

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 26 AM 9:30

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

Official Form 410

12/15

Proof of Claim

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?

Theodore H. Latty

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor Ted Latty

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?

Theodore H. Latty

C/O Hughes Hubbard & Reed LLP
350 S. Grand Avenue, Suite 3600

Number Street

Los Angeles

CA

90071

City

State

ZIP Code

Contact phone (213) 613-2808

Contact email theodore.latty@hugheshubbard.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: _____

7. How much is the claim? \$ 3,199.03. 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).

See Attachments

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 purchased, paid for 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

\$ _____

\$ 2,775.00

\$ _____

\$ _____

\$ _____

\$ _____

* 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 01/20/2016
MM / DD / YYYY

Theodore H. Latty
Signature

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

Name Theodore H. Latty
First name Middle name Last name

Title _____

Company Hughes Hubbard & Reed LLP
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 350 S. Grand Avenue, Suite 3600
Number Street
Los Angeles CA 90071
City State ZIP Code

Contact phone (213) 613-2808 Email theodore.latty@hugheshubbard.com

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

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

ORDER DETAILS

Order No.: SO-0000436161
 Order Date.: Feb 1, 2014
 Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 Chateaufeuf Deus Ex Machina, Clos St Jean, 750 ml	3	0	3	0	\$151.99	\$455.98

Subtotal: \$455.98

Tax: \$41.04

Total: \$497.02

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2012 Chateaufeuf Deus Ex Machina, Clos St Jean, 750 ml	3	0	3

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 Berkeley, CA 94710
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Store Hours

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

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000440262
Order Date: 3/25/2014
Web Order No: 146806
Salesperson: JG
Customer: tlat
Customer PO:

Sold To	Ship To
Ted Latty 350 S. Grand Ave Suite 3600 Hughes, Hubbard, & Reed latty@hugheshubbard.com Los Angeles, CA 90071 USA	Ted Latty 350 S. Grand Ave Suite 3600 Hughes, Hubbard, & Reed latty@hugheshubbard.com Los Angeles, CA 90071 USA

Contact: Theodore H Latty
Phone: (213) 613-2808

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49764 08 Amarone della Valpolicella, Dal Forno	4.00	0.00	259.99	1,039.96

Payments: 1,133.56

Net Order: 1,039.96

Freight: 0.00

Sales Tax: 93.60

3/25/2014	VXHEBACAE857	*****8866	1,133.56
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USD 1,133.56

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ORDER DETAILS

Order No.: SO-0000440262

Order Date.: Mar 25, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2008 Amarone della Valpolicella, Dal Forno, 750 ml	4	0	4	0	\$259.99	\$1,039.96

Subtotal: \$1,039.96**Tax:** \$93.60**Total:** \$1,133.56

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2008 Amarone della Valpolicella, Dal Forno, 750 ml	4	0	4

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Sales Order

Page: 1
Order Number: 0000445873
Order Date: 5/28/2014
Web Order No: 151126
Salesperson: SA
Customer: flat
Customer PO:

Sold To

Ted Latty
350 S. Grand Ave
Suite 3600
Hughes, Hubbard, & Reed
latty@hugheshubbard.com
Los Angeles, CA 90071 USA

Ship To

Ted Latty
350 S. Grand Ave
Suite 3600
Hughes, Hubbard, & Reed
latty@hugheshubbard.com
Los Angeles, CA 90071 USA

Contact: Theodore H Latty
Phone: (213) 613-2808

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
49238	2012 La Mission Haut Brion	6.00	0.00	136.50	819.00

Payments: 892.71

Net Order: 819.00

Freight: 0.00

Sales Tax: 73.71

5/28/2014 VPFAACC45CB3 *****8866 892.71

USD 892.71

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Order No.: SO-0000445873
Order Date.: May 28, 2014
Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2012 La Mission Haut Brion, 750 ml	6	0	6	0	\$136.50	\$819.00

Subtotal: \$819.00**Tax:** \$73.71**Total:** \$892.71**SHIPPING DETAILS**

Wine	Ordered	Shipped	Remain
2012 La Mission Haut Brion, 750 ml	6	0	6

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Sales Order

Page: 1

Order Number: 0000451148

Order Date: 7/31/2014

Web Order No: 154947

Salesperson: JG

Customer: tlat

Customer PO:

Sold To

Ted Latty
350 S. Grand Ave
Suite 3600
Hughes, Hubbard, & Reed
latty@hugheshubbard.com
Los Angeles, CA 90071 USA

Ship To

Ted Latty
350 S. Grand Ave
Suite 3600
Hughes, Hubbard, & Reed
latty@hugheshubbard.com
Los Angeles, CA 90071 USA

Contact: Theodore H Latty
Phone: (213) 613-2808

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
46777	2011 Corton Charlemagne, Jadot	2.00	0.00	109.99	219.98
46778	2011 Batard Montrachet, Jadot	1.00	0.00	249.99	249.99

Payments: 512.27

Net Order: 469.97

Freight: 0.00

Sales Tax: 42.30

7/31/2014	VQCAB06A2B2D	*****8866	512.27
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USD 512.27

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ORDER DETAILS

Order No.: SO-0000451148

Order Date.: Jul 31, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2011 Corton Charlemagne, Jadot, 750 ml	2	0	2	0	\$109.99	\$219.98
2011 Batard Montrachet, Jadot, 750 ml	1	0	1	0	\$249.99	\$249.99

Subtotal: \$469.97

Tax: \$42.30

Total: \$512.27

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2011 Corton Charlemagne, Jadot, 750 ml	2	0	2
2011 Batard Montrachet, Jadot, 750 ml	1	0	1

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1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000462005

Order Date: 11/23/2014

Web Order No: 163171

Salesperson: JG

Customer: flat

Customer PO:

Sold To	Ship To
Ted Latty 350 S. Grand Ave Suite 3600 Hughes, Hubbard, & Reed latty@hugheshubbard.com Los Angeles, CA 90071 USA	Ted Latty 350 S. Grand Ave Suite 3600 Hughes, Hubbard, & Reed latty@hugheshubbard.com Los Angeles, CA 90071 USA

Contact: Theodore H Latty
Phone: (213) 613-2808

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
43891 2010 La Lagune	3.00	0.00	49.99	149.97

Payments: 163.47

Net Order: 149.97

Freight: 0.00

Sales Tax: 13.50

11/24/2014	VTJAC8793A57	*****7472	163.47
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USD 163.47

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ORDER DETAILS

Order No.: SO-0000462005

Order Date.: Nov 23, 2014

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 La Lagune, 750 ml	3	0	3	0	\$49.99	\$149.97

Subtotal: \$149.97

Tax: \$13.50

Total: \$163.47

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 La Lagune, 750 ml	3	0	3

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