

**FILED**

**JUL 29 2004**

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

**GRANT PRICE  
CLERK, U.S. BANKRUPTCY COURT  
WESTERN DISTRICT OF OKLAHOMA  
DEPUTY**

In Re: )  
)  
B & B WORM FARMS, INC., )  
)  
Debtor. )

No. 03-14379-BH  
(Chapter 7)

TRUSTEE'S APPLICATION TO EMPLOY LIQUIDATION AGENT

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 a Liquidation Agent 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 Joe Gibson and Judy Walkingstick, Gibson Appraisals, 318 W. Main Street, Stroud, Oklahoma 74079 ("Gibson"), to assist in the liquidation of certain real and personal property.

2. Among the assets in which the estate has an interest is certain real and personal property (the "property"), more particularly described as follows:

**Real property:**

**Lot Two (2), Billings Lincoln County Third Addition, a subdivision of the East Half (E/2) of the Southwest Quarter (SW/4), Section Thirty-Two (32), Township Thirteen (13) North, Range Three (3) East, of the Indian Meridian, Lincoln County, State of Oklahoma, according to the recorded plat thereof;**

**Lot Four (4), Billings Lincoln County Third Addition, a subdivision of the East Half (E/2) of the Southwest Quarter (SW/4), Section Thirty-Two (32), Township Thirteen (13) North, Range Three (3) East, of the Indian Meridian, Lincoln County, State of Oklahoma, according to the recorded plat thereof.**

Lot One (1), Block 1, BILLINGS 3<sup>RD</sup> ADDITION, Meeker,  
Lincoln County Oklahoma, a/k/a 3626 W. 101 Road,  
Meeker, Oklahoma 74855

**Personal property:**

**Antiques, furniture, and collectibles**

3. The Trustee has selected Gibson to liquidate this property for the reason that it has considerable experience in the liquidation of similar property and is well qualified to provide the aforementioned services.

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

- a. Real estate commission fee - 12%
- b. Personal property commission fee - 12%

In addition, expenses of the sale are as follows:

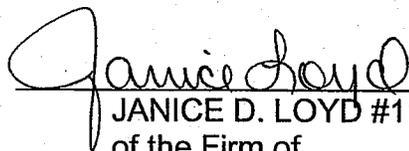
- a. Credit card use fee 2%
- b. Advertising for real and personal property \$2,500.00
- c. Security for sale \$ 180.00
- d. Electricity \$ 85.00
- e. Porta-johns \$ 120.00
- f. Inventory and make-ready \$1,400.00
- g. Site cleanup \$1,100.00

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: Gibson 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. See Exhibit "B" attached hereto and incorporated herein by reference.

6. 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 Gibson 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.



JANICE D. LOYD #11910

of the Firm of

Bellingham, Collins & Loyd, P.C.

2050 Oklahoma Tower

210 Park Avenue

Oklahoma City OK 73102

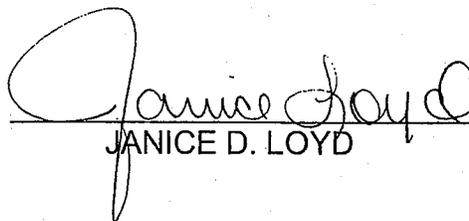
405/235-9371

ATTORNEY FOR TRUSTEE

CERTIFICATE OF MAILING

This is to certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid, this 29th day of July, 2004, to all parties in interest as listed on the matrix of the matter attached to the original document filed herein and to:

Mr. Joe Gibson  
Ms. Judy Walkingstick  
Gibson Appraisals  
318 W. Main Street  
Stroud OK 74079



JANICE D. LOYD

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WESTERN DISTRICT OF OKLAHOMA  
BY: \_\_\_\_\_  
DEPUTY

AFFIDAVIT OF APPLICANT

STATE OF OKLAHOMA )  
)  
COUNTY OF LINCOLN )

SS:

I, Joe Gibson, declare:

I am an appraiser familiar with the real estate and personal property market in Lincoln County, Oklahoma.

To the best of my knowledge, information, and belief, I am a disinterested person within the meaning of 11 U.S.C. §101(13). I declare under penalty of perjury that the foregoing is true and correct.

I have no connection with the Debtor, its creditors, or any other party in interest, their respective attorneys and accountants. I declare that the fee charged for services rendered on behalf of Trustee is 12 % of sale proceeds plus reasonable costs.

EXECUTED this 26 day of July, 2004.



Joe Gibson  
Gibson Appraisals

SUBSCRIBED and SWORN to before me this 26 day of July, 2004.



Notary Public



My commission expires:

2-27-07  
No. 03003450

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WESTERN DISTRICT OF OKLAHOMA  
BY: \_\_\_\_\_ DEPUTY

STATE OF OKLAHOMA )  
)  
COUNTY OF LINCOLN ) SS:

I, Judy Walkingstick, declare:

I am an appraiser familiar with the real estate and personal property market in Lincoln County, Oklahoma.

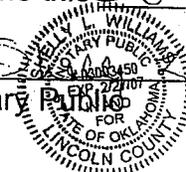
To the best of my knowledge, information, and belief, I am a disinterested person within the meaning of 11 U.S.C. §101(13). I declare under penalty of perjury that the foregoing is true and correct.

I have no connection with the Debtor, its creditors, or any other party in interest, their respective attorneys and accountants. I declare that the fee charged for services rendered on behalf of Trustee is 12 % of sale proceeds plus reasonable costs.

EXECUTED this 26 day of July, 2004.

Judy Walkingstick  
Judy Walkingstick  
Gibson Appraisals

SUBSCRIBED and SWORN to before me this 26 day of July, 2004.

William  
Notary Public  


My commission expires:

2-27-07  
No. 03003450