



  
James K. Coachys  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
)  
RED TOP RENTALS, INC., ) CAUSE NO: 09-05229-JKC-11  
)  
DEBTOR. )  
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)  
)

**ORDER SHORTENING NOTICE ON: *MOTION FOR THE AUTHORIZATION OF A SALE AND TRANSFER OF ASSETS FREE AND CLEAR OF ALL LIENS, CLAIMS, INTERESTS, CHARGES AND ENCUMBRANCES***

This matter is before the Court upon the *Motion to Shorten Notice on: Motion for the Authorization of a Sale and Transfer of Assets Free and Clear of all Liens, Claims, Interests, Charges and Encumbrances* (the "Motion") filed by the Debtor and debtor-in-possession (the "Debtor"). The Motion was filed in respect of the *Motion for the Authorization of a Sale and Transfer of Assets Free and Clear of all Liens, Claims, Interests, Charges and Encumbrances* (the "Sale Motion"). All defined terms used herein are the same as in the Sale Motion.

In the Sale Motion, the Debtor is requesting authority to sell the Assets (two Caterpillar Haul Trucks) to a Buyer who plans to use the Assets at a job site in Jamaica. The Debtor represents that the Bank has an Interest in the Assets and the Sale will yield the highest value for the Assets.

The terms of the Sale are as follows: (a) all terms are net cash upon receipt of invoice unless otherwise noted; (b) if not paid on due date, 1 ½% per month service charge will be applied; (c) title to Equipment retained by Debtor until full purchase price is paid with good funds; (d) the Debtor extends no express warranties; (e) all implied warranties, including those of merchantability and fitness for particular purpose, are disclaimed; (f) all sales of used equipment are made “as is-where is” unless otherwise endorsed in the purchase agreement; and (g) the total purchase price of the Assets is \$60,000.

The Court, having reviewed the Motion and the Sale Motion, and the Court being otherwise fully advised in the premises, now GRANTS the Motion, it appearing to the Court that the Motion is made for good cause and good cause exists to shorten notice on the Sale Motion. Unless notice is shortened, the Assets will not be able to be shipped to Jamaica prior to August 8, 2009 and the Buyer will not purchase the Assets. Accordingly, Notice is hereby shortened to ten (10) days. You may respond to the Sale Motion by filing a written response objecting thereto on or before July 6, 2009 with the Clerk of the United States Bankruptcy Court at 46 E. Ohio Street, Indianapolis, Indiana 46204 and forwarding a copy of said objection to Debtor’s counsel, Jeffrey M. Hester either by mail (429 N. Pennsylvania Street, Suite 100, Indianapolis, Indiana 46204), fax (317.833.3031), or email (jeff@tucker-hester.com).

IT IS HEREBY ORDERED that if any objections are timely filed, a hearing on the Sale Motion and such objection(s) will take place at 2:00p.m. on July 13, 2009 in Room 322, 46 E. Ohio St., Indianapolis, Indiana 46204 with further notice of that hearing to the Debtor, U.S. Trustee and objecting party. If no objections are filed by July 6, 2009, the Court may enter an order accordingly. All interested parties are welcome, but are not required, to attend the hearing.

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Requested By:

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