

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 WJL 7

FILED

2

2016 JAN 26 AM 10:54

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?

Glenn Ballard

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?

Glenn Ballard

Name

4536 Fieldbrook Road

Number Street

Oakland

CA

94619

City

State

ZIP Code

Contact phone 4157105531

Contact email glennballard@mac.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 01/17/2016  
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: \_\_\_\_\_

7. How much is the claim? \$ 634.60. 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.

Payments for goods prepaid by credit card but not delivered

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 01/17/2016  
MM / DD / YYYY

  
Signature

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

Name Herman Glenn Ballard  
First name Middle name Last name

Title Dr.

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

Address 4536 Fieldbrook Road  
Number Street  
Oakland CA 94619  
City State ZIP Code

Contact phone 4157105531 Email glennballard@mac.com

January 17, 2016

To Whom It May Concern:

The following four pages were copied from Premier Cru's website on this date. They show orders prepaid but not shipped, amounting to \$634.60 including sales tax.

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

## ORDER DETAILS

Order No.: SO-0000482687  
Order Date.: Jun 30, 2015  
Status: Open

### PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2005 Reignac, 750 ml	6	0	6	0	\$29.99	\$179.94

**Subtotal:** \$179.94

**Tax:** \$17.09

**Total:** \$197.03

### SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2005 Reignac, 750 ml	6	0	6

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Premier Cru  
101 University Ave  
Berkeley, CA 94710  
click here for directions

Store Hours  
Tuesday-Friday: 10am-6pm  
Saturday: 10am-5pm  
Sunday: Closed

MY ACCOUNT

EDIT PROFILE

ADDRESS BOOK

BILLING INFORMATION

## ORDER DETAILS

Order No.: SO-0000418639

Order Date.: Jul 18, 2013

Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2009 San Roman, Bodegas Y Vinedos Maurodos, 750 ml	6	0	6	0	\$31.99	\$191.94

Subtotal: \$191.94

Tax: \$17.27

Total: \$209.21

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2009 San Roman, Bodegas Y Vinedos Maurodos, 750 ml	6	0	6

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Premier Cru

Store Hours

1011 University Ave

Tuesday-Friday: 10am-6pm

Berkeley, CA 94710

Saturday: 10am-5pm

Click here for directions

Sunday: Closed

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

## ORDER DETAILS

Order No.: SO-0000380970  
 Order Date.: May 4, 2012  
 Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2008 Barolo Chiniera, Grasso, 750 ml	2	2	0	0	\$74.99	\$149.98
2008 Barolo Casa Mate, Grasso, 750 ml	1	0	1	1	\$74.99	\$74.99

**Subtotal:** \$224.97  
**Tax:** \$19.68  
**Total:** \$244.65

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2008 Barolo Chiniera, Grasso, 750 ml	2	2	0
2008 Barolo Casa Mate, Grasso, 750 ml	1	0	1

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 1011 University Ave  
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 Click here for directions

**Store Hours**  
 Tuesday-Friday: 10am-6pm  
 Saturday: 10am-5pm  
 Sunday: Closed



MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

## ORDER DETAILS

Order No.: SO-0000363366  
Order Date.: Sep 27, 2011  
Status: Open

## PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2003 Branaire, 750 ml	1	1	0	0	\$79.95	\$79.95
2005 Beaune Clos de Couchereaux, Jadot, 750 ml	3	0	3	0	\$45.00	\$135.00
2009 Ridge Zinfandel Lytton Springs, 750 ml	3	3	0	0	\$29.99	\$89.97

**Subtotal:** \$304.92

**Tax:** \$26.68

**Total:** \$331.60

## SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2003 Branaire, 750 ml	1	1	0
2005 Beaune Clos de Couchereaux, Jadot, 750 ml	3	0	3
2009 Ridge Zinfandel Lytton Springs, 750 ml	3	3	0

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