

FILED

2016 JAN 26 AM 11:05

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

Fill in this information to identify the case:

Debtor 1 FOX ORTEGA ENTERPRISES, INC. d/b/a
PREMIER CRL
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court for the: NORTHERN District of CALIFORNIA.
Case number 16-40050 WJL 7

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>DR. MICHAEL SCHMOOKIER</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?		Where should payments to the creditor be sent? (if different)
	<u>DR. MICHAEL SCHMOOKIER</u> Name <u>3400 DUNDEER RD, STE 100</u> Number Street <u>NORTHBROOK IL 60062</u> City State ZIP Code Contact phone <u>847-275-3395</u> Contact email <u>S'MIKEDDS@GMAIL.COM</u>		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?		<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? \$ 12,030.02 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 on credit cards 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)?

☒ 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

1 19 2016
MM / DD / YYYY

Signature



MICHAEL SCHMOOKLER

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

Name

MICHAEL

J

SCHMOOKLER

First name

Middle name

Last name

Title

Company

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

Address

3400 DUNDEE Rd, #100

Number

Street

NORTHBROOK

City

IL

State

60062

ZIP Code

Contact phone

847-275-3395

Email

SMIKEDDS@GMAIL.COM

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1
Order Number: 0000451021
Order Date: 7/28/2014

Salesperson: SA
Customer: 42327
Customer PO:

Sold To	Ship To
Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA	Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47890 2012 Troplong Mondot	12.00	0.00	55.29	663.48

Payments: 663.48

Net Order: 663.48

Freight: 0.00

Sales Tax: 0.00

7/28/2014	VPCAAFE6B4D	*****9620	663.48
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USD 663.48

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451322

Order Date: 8/1/2014

Web Order No: 155095

Salesperson: SA

Customer: 42327

Customer PO:

Sold To	Ship To
Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA	Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

35% discount applied
This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49180 2012 Pavie	6.00	0.00	142.99	857.96

Payments: 857.96

Net Order: 857.96

8/1/2014	VTHAC1DC5966	*****9620	857.96
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Freight: 0.00
Sales Tax: 0.00

USD 857.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451695

Order Date: 8/3/2014

Web Order No: 155405

Salesperson: MR

Customer: 42327

Customer PO:

Sold To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Ship To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
49730	2012 Lafleur Petrus <u>Magnum</u>	4.00	0.00	259.99	1,039.96

Payments: 1,039.96

Net Order: 1,039.96

Freight: 0.00

Sales Tax: 0.00

8/4/2014	VQFAB0A20BC8	*****9620	1,039.96
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USD 1,039.96

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451696

Order Date: 8/3/2014

Web Order No: 155406

Salesperson: MR

Customer: 42327

Customer PO:

Sold To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Ship To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47897 2012 l'Eglise Clinet	6.00	0.00	187.99	1,127.94

Payments: 1,127.94

Net Order: 1,127.94

Freight: 0.00

Sales Tax: 0.00

8/4/2014	VQEAB0A20D49	*****9620	1,127.94
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USD 1,127.94

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451694

Order Date: 8/3/2014

Web Order No: 155404

Salesperson: MR

Customer: 42327

Customer PO:

Sold To	Ship To
Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA	Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49737 2012 Pavie Magnum	1.00	0.00	325.00	325.00

Payments: 325.00

Net Order: 325.00

Freight: 0.00

Sales Tax: 0.00

8/4/2014	VPFAB04BAF5C	*****9620	325.00
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USD 325.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451692

Order Date: 8/3/2014

Web Order No: 155402

Salesperson: MR

Customer: 42327

Customer PO:

Sold To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Ship To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47888 2012 Ausone	6.00	0.00	350.00	2,100.00

Payments: 2,100.00

Net Order: 2,100.00

Freight: 0.00

Sales Tax: 0.00

8/4/2014	VTYAC2019660	*****9620	2,100.00
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USD 2,100.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451693

Order Date: 8/3/2014

Web Order No: 155403

Salesperson: MR

Customer: 42327

Customer PO:

Sold To	Ship To
Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA	Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49726 2012 Ausone Magnum	1.00	0.00	750.00	750.00

Payments: 750.00

Net Order: 750.00

Freight: 0.00

Sales Tax: 0.00

USD 750.00

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000451827

Order Date: 8/6/2014

Web Order No: 155511

Salesperson: PB

Customer: 42327

Customer PO:

Sold To	Ship To
Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA	Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47939 2012 Petrus	3.00	0.00	1,249.99	3,749.97

Payments: 3,749.97

Net Order: 3,749.97

8/6/2014 VPEAB067F5D7 *****9620 3,749.97

Freight: 0.00

Sales Tax: 0.00

USD 3,749.97

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000452216

Order Date: 8/10/2014

Web Order No: 155823

Salesperson: SA

Customer: 42327

Customer PO:

Sold To	Ship To
Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA	Dr.Michael Schmookler 3400 Dundee Rd., Ste 100 Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
47896 2012 Pontet Canet	5.00	0.00	59.99	299.95

Net Order: 299.95

Payments: 299.95

Freight: 0.00

Sales Tax: 0.00

8/11/2014	VLEAB288DB22	*****9620	299.95
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USD 299.95

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000456516

Order Date: 9/28/2014

Web Order No: 158944

Salesperson: PB

Customer: 42327

Customer PO:

Sold To

Dr. Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Ship To

Dr. Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Contact: Dr. Michael Schmookler
Phone: (847) 205-0190

Include OWC

This order has been paid by MasterCard - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
50257 2012 Chateaufort Reserve, Pegau	12.00	0.00	49.99	599.88

Payments: 599.88

Net Order: 599.88

Freight: 0.00

Sales Tax: 0.00

9/28/2014 VTJAC51B9192 *****9620 599.88

USD 599.88

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000458239

Order Date: 10/18/2014

Web Order No: 160187

Salesperson: PB

Customer: 42327

Customer PO:

Sold To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Ship To

Dr.Michael Schmookler
3400 Dundee Rd.,
Ste 100
Northbrook, IL 60062 USA

Contact: Dr.Michael Schmookler
Phone: (847) 205-0190

Item		Ordered	Quantity Shipped	Unit Price	Amount
AEF31	Billecart Salmon Rose	12.00	0.00	42.99	515.88

Payments: 515.88

Net Order: 515.88

Freight: 0.00

Sales Tax: 0.00

10/19/2014 VXJAC6241485 *****9620 515.88

USD 515.88