

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 WJL7

LM 10:49 AM
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?	<u>Alan Dumas</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>Alan Dumas</u> Name <u>53 Country Club Way</u> Number Street <u>Ipswich MA 01938</u> City State ZIP Code Contact phone <u>(617) 867-0280</u> Contact email <u>Dumasfamily6@gmail.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Where should payments to the creditor be sent? (if different) _____ Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____
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? \$ 2,968.92 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 bought and paid for that were not received.

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).

Amount entitled to priority

\$ _____

☐ 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 01/18/2016
MM / DD / YYYY

Signature

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

Name

Alan Daniel Dumas
First name Middle name Last name

Title

Company

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

Address

53 Country Club Way
Number Street

1pswich MA 01938
City State ZIP Code

Contact phone

(617) 867-0280 Email Dumasfamily6@gmail.com

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000473339
Order Date: 3/15/2015
Web Order No: 171908
Salesperson: YW
Customer: 42882
Customer PO:

Sold To	Ship To
Alan Dumas 53 Country Club Way Ipswich, MA 01938 USA	Suzanne Miller C/o Alan Dumas 7 Haydn Drive 978-478-8563 Atkinson, NH 03811 USA

Contact: Alan Dumas
Phone: (617) 867-0280

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
12434 98 l'Eglise Clinet	2.00	0.00	225.00	450.00

Payments: 486.00

3/16/2015	VPCABC42C6EB	*****3146	486.00
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Net Order: 450.00

Freight: 0.00

Sales Tax: 36.00

USD 486.00

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ORDER DETAILS

Order No.: SO-0000473339

Order Date.: Mar 15, 2015

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
1998 l'Eglise Clinet, 750 ml	2	0	2	0	\$225.00	\$450.00

Subtotal: \$450.00

Tax: \$36.00

Total: \$486.00

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
1998 l'Eglise Clinet, 750 ml	2	0	2

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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

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000401236
Order Date: 12/31/2012
Web Order No: 117709
Salesperson: MR
Customer: 42882
Customer PO:

Sold To	Ship To
Alan Dumas 53 Country Club Way Ipswich, MA 01938 USA	Alan Dumas 7 Haydn Drive 978-478-8563 Atkinson, NH 03811 USA

Contact: Alan Dumas
Phone: (617) 867-0280

This order has been paid by Visa - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
44849 2010 First Growth Bordeaux Special Set	1.00	0.00	2,299.00	2,299.00

Payments: 2,482.92

Net Order: 2,299.00

Freight: 0.00

Sales Tax: 183.92

12/31/2012 VP EE7E212EC4 *****0671 2,482.92

USD 2,482.92

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ORDER DETAILS

Order No.: SO-0000401236

Order Date.: Dec 31, 2012

Status: Open

PURCHASE DETAILS

Wine	Qty	Shipped	Remain	Ready To Ship	Price/Bottle	Total Price
2010 Margaux, 750 ml	1	0	1	0	\$460.00	\$460.00
2010 Lafite Rothschild, 750 ml	1	0	1	0	\$460.00	\$460.00
2010 Haut Brion, 750 ml	1	0	1	0	\$459.00	\$459.00
2010 Mouton Rothschild, 750 ml	1	0	1	0	\$460.00	\$460.00
2010 Latour, 750 ml	1	0	1	0	\$460.00	\$460.00
2010 First Growth Bordeaux Special Set, 750 ml	0	0	0	0	\$0.00	\$0.00

Subtotal: \$2,299.00

Tax: \$183.92

Total: \$2,482.92

SHIPPING DETAILS

Wine	Ordered	Shipped	Remain
2010 Margaux, 750 ml	1	0	1
2010 Lafite Rothschild, 750 ml	1	0	1
2010 Haut Brion, 750 ml	1	0	1
2010 Mouton Rothschild, 750 ml	1	0	1
2010 Latour, 750 ml	1	0	1
2010 First Growth Bordeaux Special Set, 750 ml	0	0	0

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Subject: Premier Cru Order Acknowledgement

Date: Monday, December 31, 2012 at 3:42:22 PM Eastern Standard Time

From: Premier Cru

To: Alan Dumas

Thank you for your order!

We have received your order request SO-0000401236-117709.

qty	item	Wine	price	ext	status
1	44849	2010 First Growth Bordeaux Special Set	2299.00	2299.00	pre-arrival

Bottles : 1

Subtotal: 2299.00

Shipping: 0.00

Tax : 0.00

Total : 2299.00

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