

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc.

Debtor 2 dba Premier Cru  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California



Case number 16-40050 WJL 7

CM 10:48AM  
**FILED**

JAN 26 2016

BANKRUPTCY COURT  
OAKLAND, CALIFORNIA

## 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?

Gordon Trachtenberg

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?

Gordon Trachtenberg

Name

9840 Wanda Park Street

Number Street

Beverly Hills

CA

90210

City

State

ZIP Code

Contact phone 310-980-0996

Contact email gtrachtenberg@gmail.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: 4 6 0 4

7. How much is the claim? \$ 15,366.26 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.

Fine Wine purchased but never 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 01/16/2016  
MM / DD / YYYY

Signature

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

Name Gordon Charles Trachtenberg  
First name Middle name Last name

Title \_\_\_\_\_

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

Address 9840 Wanda Park Drive  
Number Street

Beverly Hills CA 90210  
City State ZIP Code

Contact phone 3109800996 Email gtrachtenberg@gmail.com

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000356657

Order Date: 5/25/2011

Salesperson: MG

Customer: 4604

Customer PO:

### Sold To

Gordon Trachtenberg  
9840 Wanda Park Drive  
GORDON TRACHTENBERG MUST CLEAR  
ALL SHIPPING AND PU ARRANGEMENTS  
Beverly Hills, CA 90210 USA

### Ship To

Gordon Trachtenberg  
The Wine Cellar C/O Mark Stevens  
1919 South Pontius Avenue  
Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

completes a case of 12

Item	Ordered	Quantity Shipped	Unit Price	Amount
41604 09 Clinet	4.00	0.00	179.99	719.96

Payments: 790.16

Net Order: 719.96

Freight: 0.00

Sales Tax: 70.20

5/25/2011 VWVE2B40D49A \*\*\*\*\*1008 790.16

USD 790.16

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000380079

Order Date: 4/23/2012

Web Order No: 95413

Salesperson: MR

Customer: 4604

Customer PO:

Sold To	Ship To
Gordon Trachtenberg 9840 Wanda Park Drive GORDON TRACHTENBERG MUST CLEAR ALL SHIPPING AND PU ARRANGEMENTS Beverly Hills, CA 90210 USA	Gordon Trachtenberg The Wine Cellar C/O Mark Stevens 1919 South Pontius Avenue Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
43973 2010 Branon	6.00	0.00	122.95	737.70
43864 2010 Pontet Canet	6.00	0.00	159.95	959.70
43932 2010 Pichon Baron	6.00	0.00	205.00	1,230.00

Payments: 3,183.55

Net Order: 2,927.40

Freight: 0.00

Sales Tax: 256.15

4/23/2012	VTYE8FABCC4C	*****2003	3,183.55
-----------	--------------	-----------	----------

USD 3,183.55

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000398202

Order Date: 11/30/2012

Salesperson: JG

Customer: 4604

Customer PO:

Sold To	Ship To
Gordon Trachtenberg 9840 Wanda Park Drive GORDON TRACHTENBERG MUST CLEAR ALL SHIPPING AND PU ARRANGEMENTS Beverly Hills, CA 90210 USA	Gordon Trachtenberg The Wine Cellar C/O Mark Stevens 1919 South Pontius Avenue Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
41576 09 Troplong Mondot 1/2	24.00	0.00	74.99	1,799.76

Payments:	1,957.24	Net Order:	1,799.76
11/30/2012 VTJEA2A374CF *****4434	1,957.24	Freight:	0.00
		Sales Tax:	157.48
		USD	1,957.24

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000398235

Order Date: 12/1/2012

Salesperson: JG

Customer: 4604

Customer PO:

Sold To	Ship To
---------	---------

Gordon Trachtenberg  
9840 Wanda Park Drive  
GORDON TRACHTENBERG MUST CLEAR  
ALL SHIPPING AND PU ARRANGEMENTS  
Beverly Hills, CA 90210 USA

Gordon Trachtenberg  
The Wine Cellar C/O Mark Stevens  
1919 South Pontius Avenue  
Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

ordered by Mark Stevens  
This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
41371	09 Vrai Canon Bouche	12.00	0.00	22.99	275.88
45528	09 Vrai Canon Bouche 1/2	24.00	0.00	11.99	287.76

Payments: 612.96

Net Order: 563.64

Freight: 0.00

Sales Tax: 49.32

12/1/2012	VQFE7D3CE64D	*****4434	612.96
-----------	--------------	-----------	--------

USD 612.96

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000400906

Order Date: 12/29/2012

Web Order No: 117460

Salesperson: JG

Customer: 4604

Customer PO:

Sold To	Ship To
Gordon Trachtenberg 9840 Wanda Park Drive GORDON TRACHTENBERG MUST CLEAR ALL SHIPPING AND PU ARRANGEMENTS Beverly Hills, CA 90210 USA	Gordon Trachtenberg The Wine Cellar C/O Mark Stevens 1919 South Pontius Avenue Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
44849 2010 First Growth Bordeaux Special Set	2.00	0.00	2,299.00	4,598.00

Payments: 5,000.33

Net Order: 4,598.00

Freight: 0.00

Sales Tax: 402.33

12/29/2012	VREE7E84C57F	*****4434	5,000.33
------------	--------------	-----------	----------

USD 5,000.33



# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000402298

Order Date: 1/10/2013

Salesperson: MG

Customer: 4604

Customer PO:

Sold To	Ship To
Gordon Trachtenberg 9840 Wanda Park Drive GORDON TRACHTENBERG MUST CLEAR ALL SHIPPING AND PU ARRANGEMENTS Beverly Hills, CA 90210 USA	Gordon Trachtenberg The Wine Cellar C/O Mark Stevens 1919 South Pontius Avenue Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

Item	Ordered	Quantity Shipped	Unit Price	Amount
45936 09 Romanee Conti, DRC	1.00	0.00	8,500.00	8,500.00

Payments: 9,243.75

Net Order: 8,500.00

Freight: 0.00

Sales Tax: 743.75

1/10/2013 VRCE7F0AE9F2 \*\*\*\*\*7009 9,243.75

USD 9,243.75

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000402876

Order Date: 1/19/2013

Salesperson: JG

Customer: 4604

Customer PO:

Sold To	Ship To
---------	---------

Gordon Trachtenberg  
9840 Wanda Park Drive  
GORDON TRACHTENBERG MUST CLEAR  
ALL SHIPPING AND PU ARRANGEMENTS  
Beverly Hills, CA 90210 USA

Gordon Trachtenberg  
The Wine Cellar C/O Mark Stevens  
1919 South Pontius Avenue  
Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

ordered by Mark Stevens  
This order has been paid by American Express - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
44091	2010 Beausejour Duffau	12.00	0.00	179.99	2,159.88

Payments: 2,354.27

Net Order: 2,159.88

Freight: 0.00

Sales Tax: 194.39

1/19/2013	VRCE7F738E4E	*****8007	2,354.27
-----------	--------------	-----------	----------

USD 2,354.27

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000404416

Order Date: 2/6/2013

Web Order No: 119898

Salesperson: JG

Customer: 4604

Customer PO:

Sold To	Ship To
Gordon Trachtenberg 9840 Wanda Park Drive GORDON TRACHTENBERG MUST CLEAR ALL SHIPPING AND PU ARRANGEMENTS Beverly Hills, CA 90210 USA	Gordon Trachtenberg The Wine Cellar C/O Mark Stevens 1919 South Pontius Avenue Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47353 2011 Beaune Clos des Ursules 1/2, Jadot	12.00	0.00	29.99	359.88

Payments: 392.27

Net Order: 359.88

Freight: 0.00

Sales Tax: 32.39

2/7/2013	VQCE8A33008D	*****8007	392.27
----------	--------------	-----------	--------

USD 392.27

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000416732

Order Date: 6/25/2013

Salesperson: MG

Customer: 4604

Customer PO:

Sold To	Ship To
---------	---------

Gordon Trachtenberg  
9840 Wanda Park Drive  
GORDON TRACHTENBERG MUST CLEAR  
ALL SHIPPING AND PU ARRANGEMENTS  
Beverly Hills, CA 90210 USA

Gordon Trachtenberg  
The Wine Cellar C/O Mark Stevens  
1919 South Pontius Avenue  
Los Angeles, CA 90025 USA

Contact: Gordon Trachtenberg  
Phone: (310) 271-6780

Item		Ordered	Quantity Shipped	Unit Price	Amount
47492	04 Taittinger Comtes de Champagne Blanc de Blancs	6.00	0.00	99.99	599.94
48077	04 Dom Perignon	6.00	0.00	99.99	599.94

Payments: 1,307.87

Net Order: 1,199.88

Freight: 0.00

Sales Tax: 107.99

6/26/2013	VUHEAB348D30	*****8007	1,307.87
-----------	--------------	-----------	----------

USD 1,307.87