

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

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2016 JAN 26 AM 9:52

U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
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?

Pamela H. David

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?

Pamela H. David

Name

301 Mission St., Unit 16J

Number Street

San Francisco CA

City

State

94105

ZIP Code

Contact phone (415) 314-1910

Contact email pamdauid-sf@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: \_\_\_\_\_

7. How much is the claim? \$ 980.93 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.

Credit card charged for wine never received  
(6 bottles 2010 Sandrone Cannubi Borchis Barolo D.O.C.G.)

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.

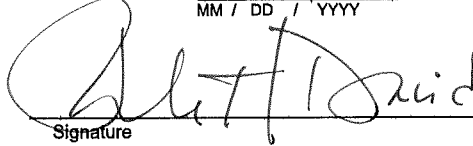
I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

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

01/21/2016  
MM / DD / YYYY

  
Signature

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

Name

Pamela

Helen

David

First name

Middle name

Last name

Title

Company

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

Address

301 Mission St., Unit 16J

Number Street

San Francisco

City

CA

State

94105

ZIP Code

Contact phone

(415) 314-1910

Email

pamdavid.sf@gmail.com

gmail.com



Transaction Details Prepared for

**Pamela H David**

Account Number

**XXXX-XXXXXX-66001**

DATE	DESCRIPTION	AMOUNT
DEC30 2014	PREMIER CRU -INTERNE510-644-9463 CA	\$980.93

Doing business as:

**PREMIER CRU-WINE SHOP**

1011 UNIVERSITY AVE

BERKELEY

CA

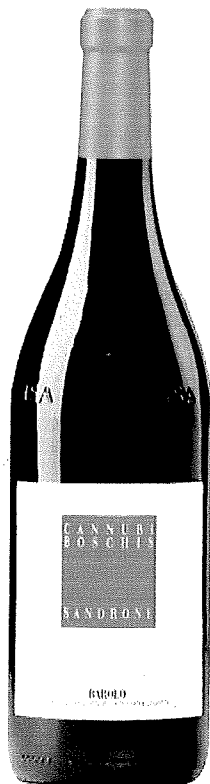
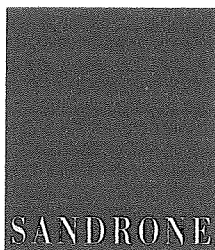
947102113

UNITED STATES OF AMERICA (THE)

Additional Information: 510-644-9463

Reference: 320143650394562728

Category: Merchandise &amp; Supplies - Groceries



### Ratings

*Vinous: 97+ points*

*IWC (Tanzer): 95+ points*

*Wine Enthusiast (O'Keefe): 99*

*Wine Advocate (Larner): 97*

*Enogea (Masnaghetti): 91H*

*Gambero Rosso: Tre Bicchieri*

*Bibenda: 5 Grappoli*

*Wine Spectator: 95 points*

### Tasting Note

Forward, aromatically expressive and bright, the CB shows black stone fruits, raspberries and violets with licorice and earthy notes. In the mouth, it has long, grippy and ripe tannins that will require patience - these tannins are still tight and rough but give the wine its longevity. Excellent structure and freshness underlie the concentrated ripe fruit. The mineral, licorice and tar notes are exceptional. The wine finishes with long, dry tannins and great length.

# Luciano Sandrone Barolo Cannubi Boschis 2010

**Vineyard** Cannubi ("Boschis" or "Monghisolfo" subzone)

Cannubi Boschis has been vinified separately since 1985; this decision by Luciano, which brought the concept of "cru" to the Langa district, has led to the attribution to our family of the title of "innovators." Like few other Langa vineyards, Cannubi Boschis continues to live up to expectations year after year, regardless of the seasonal progress.

### **Vintage Overview**

The year 2010, as in the previous year, was marked by heavy precipitation in winter and spring. The seasonal pattern was in the normal range and never too hot, which fostered a long growing season with a slightly late maturation.

More essential than ever, green pruning and thinning were absolutely necessary during this vintage to achieve excellent results.

**Harvest** October 8-17.

### **Vinification**

Each lot was vinified separately. After destemming and light crushing, must is "sealed" with CO2 for gentle warm maceration of approximately a day. Alcoholic fermentation begins about 24-36 hours later from native wild yeasts only.

**Alcoholic Fermentation:** 25 days in steel.

**Maceration:** Gentle maceration in upright open-top steel tanks for the first 9-12 days of the alcoholic fermentation

**Malolactic Fermentation:** Immediately after alcoholic fermentation in French oak casks with a capacity of 500l (tonneaux), of which 20% were of new wood.

**Ageing:** 24 months in French oak tonneaux of 500l (the same as used for malolactic fermentation), followed by 20 months in bottle.

**Blending:** Spring 2013

**Bottling date:** March 2013

**Drink from:** 2022 - 2035

### **Production**

**Bottles:** 10300

**Magnums:** 854

**Double Magnums:** 70

### **Analytical parameters**

**Alcohol content:** 14.45%

**Total acidity:** 6.1 g/l

**PH:** 3.55

**Net extract:** 32.4 g/l

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