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

8

FILED
2016 JAN 26 AM 10:27
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?

Harriet T. Holderness
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?

Harriet T. Holderness
Name

708 Gimghoul Road
Number Street

Chapel Hill NC 27514
City State ZIP Code

Contact phone 919-537-8296

Contact email harriet.holderness@gmail.com

Where should payments to the creditor be sent? (if different) SAME

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? _____

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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?** $ 155.97 . **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.

   Wine sold + paid for - never sent.

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)?**		**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.	☐ 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).	$ 155.97
	☐ 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 01/16/2016
MM / DD / YYYY

Harriet T. Holderness
Signature

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

Name: Harriet (First name) Thurston (Middle name) Holderness (Last name)

Title:

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

Address: 708 (Number) Gimghoul Road (Street)
Chapel Hill (City), N.C. (State) 27514 (ZIP Code)

Contact phone: 919-537-8296 Email: harriet.holderness@gmail.com

Gmail by Google

Harriet Holderness <harriet.holderness@gmail.com>

RE: Web Order # 158582 from Harriet Holderness

1 message

Premier Cru <sales@premiercru.net> Wed, Sep 24, 2014 at 12:22 PM
To: harriet.holderness@gmail.com

Dear Harriet,

Thank you for your order, emailed to you under separate cover. As noted on the website and during checkout, your order contains pre-arrival bottles. You will be notified as these arrive and can make appropriate shipping (or pickup) arrangements at that time. You can also check your arrival status of your orders on our website under "my account" after the website syncs overnight.

We never automatically ship upon arrival here. You have been billed for the wine but not yet for any shipping costs, and will not be charged for shipping until these actually ship out. Thanks for your business.

Kind regards,

Sunita Aggarwal
Premier Cru - the world's finest wines
1011 University Avenue
Berkeley, CA 94710 (directions)
phone (510) 644-9463 ext. 11
fax (510) 647-3833
sunita@premiercru.net

-----Original Message-----
From: Premier Cru
Sent: Tuesday, September 23, 2014 9:55 PM
To: Premier Cru
Subject: Web Order # 158582 from Harriet Holderness

Order Number: 158582
Placed: Sep 23 2014 5:35PM
Cust Name: Harriet Holderness
Email Address: harriet.holderness@gmail.com Cust Id: 46827 Order No: SO-0000456096 Order Status: OK

Billing Address:

Harriet Holderness
708 Gimghoul Road

Chapel Hill, NC 27514

Day Phone: 9195378296
Eve Phone:
Cel Phone:

Shipping Address:

,

Day Phone: 0
Eve Phone: 0
Cel Phone: 0

Ship On or After: ASAP
Ship Via: HOLD
Payment: 3000 exp: 11 16
Name on Card: Harriet T. Holderness

qty	item	Wine	price	ext	status
4	48516	2011 Cornas V.V., Voge	59.99	239.96	pre-arrival

Bottles : 4
Subtotal: 239.96
Shipping (estimate): 0.00
Tax : 0.00
Total : 239.96

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

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000456096
Order Date: 9/23/2014
Web Order No: 158582
Salesperson: SA
Customer: 46827
Customer PO:

Sold To	Ship To
Harriet Holderness 708 Gimghoul Road Chapel Hill, NC 27514 USA	Harriet Holderness 708 Gimghoul Road Chapel Hill, NC 27514 USA

Contact: Harriet Holderness
Phone: (919) 537-8296

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

Item		Ordered	Quantity Shipped	Unit Price	Amount
48516	2011 Cornas V.V., Voge	4.00	0.00	38.99	155.97

Payments: 155.97

9/24/2014	VUHAC4577E93	**********3000	155.97

Net Order:	155.97
Freight:	0.00
Sales Tax:	0.00
USD	155.97

Harriet Holderness <harriet.holderness@gmail.com>

Premier Cru Order Acknowledgement

1 message

Premier Cru <shipping@premiercru.net> Tue, Sep 23, 2014 at 11:55 PM
To: harriet.holderness@gmail.com

Thank you for your order.
Premier Cru has received your web order request.
Your web order number is SO-0000456096-158582.

Sales are processed in the order they are received. Once we have determined that the wines you requested are available, we will confirm and process your order.
Our online inventory is updated every minute. However since many wines are in high demand and limited supply, we cannot guarantee that the wines you requested
were still available at the time your order was submitted. Once we determine this, process your order and bill you, your order is confirmed and we will e-mail you a confirmed copy.

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

CHOOSE WINES TO SHIP NOW DELIVERY OPTIONS PAYMENT OPTIONS REVIEW ORDER ORDER COMPLETE

CHECK OUT COMPLETE

Order Number: 158582

Your order has been sent to Premier Cru for processing. You should receive an email confirmation shortly. Web orders are processed by our customer service staff in the order that they are received. Once your order has been verified and processed, it will be available for you to review in the "My Account" area of www.premiercru.net.

Because we are only able to stock limited quantities of each wine, it is possible that some of the wine you ordered may no longer be available. If that is the case, our customer service staff will advise you by email of any necessary changes to your order.

If you have any questions, don't hesitate to email us at info@premiercru.net or call us at 510-644-9463. Thanks for your order!

About Us

We source the world's finest wines at extremely competitive prices to provide exceptional experiences for collectors, connoisseurs, and everyday wine lovers.

Become a fan!

Premier Cru
1011 University Ave
Berkeley, CA 94710
Click here for directions

Store Hours
Monday-Friday: 10am-6pm (PST)
Saturday: 10am-5pm (PST)
Sunday: Closed

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