IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION

IN RE:
ULRICH FELIX ANTON ENGER CASE NO. 9:08-bk-04360-MGW

Debtor
----------/

APPLICATION TO EMPLOY AUCTIONEER

The application of ROBERT E TARDIF JR., TRUSTEE, respectfully alleges:

1. That he is the duly qualified and acting Trustee in the estate.

2. 2. That among the assets of the estate are two (2) vehicles.

3. In order to liquidate said asset (s) for the benefit of creditors, it will be necessary to sell said property.

4. From his experience as Trustee, your applicant is satisfied that the best and highest net recovery to this estate will arise by selling said property at auction through the employment and services of a licensed auctioneer.

5. Your applicant as Trustee, has received from DWDW, Inc. d/b/a Nellis Auction, a licensed auction company, an offer to liquidate said property at auction sale upon the following terms and conditions:

6. Auctioneer shall pay actual and necessary expenses, including, but not limited to the following:

A. Moving expense;
B. Set up;
C. Advertising;
D. Lotting;
E. Security Personnel;
F. Sale personnel (Auctioneers, Spotters, Clerks, Computer Operator);
G. Reasonable Storage Fees if Applicable

7. Auctioneer's Staff will be available to allow removal for a reasonable period after the auction.

8. Auctioneer is to receive a 10% Commission; and a Buyer's Premium commission of ten percent (10%) will be assessed to all buyers and documented expenses.

9. Your applicant is informed and believes, and therefore alleges, that the granting of this application is in the best interest of this estate and accordingly that the Court should approve said employment as provided in 11 U.S.C. Section 327 (A). From the Declaration made by DWDW, Inc. d/b/a Nellis Auction, in connection with their employment as auctioneers herein, the Trustee is informed and believes that said auctioneer is a disinterested person within the meaning of 11 U.S.C. Section 101(14) and accordingly that it is appropriate to employ said auctioneer under the provisions of 11 U.S.C. Sec.327(A). The proposed auctioneer is bonded in the amount of $100,000.00, in favor of this United States of America, and a $50,000.00 Clark County Administrator bond.

10. Said Auctioneer is aware of the provision of 11 U.S.C. Sec. 328 and has agreed notwithstanding the terms and conditions of employment set forth, that the court may allow compensation different from the compensation provided herein if such terms and conditions prove to have been improvident in light of developments unable to be anticipated at the time of fixing of such terms and conditions.

WHEREFORE, your applicant prays that after a hearing on due notice to all parties of interest, this Application be granted and that your Trustee be authorized to employ DWDW, Inc. d/b/a Nellis Auction, as auctioneer to conduct an auction sale on the terms and conditions contained in the Application.

DATED this 26th day of November, 2012.

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by electronic notice to the United States Trustee, 501 E. Polk St., Tampa, Fl 33602 on this 26th day of November, 2012.

/s/ Robert E. Tardif Jr.
Robert E. Tardif Jr., Trustee
Post Office Box 2140
Fort Myers, FL 33902
(239) 362-2755