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8
9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12
13 In re
14 FOX ORTEGA ENTERPRISES, INC.,
dba PREMIER CRU,

15
16 Debtor.

Case No. 16-40050-WJL

Chapter 7

**DECLARATION OF JASON BOLAND IN
SUPPORT OF MOTION FOR ORDERS (1)
AUTHORIZING SALE OF WINE AND
OVERBIDDING PROCEDURES, AND (2)
MOTION FOR ORDER AUTHORIZING
SALE FREE AND CLEAR OF LIENS OF
COMMUNITY BANK OF THE BAY AND
ADVANCE RESTAURANT FINANCE LLC,
AND (3) AUTHORIZING TRUSTEE TO
MAKE CERTAIN PAYMENTS RELATED
TO REDEEMED BOTTLES**

21
22 Date: August 30, 2016
Time: 10:00 a.m.
23 Place: Courtroom 220
1300 Clay Street
Oakland, CA
24 Judge: William J. Lafferty, III

1 I, Jason Boland, declare:

2 1. I am the President of Spectrum Wine Auctions, the bidder in the Sale Agreement
3 and the Unfettered Sale Agreement. The following facts are within my personal knowledge, and if
4 called upon to testify, I could and would testify as follows.

5 2. I negotiated all of the terms in the Sale Agreement and the Unfettered Sale
6 Agreement with Michael Kasolas, the Trustee or his counsel in an arm's length transaction. Prior
7 to this transaction I did not know any of them, or have any contact with any of them to the best of
8 my knowledge and belief.

9 3. I have not had any contact with any other entity that is interested in bidding on the
10 wine that I have offered to purchase, and have no intention of having any contact with any bidder.
11 In fact I have no information as to who the other bidders are as of this writing.

12 4. I have reviewed the Debtor's schedules and to the best of my knowledge I have no
13 relationship with any of the creditors, the Debtor, or its former employees, officers or directors set
14 forth in the schedules. However, Premier Cru may have purchased wine from Spectrum Wine,
15 and it is possible that some of the creditors of this estate are customers of Spectrum Wine
16 Auctions. Although our facilities are located in Southern California, we do hold online auctions,
17 and therefore, it is possible that some of the creditors could have purchased wine from our store in
18 the past.

19 5. I have used GlassRatner Advisory and Capital Group, LLC ("GlassRatner") and
20 CMA Adjustments ("CMA") to assist me in this matter, and I understand that the compensation
21 agreement that I have reached with them does not involve the estate. They understand that they
22 will not be compensated by the estate. To the best of my knowledge neither GlassRatner nor
23 CMA have any connection to anyone involved in this case, and they have not communicated with
24 any other bidders. I am informed and believe that GlassRatner and CMA have worked on other
25 matters together unrelated to this transaction. I am informed and believe that CMA has retained
26 Tracy Green from time to time on unrelated matters, but have been advised and believe that it is
27 not involved in any matters with her at this time.

28 6. I have no plan to retain any of the Premier Cru officers, directors, or employees.

Jason Boland