

**TRIBUNAL OF MODENA**  
**BANKRUPTCY SECTION**  
**Failure n. 117/2019**  
**D.J. Vaccaro Roberta**

**ONLINE AUCTION NOTICE OF SALE**  
**4<sup>th</sup> EXPERIMENT - 60% REDUCTION**

Aste Business S.r.l., hereinafter also Aste Business, with legal office in Castelvoglio (Rovigo Province)-Italy, Via G. Mazzini 65, VAT nr. IT01494960295, in quality of sale's specialized subject as per art. 107 of the bankruptcy Italian law, engaged by the bankruptcy trustee Doc. Nocetti Alberto, as per the urgent provision of the Delegated Judge of 21 February 2020,

**INFORMS**

That is online, on his own website [www.astebusiness.it](http://www.astebusiness.it), the auction number **2116 – “Machinery and lines for ceramic processing”**, that has as object the telematic sale with telematic synchronous mode (class online auction with deadline at set time), of the mobile goods of the above indicated procedure, divided into lots and analytically listed and described in the inventory drawn up by the appointee and in the file of the individual lots that can be consulted from the aforementioned website.

**LOT 1 (Line 1)**

- **SACMI / SIMEC Lux 2200RX lapping line** consisting of two modules for porcelain stoneware of large format, complete with accessories, **year 2016**;
- **Anti-stain treatment line** (SACMI-2016);
- **Scaffholdings, steel material, workshop equipment**
- Office equipment etc.etc.

ESTIMATE PRICE: 358.468,00 € above VAT 22% if due;

**BASE PRICE (-60%): 143.387,20 €** above VAT 22%

Minimum rise during the auction 5%: 7.000,00 €

**Auction start: October 07, 2020 15:30**

**Auction end: November 06, 2020 15:30**

To participate in the auction, you need to register on the portal by clicking the "Register" button, at the top right, then entering the required data depending on the type of user (private or company).

Once registered, you must log in with the credentials entered during the registration phase and pay the requested deposit, by clicking on the "Partecipate to the auction" button on the auction schedule or on the "Make an offer" button on the individual lots page.

The security deposit requested changes according to the value of the lots for sale and is equal to 10% (approximately) of the base price of each lot; it is indicated in each lot's page and can be paid by bank transfer or credit card, depending on the preference of each user.

In case of bank transfer, the payment must be made by 12:00 A.M. of the last working day before the deadline of the auction; after that the user has to send the related payment accountant and the "security deposit receipt form" filled in and signed, downloadable from the website by clicking the "participate in the auction" button then "pay deposit by bank transfer".

Aste Business will enable the participating user who paid the deposit, only when the crediting of the amount paid will be visible on his bank account; it is the responsibility of each bidder to proceed with the payment of the security amount through the tools necessary to guarantee the above (ex. urgent bank transfer).

The security amount will be paid and managed directly by Aste Business, in particular, if the bidder does not win any lot, the security deposit will be returned in the same way in which it was received, in the following times:

- Immediately and automatically, in case of payment by credit card;
- Until 7 days, in case of payment through bank transfer.

In case of awarding, the deposit paid will be charged at a price and paid directly to the current account of the procedure. Aste Business will proceed to forward the orders of payment which contain the instructions to proceed with the balance of the awarding price, both as regards the lots awarded and as regards the auction commissions due to Aste Business, which will be calculated in an amount equal to 2% (two percent) plus VAT, on the purchase price. The contractor have to make the payment of the commission until 10 days whereas, the payment of the awarded lots can take place until 30 days from the awarding confirmation.

In case of no payment of the awarding price and/or the commission due to Aste Business, the deposit paid for participate to the auction will be hold as penalty, except for compensation for the major damage; in addition the goods will be put back on sale through the website.

The withdrawing of awarind lots, after the complete balance of the hammer price as indicated above, must tale place take place on the date established by Aste Business (which will inform the successful bidders by means of a suitable convocation post) and in any case no later than 60 days from the date of the awarding confirmation. Aste Business must supervise the withdrawing operations as the custodian of the goods; this service is free for the first day while, for the following days, will be required a payment of an amount equal to 150 Euro per day, calculated on the basis of 8 working hours; any more hours, for the same day, will be counted at an amount of € 50 / h. The support costs must be paid before the start of the collection operations, on the basis of a collection calendar established by mutual agreement by the successful tenderer and by Aste Business. If additional days are needed, the daily rate and the method of payment will remain unchanged.

If the successful tenderer does not withdraw within the indicated terms, custody costs may apply, quantified as of now at 500 € for each day of delay, for each lot awarded, to be paid directly to the

procedure by bank transfer. The successful tenderer will have to pay the aforementioned costs before collecting the goods.

The collection of the awarded lots must be carried out in a workmanlike manner, without causing any type of damage to the property and other surrounding machinery, guaranteeing the *status quo ante* of places and other assets.

The collection of the mobile registered goods is subject to the correct handling of the related transfer of ownership practices which will be carried out by an agency appointed by the bankruptcy trustee and by Aste Business, at the expense of the successful tenderer. In the case of buyers with residence / registered office abroad, the export regulations in force must be observed; also in this case the practices will be performed by an agency appointed by the bankruptcy trustee and by Aste Business, at the expense of the successful tenderer.

The contractor has to pay all costs deriving from: dismantling, classification, separation, handling, removal and transport to the destination of the awarded lots will be borne by the successful tenderer, as well as disposal of any oils, special liquids or other materials that impose specific disposal obligations. The successful tenderer undertakes to carry out these operations by duly authorized personnel, equipment and means. In the case of operations relating to the treatment and disposal of special or dangerous materials and / or waste deriving from the disassembly of the machinery, Aste Business will request a copy of the relative authorizations from the successful tenderer or the delegate for collection. The successful tenderer will also be required to provide a specific indemnity declaration regarding the activities indicated above, including the destination of the waste, relieving the procedure, the bankruptcy trustee and Aste Business of any liability in this regard.

If, following the dismantling of the goods, holes, cavities and / or cracks in the floor are formed, the successful tenderer will be responsible for filling them with inert material in order not to leave dangerous situations or, alternatively, according to the provisions of the principal for safety.

The contractor must release a copy of the Single document contributory regularity to Aste Business before starting the collection operation.

The successful tenderer deems the procedure and Aste Business free from any liability for damage caused to people or things, which occurred during the withdrawal operations; finally declares to proceed with the withdrawal only and exclusively of the lots awarded to it, without damaging or altering in any way other goods present.

The prior viewing of the lots for sale by interested parties is highly recommended

### **SALES CONDITIONS**

The sale takes place in the state of fact and law in which the goods are located; the sale is in body and not to measure; any differences in size will not give rise to any compensation, indemnity or price reduction; the forced sale is not subject to the rules concerning the guarantee for defects or lack of quality, nor can it be revoked for any reason. In particular, the state of use, functionality and qualitative and / or quantitative compliance with the results of the inventory and / or appraisal are not guaranteed. Consequently, the existence of any defects, lack of quality or discrepancy of the thing sold, for any reason not considered, even if hidden and not shown in the

appraisal, will not give rise to any compensation, indemnity or price reduction, as this account in the valuation of assets.

By submitting the offer, the bidder claims to have viewed the goods or in any case to know their status, as well as being aware of the current regulations on competitive sales.

To ensure maximum competitiveness, online sales made through the platform are subject to the "Time Extension" rule; this means that if one of the bidders places a bid for a lot during the last five minutes of the auction, the conclusion of the auction for that lot and for all the lots belonging to the same auction is extended for further five minutes, thus giving way to the competitors to raise. For this reason it is not possible to establish a certain closing time of the auction.

The application the art. 107, co. 4 l.f. is excluded in relation to improved offers.

### **SPECIAL PROVISIONS ON VAT**

In the case of non-resident or NON-registered offices in Italy, Auctions Business, on the indication of the Principal, may not request the payment of VAT. Otherwise, the successful tenderer will be required to pay VAT as a security; this amount will be refunded only after receipt of suitable documentation certifying the export, which must take place no later than 90 days from the end of the auction.

### **INFORMATIONS AND INSPECTIONS**

For major information and require an on-site inspection please contact Aste Business S.r.l. in these regards: [info@astebusiness.it](mailto:info@astebusiness.it), +39 342 0591175

This notice of sale is only for helping and supporting purpose; the valid version is the Italian one.

Modena (MO), 07/10/2020

Il curatore  
Dottor Nocetti Alberto

Aste Business S.r.l

Attachment:

- Valorized inventory