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8 UNITED STATES BANKRUPTCY COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 OAKLAND DIVISION

11 In re

12 FOX ORTEGA ENTERPRISES, INC., dba
PREMIER CRU

13 Debtor.

Case No. 16-40050-WJL

Chapter 7

**APPLICATION FOR ORDER
AUTHORIZING PRODUCTION OF
RECORDS OF WELLS FARGO BANK
PURSUANT TO FEDERAL RULE OF
BANKRUPTCY PROCEDURE 2004**

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17 TO: THE HONORABLE WILLIAM J. LAFFERTY, III, THE DEBTOR, THE UNITED
STATES TRUSTEE, AND WELLS FARGO BANK, N.A.:

18 **PLEASE TAKE NOTICE** that Michael G. Kasolas, trustee (“Trustee”) of the above-
19 captioned estate of Fox Ortega Enterprises, Inc., dba Premier Cru (“Premier Cru”), hereby applies
20 for an order directing the Custodian of Records or other current authorized designated individual
21 on behalf of Wells Fargo Bank, N.A. (“Wells Fargo”) to produce the documents set forth below
22 pursuant to Federal Rule of Bankruptcy Procedure 2004.

23 The examination of Wells Fargo is necessary to enable the Trustee to complete his
24 investigation regarding the potential avoidable transfers and assets of the estate.

25 The Trustee requests that the following documents be produced:

26 **REQUEST NO. 1:** All monthly account statements prepared by Wells Fargo, including
27 annual summary account statements, for the following credit card accounts, from January 8, 2009
28 through January 8, 2016.

ACCOUNT NO.	EXPIRATION DATE
4465 4200 9114 0509	08/17
4465 4200 9100 3954	
4465 4000 5427 6938	

REQUEST NO. 2: The signature cards or signed account agreements for each of the accounts listed in Paragraph 1.

REQUEST NO. 3: The annual statements for 2009-2016 for each of the accounts listed in paragraph 1.

REQUEST NO. 4: All other monthly account statements prepared by Wells Fargo, for any accounts not listed in paragraph 1, from January 8, 2009 through January 8, 2016, on which payments were made from Premier Cru to Wells Fargo.

WHEREFORE, the Trustee requests that an order be entered:

1. Directing Wells Fargo to produce the documents described herein at the offices of Wendel, Rosen, Black & Dean LLP, 1111 Broadway, 24th Floor, Oakland, California 94607 not less than 15 days from the date of service of the subpoena; and

2. For such other and further relief as the court deems proper.

DATED: April 20, 2017

WENDEL, ROSEN, BLACK & DEAN LLP

By: /s/ Mark S. Bostick

Mark S. Bostick

Attorneys for Michael G. Kasolas, Trustee

CERTIFICATE OF SERVICE

I, Jeanne Rose, declare:

I am a citizen of the United States and am employed in the County of Alameda. I am over the age of 18 years and not a party to the within-entitled action. My business address is 1111 Broadway, 24th Floor, Oakland, California, 94607-4036.

On the date set out below, I caused to be served the following document(s):

**APPLICATION FOR ORDER AUTHORIZING PRODUCTION OF
RECORDS OF WELLS FARGO PURSUANT TO
FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

**[PROPOSED] ORDER AUTHORIZING PRODUCTION OF RECORDS OF WELLS
FARGO PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

by placing a true and correct copy thereof enclosed in a sealed envelope with first-class postage prepaid in a designated area for outgoing mail, addressed as set forth below. At Wendel, Rosen, Black & Dean, LLP, mail placed in that designated area is given the correct amount of postage and is deposited that same day, in the ordinary course of business, in a United States mailbox in the City of Oakland, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 20, 2017, at Oakland, California.

/s/ Jeanne Rose
JEANNE ROSE

By Certified Mail

Wells Fargo Bank, N.A.
c/o CSC - Lawyers Incorporating Service
2710 Gateway Oaks Dr., Suite 150N
Sacramento, CA 95833

Office of the United States Trustee
450 Golden Gate Ave., 5th Floor
Suite 05-0153
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