

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc.
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court Northern District of California
Case number: 16-40050

FILED
U.S. Bankruptcy Court
Northern District of California
1/19/2016
Edward J. Emmons, Clerk

**Official Form 410
Proof of Claim****12/15**

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents**; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>Fox Ortega Enterprises, Inc.</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>Fox Ortega Enterprises, Inc.</u> Name <u>76 Cercado Court</u> <u>Napa, CA 94559</u> Contact phone <u>707-501-8801</u> Contact email <u>henrikwinefreak@hotmail.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different) Name Contact phone _____ Contact email _____
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
7. How much is the claim?	<div style="display: flex; justify-content: space-between;"><div>\$ 1793.92</div><div>Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</div></div>
8. What is the basis of the claim?	<p>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.</p> <p>Goods purchased and never received from debtor</p>
9. Is all or part of the claim secured?	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.</div> <div>Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</div> <div>Basis for perfection: _____</div> <div>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</div> <div><div>Value of property:</div><div>\$ _____</div><div>Amount of the claim that is secured:</div><div>\$ _____</div><div>Amount of the claim that is unsecured:</div><div>\$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</div></div> <div><div>Amount necessary to cure any default as of the date of the petition:</div><div>\$ _____</div><div>Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div></div>
10. Is this claim based on a lease?	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</div>
11. Is this claim subject to a right of setoff?	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</div>

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply.</i>	Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(<u> </u>) that applies	\$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
* Amounts are subject to adjustment on 4/1/16 and every 3 years after that for cases begun on or after the date of adjustment.		

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- ☒ I am the creditor.
☐ I am the creditor's attorney or authorized agent.
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 1/19/2016
 MM / DD / YYYY

/s/ Henrik Poulsen

Signature

Print the name of the person who is completing and signing this claim:

Name	<u>Henrik Poulsen</u>		
	First name	Middle name	Last name
Title	<u></u>		
Company	<u></u>		
Address	Identify the corporate servicer as the company if the authorized agent is a servicer		
	<u>76 Cercado Court</u>		
	Number Street		
	<u>Napa, CA 94559</u>		
	City	State	ZIP Code
Contact phone	<u>707-501-8801</u>		Email <u>henrikwinefreak@hotmail.com</u>

United States Bankruptcy Court
Northern District of California

In re:
Fox Ortega Enterprises, Inc.
Debtor

Case No. 16-40050-WJL
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0971-4

User: klau
Form ID: DCLM

Page 1 of 1
Total Noticed: 3

Date Rcvd: Jan 28, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 30, 2016.

db +Fox Ortega Enterprises, Inc., 1011 University Ave., Berkeley, CA 94710-2113
+Henrik Poulsen, 76 Cercado Court, Napa, CA 94559-4551
14236011 +Fox Ortega Enterprises, Inc., 76 Cercado Court, Napa, CA 94559-4551

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 30, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 28, 2016 at the address(es) listed below:

Darya Sara Druch on behalf of stockholders Hector Ortega ecf@daryalaw.com
Margaret H. McGee on behalf of U.S. Trustee Office of the U.S. Trustee/Oak
maggie.mcgee@usdoj.gov, Minnie.Loo@usdoj.gov
Mark Bostick on behalf of Trustee Michael G. Kasolas mbostick@wendel.com,
bankruptcy@wendel.com
Michael G. Kasolas on behalf of Trustee Michael G. Kasolas trustee@kasolas.net,
CA30@ecfcbis.com
Michael G. Kasolas trustee@kasolas.net, CA30@ecfcbis.com
Office of the U.S. Trustee/Oak USTPRegion17.OA.ECF@usdoj.gov, ltroxas@hotmail.com
Paul J. Pascuzzi on behalf of Creditor Community Bank of the Bay ppascuzzi@ffwplaw.com,
JNiemann@ffwplaw.com
Philip J. Terry on behalf of Creditor Firadis Ltd. pjterry@cmprlaw.com, sreid@cmprlaw.com
Richard L. Pierotti Rpierotti@kpmid.com
Stephen D. Finestone on behalf of Debtor Fox Ortega Enterprises, Inc. sfinestone@pobox.com
Tracy Green on behalf of Trustee Michael G. Kasolas tgreen@wendel.com, bankruptcy@wendel.com
TOTAL: 11

**UNITED STATES BANKRUPTCY COURT
Northern District of California**

In Fox Ortega Enterprises, Inc. Re: dba Premier Cru Debtor(s)	Case No.: 16-40050 WJL 7 Chapter: 7
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NOTICE OF DEFECTIVE CM/ECF PROOF OF CLAIM FILED ELECTRONICALLY

NOTICE. Claim Number 48 filed electronically in this case on January 19, 2016 by Fox Ortega Enterprises, Inc. is defective for the reason(s) marked below:

- ☐ Claim PDF Unreadable

- ☐ Wrong PDF Attached

- ☐ Creditor Name Listed in PDF Does Not Match Creditor selected on Claims Register

- ☐ Claim Docketed on Wrong Case

- ☒ Other Party filer inputted the Debtor as the Creditor on the proof of claim.

This notice is provided as a courtesy only and does not constitute a ruling by the bankruptcy court.

Dated: 1/28/16

For the Court:

Edward J. Emmons
Clerk of Court
United States Bankruptcy Court

**UNITED STATES BANKRUPTCY COURT
Northern District of California**

In Fox Ortega Enterprises, Inc. Re: dba Premier Cru Debtor(s)	Case No.: 16-40050 WJL 7 Chapter: 7
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Dated: 1/28/16

For the Court:

Edward J. Emmons
Clerk of Court
United States Bankruptcy Court

Notice Recipients

District/Off: 0971-4

User: klau

Date Created: 1/28/2016

Case: 16-40050

Form ID: DCLM

Total: 3

Recipients submitted to the BNC (Bankruptcy Noticing Center):

db	Fox Ortega Enterprises, Inc.	1011 University Ave.	Berkeley, CA 94710
14236011	Fox Ortega Enterprises, Inc.	76 Cercado Court	Napa, CA 94559
	Henrik Poulsen	76 Cercado Court	Napa, CA 94559

TOTAL: 3