

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc. dba Premier Cru

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern _____ District of California _____

Case number 16-40050 WJL 7

✗

FILED

2016 JAN 22 AM 9:37

U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CA.
OAKLAND, CA.

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>Robert Dolgin</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>Robert Dolgin</u> Name <u>28 Portland Place</u> Number Street <u>St. Louis</u> <u>MO</u> <u>63108</u> City State ZIP Code Contact phone <u>314-941-1414</u> Contact email <u>rmdolgin@aol.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____ Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____
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? ☒ No
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 11,077.00 Does this amount include interest or other charges?
☒ No
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? 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 health care information.
Goods sold

9. Is all or part of the claim secured? ☒ No
☐ Yes. The claim is secured by a lien on property.
Nature of property:
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____
Basis for perfection: _____
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.)
Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)
Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
☐ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☒ No

☐ Yes. Check all that apply:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ 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).

☐ 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).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* Amounts are subject to adjustment on 4/01/16 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 01/19/2016
MM / DD / YYYY

Robert Dolgin

Signature

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

Name	Robert	Dolgin	
	First name	Middle name	Last name
Title			
Company	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	28 Portland Place		
	Number	Street	
	St. Louis	MO	63108
	City	State	ZIP Code
Contact phone	314-941-1414	Email	rmdolgin@aol.com

Robert Michael Dolgin
Proof of Loss

Order Date	Order Number	Amount Paid	Remaining Amount Due
09/18/2014	SO-0000455595	\$ 4,859.32	\$ 4,409.44
02/26/2014	SO-0000438378	\$ 870.00	\$ 870.00
09/27/2013	SO-0000424013	\$ 839.82	\$ 359.94
08/08/2013	SO-0000420332	\$ 1,099.00	\$ 1,099.00
08/03/2013	SO-0000420047	\$ 2,598.98	\$ 2,598.98
06/22,2013	SO-0000416443	\$ 299.95	\$ 299.95
11/24/2011	SO-0000367646	\$ 1,199.76	\$ 719.88
07/06/2011	SO-0000358903	\$ 5,273.82	\$ 719.88
Total Amount Remaining Due			\$11,077.07

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Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000455595 (Open)	\$4,859.32	68	12	56	0	9/18/14
SO-0000428372 (Open)	\$870.00	6	0	6	0	2/26/14
SO-0000424013 (Open)	\$839.82	18	12	6	0	9/27/13
SO-0000420332 (Open)	\$1,099.00	1	0	1	0	8/8/13
SO-0000420047 (Open)	\$2,598.98	3	0	3	0	8/3/13
SO-0000416443 (Open)	\$299.95	5	0	5	0	6/22/13
SO-0000367646 (Open)	\$1,199.76	24	12	12	0	11/24/11
SO-0000358203 (Open)	\$5,273.82	36	24	12	0	7/6/11

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ORDER DETAILS

Order No.: SO-0000455595

Order Date.: Sep 18, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Volnay Caillerets, Pousse d'Or, 750 ml	6	0	6	0	\$39.99	\$239.94
2011 Pommard Chaponnieres, N. Rossignol, 750 ml	6	0	6	0	\$49.99	\$299.94
2010 Volnay Clos des Angles, Nicolas Rossignol, 750 ml	6	6	0	0	\$34.99	\$209.94
2012 Puligny Clos de la Garenne 'Duc de Magenta', Jadot, 750 ml	6	0	6	0	\$49.99	\$299.94
2012 Chassagne Morgeot 'Abbaye de Morgeot', Jadot, 750 ml	6	6	0	0	\$39.99	\$239.94
2005 Taittinger Comtes de Champagne, 750 ml	6	0	6	0	\$79.99	\$479.94
2012 Puligny La Garenne, Jadot, 750 ml	5	0	5	0	\$39.99	\$199.95
2012 Chassagne Caillerets, Jadot, 750 ml	6	0	6	0	\$49.99	\$299.94
2012 Gevrey Chambertin Fontenys, Roty, 750 ml	1	0	1	0	\$69.99	\$69.99
2012 Pommard Rugiens, Le Moine, 750 ml	2	0	2	0	\$89.99	\$179.98
2012 Chambolle Musigny Haut Doix, Le Moine, 750 ml	6	0	6	0	\$99.99	\$599.94
2012 Vosne Romanee Petits Monts, Le Moine, 750 ml	6	0	6	0	\$139.99	\$839.94
2012 Charmes Chambertin, Le Moine, 750 ml	6	0	6	0	\$149.99	\$899.94

Subtotal: \$4,859.32

Tax: \$0.00

Total: \$4,859.32

1 SHIPPED
~~(449.88)~~
 4409.44 R

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Volnay Caillerets, Pousse d'Or, 750 ml	6	0	6
2011 Pommard Chaponnieres, N. Rossignol, 750 ml	6	0	6
2010 Volnay Clos des Angles, Nicolas Rossignol, 750 ml	6	6	0
2012 Puligny Clos de la Garenne 'Duc de Magenta', Jadot, 750 ml	6	0	6
2012 Chassagne Morgeot 'Abbaye de Morgeot', Jadot, 750 ml	6	6	0

R = Remaining Amount Due

2005 Taittinger Comtes de Champagne, 750 ml	6	0	6
2012 Puligny La Garenne, Jadot, 750 ml	5	0	5
2012 Chassagne Caillerets, Jadot, 750 ml	6	0	6
2012 Gevrey Chambertin Fontenys, Roty, 750 ml	1	0	1
2012 Pommard Rugiens, Le Moine, 750 ml	2	0	2
2012 Chambolle Musigny Haut Doix, Le Moine, 750 ml	6	0	6
2012 Vosne Romanee Petits Monts, Le Moine, 750 ml	6	0	6
2012 Charmes Chambertin, Le Moine, 750 ml	6	0	6

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Order No.: SO-0000438378

Order Date.: Feb 26, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Bonnes Mares V.V., Laurent, 750 ml	6	0	6	0	\$145.00	\$870.00

Subtotal: \$870.00

Tax: \$0.00

Total: \$870.00

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Bonnes Mares V.V., Laurent, 750 ml	6	0	6

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ORDER DETAILS

Order No.: SO-0000424013
Order Date.: Sep 27, 2013
Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Chateauneuf Cuvee Reservee, Pegau, 750 ml	12	12	0	0	\$39.99	\$479.88
2011 Nuits les Cailles, Chevillon, 750 ml	6	0	6	0	\$59.99	\$359.94

Subtotal: \$839.82
Tax: \$0.00
Total: \$839.82

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Chateauneuf Cuvee Reservee, Pegau, 750 ml	12	12	0
2011 Nuits les Cailles, Chevillon, 750 ml	6	0	6

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9/27/13
~~(479.88)~~
359.94 R

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ORDER DETAILS

Order No.: SO-0000420332

Order Date: Aug 8, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Romanee St Vivant, DRC, 750 ml	1	0	1	0	\$1,099.00	\$1,099.00

Subtotal: \$1,099.00

Tax: \$0.00

Total: \$1,099.00

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Romanee St Vivant, DRC, 750 ml	1	0	1

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ORDER DETAILS

Order No.: SO-0000420047

Order Date.: Aug 3, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Grands Echezeaux, DRC, 750 ml	1	0	1	0	\$799.99	\$799.99
2010 Richebourg, DRC, 750 ml	1	0	1	0	\$1,199.00	\$1,199.00
2010 Echezeaux, DRC, 750 ml	1	0	1	0	\$599.99	\$599.99

Subtotal: \$2,598.98

Tax: \$0.00

Total: \$2,598.98

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Grands Echezeaux, DRC, 750 ml	1	0	1
2010 Richebourg, DRC, 750 ml	1	0	1
2010 Echezeaux, DRC, 750 ml	1	0	1

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Producers

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Customer Service

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Shipping Info

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ORDER DETAILS

Order No.: SO-0000416443

Order Date.: Jun 22, 2013

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Gevrey Chambertin Fontenys, Roty, 750 ml	5	0	5	0	\$59.99	\$299.95

Subtotal: \$299.95

Tax: \$0.00

Total: \$299.95

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Gevrey Chambertin Fontenys, Roty, 750 ml	5	0	5

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ORDER DETAILS

Order No.: 50-0000367646

Order Date.: Nov 24, 2011

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Chateaufneuf Barbe Rac, Chapoutier, 750 ml	12	0	12	0	\$59.99	\$719.88
2010 Beaucastel, 750 ml	12	12	0	0	\$39.99	\$479.88

Subtotal: \$1,199.76

Tax: \$0.00

Total: \$1,199.76

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Chateaufneuf Barbe Rac, Chapoutier, 750 ml	12	0	12
2010 Beaucastel, 750 ml	12	12	0

✓ SHIPPED

719.88

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Order No.: SO-0000358903

Order Date.: Jul 6, 2011

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Climens, 750 ml	12	0	12	0	\$59.99	\$719.88
2009 Clos des Lambrays, 750 ml	6	6	0	0	\$125.00	\$750.00
2009 Batard Montrachet, Jadot, 750 ml	6	6	0	0	\$159.99	\$959.94
2009 Chevalier Montrachet Demoiselles, Jadot, 750 ml	6	6	0	0	\$199.00	\$1,194.00
2009 Clos de Tart, 750 ml	6	6	0	0	\$275.00	\$1,650.00

Subtotal: \$5,273.82

Tax: \$0.00

Total: \$5,273.82

✓ SHIPPED ~~4,553.94~~
719.88

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Climens, 750 ml	12	0	12
2009 Clos des Lambrays, 750 ml	6	6	0
2009 Batard Montrachet, Jadot, 750 ml	6	6	0
2009 Chevalier Montrachet Demoiselles, Jadot, 750 ml	6	6	0
2009 Clos de Tart, 750 ml	6	6	0

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