

FILED

JUN 03 2003

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

GRANT PRICE
U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA
BY: _____, DEPUTY

In Re:)
)
B & B WORM FARMS, INC.,) No. 03-14379-BH
) (Chapter 7)
Debtor.)

TRUSTEE'S APPLICATION TO EMPLOY
AUCTIONEER

Janice D. Loyd, Trustee in the above referenced bankruptcy proceeding, pursuant to § 327(a) of Title 11, United States Bankruptcy Code, makes application for authority to employ an auctioneer in this proceeding. In support of this application, the Trustee respectfully represents to the Court as follows:

1. Pursuant to the provisions of § 327 of the Bankruptcy Code, the Trustee wishes to employ Robert C. May d/b/a R. C. May & Associates ("May"), an independent investigative organization specializing in the investigation, recovery, and liquidation of bankruptcy estate property.

2. Among the assets which constitute property of the estate is certain property (the "property"), more particularly described as follows:

Miscellaneous office furniture, fixtures and supplies, including, but not limited to desks, book cases, filing cabinets, as well as trailers, welders, lawn mowers, and various other machinery and equipment located at the business facility in Meeker, Oklahoma

3. The Trustee has selected May to appraise and liquidate this property through public auction for the reason that it has considerable experience in matters of appraisal and liquidation of bankruptcy estate property and is well qualified to provide the aforementioned services.

4. The Trustee proposes to employ May to provide the services on a scheduled fee basis as outlined:

- (a) Flat rate auction preparation fee of \$500.00 (sale to take place in Meeker, Oklahoma)
- (b) Auction commission rate of 9% of gross sale
- (c) Cost of advertising and reasonable expenses approved by the Trustee

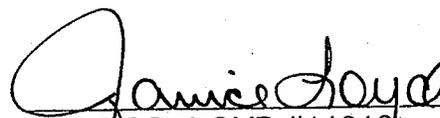
The Trustee believes such an agreement to be in the best interest of the estate.

5. To the best of the Trustee's knowledge and belief: May is disinterested as that term is defined in § 101(13) of the Bankruptcy Code, and holds no interest adverse to or in connection with the debtors, creditors of the estate, and any other party in interest or their respective attorneys and accountants.

6. May is bonded by the District Blanket Bond; said auctioneer does not currently hold any sale proceeds of the estate, nor does the Trustee expect the sale proceeds of said auction to exceed the value of the District Bond.

7. Pursuant to Rule 2014 of the Federal Rules of Bankruptcy Procedure, this request may be made by application.

Upon these facts, the Trustee requests that this Court enter its Order authorizing employment of May to assist her or her attorneys in their duties described in 11 U.S.C. § 704(1), (2), and (4), and that she have such other and further relief as the Court deems just and equitable.



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