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7 Attorneys for Michael G. Kasolas, Trustee

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

12 In re

13 FOX ORTEGA ENTERPRISES, INC.,  
14 dba PREMIER CRU,

15 Debtor.

Case No. 16-40050-WJL  
Chapter 7

**SUPPLEMENTAL 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**

16 Date: August 3, 2016  
17 Time: 10:30 a.m.  
18 Place: Courtroom 220  
1300 Clay Street  
Oakland, CA  
19 Judge: William J. Lafferty, III  
20  
21  
22

23  
24 I, Jason Boland, declare:

25 1. I am the President of Spectrum Wine Auctions, the bidder in the Sale Agreement  
26 and the Unfettered Sale Agreement with Michael G. Kasolas, trustee ("Trustee"). The following  
27 facts are within my personal knowledge, and if called upon to testify, I could and would testify as  
28 follows.

1           2.       It took three of my employees working full time for twelve days to provide the  
2 Trustee with a line item bid for the wine. There are over 7,710 line items and we checked a  
3 minimum of two sources per line item in developing our bid and the estimated cost of preparing  
4 the bid was the sum of \$21,600.

5           3.       In choosing to make the bid we conducted an initial wine inspection on site at  
6 Premier Cru and the travel expenses, and cost of bringing my wine expert was the sum of \$1,900.  
7 There was a follow up inspection involving two wine experts for the cost of \$3,400. I will also  
8 travel to the hearing on the sale with my expert which I estimate will cost \$1,900.

9           4.       The cost of my legal review of agreements, phone calls and discussions with my  
10 counsel was the sum of \$2,125. I anticipate that additional legal issues could arise at the auction,  
11 and I will incur additional legal expenses prior to and at the hearing on the sale, such as the review  
12 and of this declaration and the preparation of an amended purchase agreement. I estimate that  
13 these additional legal charges will be up to \$5,000 (through the hearing), but I have not received a  
14 bill as of this date.

15           5.       To prepare my warehouse to take in approximately 79,000 bottles of wine to  
16 ensure that I had the space available to make the bid on all of the wine, as opposed to a portion, I  
17 have consolidated and moved items to accommodate the wine. This took four full time workers  
18 working 14 days at a cost of \$14,000. Because I told the Trustee that I would move the wine  
19 within 7-14 days, although the agreement provides 30 days, these are cost that I have to incur  
20 before the sale hearing.

21           6.       One of my staff has worked 7 days full time to book travel arrangements, prepare a  
22 plan to ship the wine including determining the supplies and staff that will be needed for the  
23 shipping, and to prepare a schedule for additional staff and determine temporary staff needs to ship  
24 the wine and inspect and catalog the wine upon arrival at our warehouse after the sale. This is  
25 something that must be completed before the auction to insure that we are ready to move fast after  
26 the hearing. This has cost me the sum of \$2,800.

27           7.       To be prepared to remove the wine within 7-14 days after the close, I have to  
28 purchase supplies in advance that I would not otherwise purchase in these quantities at this time.

