

Fill in this information to identify the case:

Debtor 1

Fox Ortega Ent, Inc, DBA Premiere Cru

Debtor 2

(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number

16-40050 WJL 7

8

FILED

2016 JAN 26 AM 11:07

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?

Stephen Michael Soltysiak

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?

Stephen M. Soltysiak

Name

8310 Trenton Road

Number

Street

Forestville CA

City

State

95436

ZIP Code

Contact phone

707-887-7651

Contact email

pommace @ comcast.net

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? \$ 5060.12 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 sold 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)?

☒ 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 01/18/2016
MM / DD / YYYY

Stephen M. Soltysiak
Signature

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

Name

Stephen Michael Soltysiak
First name Middle name Last name

Title

creditor

Company

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

Address

8310 Trenton Road
Number Street

Forestville
City

CA
State

95436
ZIP Code

Contact phone

707-887-7651

Email

pommace@comcast.net

Summary of Orders from Fox Ortega Enterprises, Inc./DBA Premiere Cru, Case # 16-40050 WJL 7

ORDER HISTORY

Sort By

Item

Item	Unit Price	Qty	Total Price	Shipped	Remain	Avail	Order Number (Status)	Date
2012 Meursault Tillels, Jadot, 750 ml	\$39.59	1	\$39.59	0	1	1	0 SO-0000493075 (Open)	10/25/2015
2010 Brunello Riserva Poggio All Mura, Banfi, 750 ml	\$59.99	1	\$59.99	0	1	1	0 SO-0000492924 (Open)	10/24/2015
2014 Meursault Charmes, Jadot, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000492924 (Open)	10/24/2015
2012 Tignanello, Antinori, 750 ml	\$45.49	1	\$45.49	0	1	1	0 SO-0000491889 (Open)	10/19/2015
2011 Tignanello, Antinori, 750 ml	\$45.00	1	\$45.00	0	1	1	0 SO-0000491638 (Open)	10/4/2015
2012 Riesling 'Tradition', Schloss Gobelsburg, 750 ml	\$38.99	3	\$116.97	0	3	3	0 SO-0000491024 (Open)	9/26/2015
2013 Chablis Vaulorent, Fevre, 750 ml	\$31.99	1	\$31.99	0	1	1	0 SO-0000488295 (Open)	8/23/2015
2013 Chablis Vaudesir, Fevre, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000488295 (Open)	8/23/2015
2013 Chablis Valmur, Fevre, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000488295 (Open)	8/23/2015
2013 Chassagne Morgeot Abbaye de Morgeot, Jadot, 750 ml	\$41.99	1	\$41.99	0	1	1	0 SO-0000484856 (Open)	7/22/2015
2013 Chassagne Morgeot Abbaye de Morgeot, Jadot, 750 ml	\$45.49	1	\$45.49	0	1	1	0 SO-0000483265 (Open)	7/5/2015
2014 Pontet Canet, 750 ml	\$51.99	1	\$51.99	0	1	1	0 SO-0000483265 (Open)	7/5/2015
2012 Meursault Tillels, Jadot, 750 ml	\$42.89	1	\$42.89	0	1	1	0 SO-0000482245 (Open)	6/23/2015
2013 Meursault Charmes, Jadot, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000482049 (Open)	6/21/2015
2012 Chateaufeuf du Pape V.V., Clos St Jean, 750 ml	\$37.99	1	\$37.99	0	1	1	1 SO-0000482049 (Open)	6/21/2015
2013 Chassagne Caillerets, Jadot, 750 ml	\$45.49	1	\$45.49	0	1	1	0 SO-0000481416 (Open)	6/14/2015
2012 Gevrey Chambertin Clos Prieur, Marc Roy, 750 ml	\$55.24	1	\$55.24	0	1	1	1 SO-0000481416 (Open)	6/14/2015
2013 Chassagne Caillerets, Jadot, 750 ml	\$45.49	1	\$45.49	0	1	1	0 SO-0000480744 (Open)	6/7/2015
2012 Clinet, 750 ml	\$49.99	1	\$49.99	0	1	1	0 SO-0000478385 (Open)	5/9/2015
2013 Chassagne Caillerets, Jadot, 750 ml	\$45.49	2	\$90.98	0	2	2	0 SO-0000477898 (Open)	5/3/2015
2010 Brunello di Montalcino, Talenti, 750 ml	\$33.75	1	\$33.75	0	1	1	0 SO-0000477789 (Open)	5/2/2015
2013 Chablis Cote de Bouguerots, Fevre, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000477235 (Open)	4/25/2015
2013 Chablis Preuses, Fevre, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000477235 (Open)	4/25/2015
2013 Chablis Vaulorent, Fevre, 750 ml	\$29.99	1	\$29.99	0	1	1	0 SO-0000477235 (Open)	4/25/2015
2013 Chablis Vaulorent, Fevre, 750 ml	\$31.84	2	\$63.68	0	2	2	0 SO-0000476648 (Open)	4/19/2015
2010 Brunello di Montalcino, La Gerla, 750 ml	\$29.99	1	\$29.99	0	1	1	0 SO-0000475166 (Open)	4/4/2015
2010 Brunello di Montalcino, Nardi, 750 ml	\$25.99	1	\$25.99	0	1	1	0 SO-0000475166 (Open)	4/4/2015
2010 Brunello di Montalcino, San Polo, 750 ml	\$29.99	1	\$29.99	0	1	1	0 SO-0000475166 (Open)	4/4/2015
2004 Rioja Gran Reserva 904, La Rioja Alta, 750 ml	\$29.99	1	\$29.99	0	1	1	0 SO-0000474057 (Open)	3/21/2015
2013 Batard Montrachet, Jadot, 750 ml	\$99.99	1	\$99.99	0	1	1	0 SO-0000473313 (Open)	3/14/2015
2013 Oberhauser Brucke Spatlese, Donnhoff, 750 ml	\$36.79	1	\$36.79	0	1	1	1 SO-0000471934 (Open)	3/1/2015
2010 Brunello di Montalcino, Lisini, 750 ml	\$45.00	1	\$45.00	0	1	1	0 SO-0000470968 (Open)	2/21/2015
2010 Brunello di Montalcino, Il Poggione, 750 ml	\$37.99	1	\$37.99	0	1	1	0 SO-0000470968 (Open)	2/21/2015
2013 Meursault Charmes, Jadot, 750 ml	\$45.00	1	\$45.00	0	1	1	0 SO-0000468623 (Open)	1/31/2015
2010 Brunello di Montalcino, Cordella, 750 ml	\$34.99	1	\$34.99	0	1	1	0 SO-0000468623 (Open)	1/31/2015
2013 Chablis Bougros, Fevre, 750 ml	\$34.99	1	\$34.99	0	1	1	0 SO-0000467762 (Open)	1/24/2015
2013 Chablis Valmur, Fevre, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000467762 (Open)	1/24/2015
2010 Brunello di Montalcino, Pacenti, 750 ml	\$71.99	1	\$71.99	0	1	1	0 SO-0000467198 (Open)	1/18/2015
2004 Rioja Gran Reserva 904, La Rioja Alta, 750 ml	\$36.79	1	\$36.79	0	1	1	0 SO-0000467198 (Open)	1/18/2015
2010 Brunello di Montalcino, Argiano, 750 ml	\$39.19	2	\$78.38	0	2	2	0 SO-0000467198 (Open)	1/18/2015
2013 Chablis Vaulorent, Fevre, 750 ml	\$32.99	1	\$32.99	0	1	1	0 SO-0000465486 (Open)	12/26/2014
2013 Chablis Bougros, Fevre, 750 ml	\$36.99	1	\$36.99	0	1	1	0 SO-0000465486 (Open)	12/26/2014
2013 Chablis Vaillons, Fevre, 750 ml	\$22.99	2	\$45.98	0	2	2	0 SO-0000465486 (Open)	12/26/2014
2013 Chablis Cote de Bouguerots, Fevre, 750 ml	\$45.00	1	\$45.00	0	1	1	0 SO-0000465486 (Open)	12/26/2014
2012 Chateaufeuf Cuvee Imperiale, R. Usseglio, 750 ml	\$32.49	1	\$32.49	0	1	1	0 SO-0000463578 (Open)	12/7/2014
2012 Cornas 'Granit 30', Vincent Paris, 750 ml	\$24.99	1	\$24.99	0	1	1	1 SO-0000463398 (Open)	12/6/2014
2012 Cornas 'Granit 60', Vincent Paris, 750 ml	\$38.99	1	\$38.99	0	1	1	1 SO-0000463398 (Open)	12/6/2014
2012 Chablis Mont de Milieu V.V., Billaud-Simon, 750 ml	\$22.99	6	\$137.94	0	6	6	0 SO-0000460529 (Open)	11/8/2014
2012 Chateaufeuf Reservee, Pegau, 750 ml	\$47.99	1	\$47.99	0	1	1	0 SO-0000460051 (Open)	11/2/2014
2012 Beaucastel, 750 ml	\$49.99	1	\$49.99	0	1	1	0 SO-0000459911 (Open)	11/1/2014
2012 Chablis Vaulorent, Fevre, 750 ml	\$37.04	1	\$37.04	0	1	1	0 SO-0000459598 (Open)	10/29/2014
2013 Meursault Charmes, Jadot, 750 ml	\$51.99	1	\$51.99	0	1	1	0 SO-0000456561 (Open)	9/28/2014
2013 Puligny Folatieres, Jadot, 750 ml	\$51.99	1	\$51.99	0	1	1	0 SO-0000456561 (Open)	9/28/2014
2012 Chablis Vaudesir, Billaud-Simon, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000456465 (Open)	9/27/2014
2012 Chablis Clos, Billaud-Simon, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000456465 (Open)	9/27/2014
2012 Chablis Blanchots V.V., Billaud-Simon, 750 ml	\$45.00	1	\$45.00	0	1	1	0 SO-0000456464 (Open)	9/6/2014
2012 Chablis Mont de Milieu V.V., Billaud-Simon, 750 ml	\$27.99	6	\$167.94	0	6	6	0 SO-0000453339 (Open)	8/23/2014
2010 Chablis Mont de Milieu, Billaud-Simon, 750 ml	\$29.99	2	\$59.98	0	2	2	0 SO-0000453070 (Open)	8/22/2014
2005 Rabaud Promis, 375 ml	\$11.99	2	\$23.98	0	2	2	0 SO-0000451646 (Open)	8/2/2014
2010 Chateaufeuf Les Origines, Grand Veneur, 750 ml	\$38.34	2	\$76.68	0	2	2	0 SO-0000451646 (Open)	8/2/2014
2012 Troplong Mondot, 750 ml	\$55.29	1	\$55.29	0	1	1	0 SO-0000450638 (Open)	7/25/2014
2012 Chablis Preuses, Billaud-Simon, 750 ml	\$39.99	1	\$39.99	0	1	1	0 SO-0000448517 (Open)	6/28/2014
2012 Chablis Mont de Milieu V.V., Billaud-Simon, 750 ml	\$37.99	1	\$37.99	0	1	1	0 SO-0000448517 (Open)	6/28/2014
2012 Chablis Vaudesir, Billaud-Simon, 750 ml	\$36.99	1	\$36.99	0	1	1	0 SO-0000448517 (Open)	6/28/2014
2012 Chablis Vaulorent, Fevre, 750 ml	\$42.74	1	\$42.74	0	1	1	0 SO-0000441867 (Open)	4/10/2014
2012 Chablis Bougros, Fevre, 750 ml	\$38.99	1	\$38.99	0	1	1	0 SO-0000434735 (Open)	1/18/2014
2005 Rabaud Promis, 375 ml	\$14.94	2	\$29.88	0	2	2	0 SO-0000434735 (Open)	1/18/2014
2012 Pontet Canet, 750 ml	\$48.75	1	\$48.75	0	1	1	0 SO-0000434735 (Open)	1/18/2014
2011 Volnay Chevre, N. Rossignol, 750 ml	\$44.19	1	\$44.19	0	1	1	1 SO-0000434735 (Open)	1/18/2014
2012 Condrieu La Dorlane, Guigal, 750 ml	\$84.99	1	\$84.99	0	1	1	0 SO-0000433619 (Open)	1/9/2014
2010 Lascombes, 750 ml	\$76.49	2	\$152.98	0	2	2	0 SO-000043356 (Open)	1/7/2014
2011 Corton Charlemagne, Bouchard, 750 ml	\$89.99	1	\$89.99	0	1	1	0 SO-0000432509 (Open)	12/28/2013
2012 Troplong Mondot, 750 ml	\$59.99	1	\$59.99	0	1	1	0 SO-0000427022 (Open)	11/4/2013
2012 Pontet Canet, 750 ml	\$59.99	2	\$119.98	0	2	2	0 SO-0000421546 (Open)	8/24/2013
2011 Mazis Chambertin, Falveley, 750 ml	\$119.99	1	\$119.99	0	1	1	0 SO-0000421546 (Open)	8/24/2013
2011 Corton Clos des Cortons, Falveley, 750 ml	\$99.99	1	\$99.99	0	1	1	0 SO-0000421037 (Open)	8/17/2013
2011 Corton Charlemagne, Jadot, 750 ml	\$79.99	1	\$79.99	0	1	1	0 SO-0000420207 (Open)	8/5/2013
2010 Leoville Barton, 750 ml	\$89.99	2	\$179.98	0	2	2	0 SO-0000412319 (Open)	5/8/2013
2010 Pontet Canet, 750 ml	\$159.95	1	\$159.95	0	1	1	0 SO-0000404457 (Open)	2/7/2013
2009 Pontet Canet, 750 ml	\$139.95	1	\$139.95	0	1	1	0 SO-0000360344 (Open)	8/1/2011

subtotal pre tax \$4,642.31

tax (9.00%) \$417.81

Total Owed by Debtor (Fox Ortega Enterprises, Inc.) \$5,060.12

Owed to Stephen Michael Soltysiak (Creditor)

8310 Trenton Road,

Forestville, CA 95436

707-887-7651

pommace@comcast.net