

Fill in this information to identify the case:

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

FILED

cl

2016 JAN 25 PM 12:27

U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CAL.
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?

Nina Leslie

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?

☒ No

☐ 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?

Nina Leslie

Name

5410 Fernhoff Rd

Number

Street

Oakland

City

CA

State

94619

ZIP Code

Contact phone 510-531-9338

Contact email ninaleslie@yahoo.com

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?

☒ No

☐ 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?

☒ No

☐ 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: 0 3 4 1

7. How much is the claim? \$ 449.94 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.

Purchase of wine that wasn't delivered
2 bottles 2009 Lynch Bages @ \$119.99 each + 1 bottle 2009 Pichon Lalande @ \$169.99

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)?

☒ No

☐ Yes. Check all that apply:

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.

☐ 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.

\$ _____

* 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 1/20/2016
MM / DD / YYYY

Nina Leslie

Signature

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

Name Nina Leslie
First name Middle name Last name

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 5410 Fernhoff Rd
Number Street

Oakland CA 94619
City State ZIP Code

Contact phone 510-531-9338 Email ninaleslie@yahoo.com

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

(510) 644-9463 FAX (510) 647-3833

Sales Order

Page: 1
Order Number: 0000351058
Order Date: 2/19/2011
Web Order No: 77460
Salesperson: JG
Customer: nlesl
Customer PO:

Sold To	Ship To
Nina Leslie 5410 Fernhoff Rd Oakland, CA 94619 USA	Nina Leslie 5410 Fernhoff Rd Oakland, CA 94619 USA

Contact: Nina Leslie
Phone: (510) 531-9338

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
41693 09 Pichon Lalande	1.00	0.00	169.99	169.99
41473 09 Cantenae Brown	2.00	0.00	59.99	119.98
41605 09 Haut Bailly	2.00	0.00	119.99	239.98
41565 09 Lynch Bages	2.00	0.00	119.99	239.98

Payments:	845.00	Net Order:	769.93
2/21/2011	VQEE6D804521	*****9431	845.00

Subject: Premier Cru Order Acknowledgement
From: Premier Cru (shipping@premiercru.net)
To: ninaleslie@yahoo.com;
Date: Saturday, February 19, 2011 6:26 PM

Thank you for your order!

We have received your order request SO-0000351058-77460.

qty	item	Wine	price	ext	status
1	41693	2009 Pichon Lalande (pre-arrival)	169.99	169.99	pre-arrival
2	41473	2009 Cantenac Brown (pre-arrival)	59.99	119.98	pre-arrival
2	41605	2009 Haut Bailly (pre-arrival)	119.99	239.98	pre-arrival
2	41565	2009 Lynch Bages (pre-arrival)	119.99	239.98	pre-arrival

received

Bottles : 7
Subtotal: 769.93
Shipping: 0.00
Tax : 75.07
Total : 845.00

Please note:

We do not ship automatically upon order.

If you wish to arrange shipping, please contact us after receiving your order confirmation and we will schedule it.

We do not charge for shipping until your bottles ship out.

If you have any questions, please email us at info@premiercru.net or call us at 510-644-9463.

Premier Cru
1011 University Avenue
Berkeley, CA 94710
(510) 644-9463

My Account Hi Nina Log Out Shopping Cart *wine, region, varietal, producer* SEARCH

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000351058

Order Date.: Feb 19, 2011

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 Cantenac Brown, 750 ml <i>received</i>	2	2	0	0	\$59.99	\$119.98
2009 Lynch Bages, 750 ml	2	0	2	0	\$119.99	\$239.98
2009 Haut Bailly, 750 ml <i>received</i>	2	2	0	0	\$119.99	\$239.98
2009 Pichon Lalande, 750 ml	1	0	1	0	\$169.99	\$169.99

Subtotal: \$769.93

Tax: \$75.07

Total: \$845.00

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 Cantenac Brown, 750 ml	2	2	0
2009 Lynch Bages, 750 ml	2	0	2
2009 Haut Bailly, 750 ml	2	2	0
2009 Pichon Lalande, 750 ml	1	0	1

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Premier Cru
1011 University Ave
Berkeley, CA 94710
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Store Hours
Tuesday-Friday: 10am-6pm
Saturday: 10am-5pm
Sunday: Closed

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