Wilson owns and operates WAAO-FM Radio Channel 103.7 in Andalusia.
4. There is no financing contingency in the offer; this is a cash sale.
5. The price of \$25,000 is based upon the following principal factor: W40BE is only approved by the FCC to broadcast in analog format with 1000 watts total power. Upon information and belief the debtor failed to submit documents in a timely manner to allow the station to begin broadcasting in digital format. The purchaser will be required to incur attorneys fees and costs to secure FCC approval to begin transmission in digital format. It is believed that this process could take anywhere from 2-12 months and the broadcaster will be required to cease transmission in the interim once the digital format becomes mandatory.
6. The purchaser has agreed to undertake all costs associated with this transaction and the purchase is not contingent on securing FCC approval; the purchase price will be paid within 30 days of the Court's approval of the sale.
7. In light of these factors, the Trustee believes that the sale is in the best interest of the Estate.

Therefore, unless objections to said sale are filed with the Bankruptcy Court and served on the Trustee as set forth hereinabove, the Trustee will sell the interest described hereinabove pursuant to this notice of sale. Done this the 3rd day of March, 2009.

s/ Susan Shirock DePaola
TRUSTEE IN BANKRUPTCY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Sale has been sent to the debtor, the debtor's attorney, the Bankruptcy Administrator and all creditors to the addresses shown in the original petition, by ECF or by first class mail and the following additional creditor on this the 3rd day of March, 2009.

S/ Susan Shirock DePaola

Tisdale Family Properties, Inc.
PO Box 241493
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