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6 **UNITED STATES BANKRUPTCY COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**  
8 **OAKLAND DIVISION**

9 In re:

10 FOX ORTEGA ENTERPRISES INC  
11 dba Premier Cru

12 Debtor(s)

Case No. 16-40050 WJL

Chapter 7

**TRUSTEE'S REPORT OF SALE OF  
WINE "INVENTORY ON SITE"**

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14 1. Michael G. Kasolas ("Trustee"), the duly appointed and acting Chapter 7 Trustee in  
15 the bankruptcy estate of Fox Ortega Enterprises, Inc. (the "Debtor"), hereby reports the  
16 completion of the sale of the Debtor's personal property, commonly known as "Inventory On Site"  
17 as per the Debtor's original petition, as Asset #4 [Doc#1].

18 2. The Court approved the sale by Order Authorizing and Approving Sale of Wine  
19 Free and Clear of Liens, entered on September 2, 2016 [Doc#397].

20 3. Pursuant to the Second Amended Sale Agreement and Second Amended Unfettered  
21 Sale Agreement, which are collectively referred to as the "Agreements" and the Order Authorizing  
22 and Approving Sale of Wine Free and Clear of Liens entered on September 2, 2016 [Doc#397]  
23 (the Order [Doc#397]), Spectrum Wine Auctions (Spectrum) purchased the Debtor's interest in  
24 the personal property referred to in the Agreements as "Primary Wine Bottles" and "Unfettered  
25 Wine Bottles" (the wine), for \$3,550,000.00 and \$126,000, respectively. The price of the wine was  
26 subject to adjustments for "opt-out" bottles, "bad bottles" and "missing bottles", as provided in the  
27 Order [Doc#397] which netted to \$236,188.77. Further, pursuant to the Order [Doc#397], eight  
28 Class Members effectively and timely redeemed certain bottles of wine for the sum of \$9,584.77.

1 The final net payment for the wine, adjusted for rejected “bad bottles”, “missing bottles” and “opt-  
2 out” bottles, as defined in the Agreements, was received from Spectrum on January 23, 2017.  
3 Thus, the net proceeds to the estate totaled, \$3,449,396.00.

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7 Dated: February 7, 2017

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By: /s/ Michael G. Kasolas  
Michael G. Kasolas, Chapter 7 Trustee

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