

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc.

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050

LM  
10:57 AM  
**FILED**  
JAN 27 2016  
BANKRUPTCY COURT  
OAKLAND, CALIFORNIA  
12/15

## Official Form 410

### Proof of Claim

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>Harriss King</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>Harriss King</u> Name <u>751 Natalie Drive</u> Number Street <u>Windsor</u> <u>CA</u> <u>95492</u> City State ZIP Code Contact phone <u>(707) 837-5155</u> Contact email <u>harrissking@comcast.net</u>	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?	<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? \$ 2,230.67. 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 was ordered and paid for but never delivered by Premier Cru.

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).

☐ 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.

Amount entitled to priority

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\* 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 01/23/2016  
MM / DD / YYYY

Harriss T. King  
Signature

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

Name Harriss Thornton King  
First name Middle name Last name

Title \_\_\_\_\_

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

Address 751 Natalie Drive  
Number Street

Windsor CA 95492

City State ZIP Code

Contact phone (707) 837-5155 Email harrissking@comcast.net

Proof of Claim Supporting Documents  
Bankruptcy Case 16-40050

For:

Harriss King  
751 Natalie Drive  
Windsor, CA 95492  
harrissking@comcast.net  
(707) 837-5155  
January 23, 2016

*Harriss T. King*

List of inclusions (16 pages in all, including this page):

Page 1: (this page)

Page 2: Premier Cru website screen printout from 1/8/2016, showing my account's open purchase order numbers, related to wines that I paid for but which were never delivered to me. The printout includes the pre-tax costs of these wines. There are 13 orders in all that I have paid for but not received.

Page 3: A summary spreadsheet showing, purchase-order-by-purchase-order, the wines actually ordered, as well as the (fully-taxed) charges made to my credit card for these open orders. The total of these charges is \$2230.67.

Pages 4 - 16: Copies of all the relevant purchase order confirmations emailed to me by Premier Cru. These orders confirm, one-by-one, the payments indicated in the summary spreadsheet of page 3. I have not included copies of my credit card statements but can do so if required.

MY ACCOUNT EDIT PROFILE ADDRESS BOOK BILLING INFORMATION

## ORDER HISTORY

All Time

Sort By Order No

GO

Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
SO-0000494368 (Open)	\$56.97	3	0	3	0	11/11/15
SO-0000491727 (Open)	\$119.94	6	0	6	6	10/6/15
SO-0000491467 (Open)	\$137.94	6	0	6	0	10/3/15
SO-0000489467 (Open)	\$148.20	8	0	8	0	9/6/15
SO-0000486445 (Open)	\$134.98	3	0	3	0	8/7/15
SO-0000485764 (Open)	\$67.49	2	0	2	0	8/1/15
SO-0000483800 (Open)	\$135.00	3	0	3	0	7/11/15
SO-0000481421 (Open)	\$382.12	12	0	12	0	6/14/15
SO-0000474741 (Open)	\$126.73	3	0	3	0	3/30/15
SO-0000453381 (Open)	\$167.94	6	0	6	0	8/23/14
SO-0000447863 (Open)	\$149.94	6	0	6	0	6/21/14
SO-0000425800 (Open)	\$263.88	12	0	12	0	10/19/13
SO-0000404880 (Open)	\$149.94	6	0	6	0	2/11/13

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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  
101 University Ave  
Berkeley, CA 94704  
Click here for directions

Store Hours  
Tuesday-Friday: 10am-6pm  
Saturday: 10am-5pm  
Sunday: Closed

Open orders paid for but not delivered  
Harriss King  
harrissking@comcast.net  
707-837-5155

Order Date	Order Number	Item	Qty	Unit Price	Pre-tax cost	Total charged to credit card*	Statement Date
11/11/15	0000494368	2013 Occultem Lapidem	3	18.99	56.97	62.38	Nov. 2015
10/6/15	0000491727	2014 Leiwener Laurentiuslay Riesling Spatlese	6	19.99	119.64	131.33	Oct. 2015
10/3/15	0000491467	2013 Chablis Fourchaume, Fevre	6	22.99	137.94	151.04	Oct. 2015
9/6/15	0000489467	2014 Suduiraut 1/2's	8	18.53	148.20	162.28	Sep. 2015
8/7/15	0000486445	2013 Pommard Rugiens, Boillot	3	44.99	134.98	147.80	Aug. 2015
8/1/15	0000485764	2011 Volnay Caillerets, Pousse d'Or	2	33.74	67.49	73.90	Aug. 2015
7/11/15	0000483800	2013 Beaucastel	3	45.00	135.00	147.83	Jul. 2015
6/14/15	0000481421	2014 Doisy Daene	3	28.59	85.78	418.42	Jun. 2015
		2014 Suduiraut	3	38.99	116.98		
		2014 Rieussec	3	38.99	116.98		
		2014 Coutet	3	20.79	62.38		
3/30/15	0000474741	2013 Suduiraut	3	42.24	126.73	138.15	Apr. 2015
8/23/14	0000453381	2012 Chablis Mont de Milieu VV, Billaud-Simon	6	27.99	167.94	183.05	Aug. 2014
6/21/14	0000447863	2012 Chablis Vaillons, Fevre	6	24.99	149.94	163.43	Jun. 2014
10/11/13	0000425800	2011 Chablis Vaillons, Billaud-Simon	12	21.99	263.88	287.63	Oct. 2013
2/12/13	0000404880	2010 Faugeres	6	24.99	149.94	163.43	Feb. 2013
TOTAL						2230.67	

\* In all cases: American Express Card ending in 2-4001

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000494368

Order Date: 11/11/2015

Web Order No: 188738

Salesperson: KR

Customer: 4082551500

Customer PO:

### Sold To

Harriss King  
751 Natalie Drive  
Windsor, CA 95492 USA

### Ship To

Harriss King  
751 Natalie Drive  
Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

will pick up at Berkeley store when available  
This order has been paid by American Express - Thank You!

	Item	Ordered	Quantity Shipped	Unit Price	Amount
50722	2013 Cotes-du-Roussillon Villages Occultum Lapidem, Bila-Haut	3.00	0.00	18.99	56.97

Payments: 62.38

Net Order: 56.97

Freight: 0.00

Sales Tax: 5.41

11/12/2015	AX3ADC6D9910	*****1001	62.38
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USD 62.38

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# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000491727

Order Date: 10/6/2015

Web Order No: 186567

Salesperson: KR

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

Will pick up at Berkeley store when available.  
This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52940 2014 Leiwener Laurentiuslay Riesling Spätlese, Loewen	6.00	0.00	19.99	119.94

Payments:	131.33	Net Order:	119.94
10/6/2015 AR3AC930034B *****1001 131.33		Freight:	0.00
		Sales Tax:	11.39
		USD	131.33



# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000491467

Order Date: 10/3/2015

Web Order No: 186347

Salesperson: TN

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
51380 2013 Chablis Fourchaume, Fevre	6.00	0.00	22.99	137.94

Payments:	151.04	Net Order:	137.94
10/3/2015 AQ3AC8CA417D *****1001 151.04		Freight:	0.00
		Sales Tax:	13.10
		USD	151.04

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000489467

Order Date: 9/6/2015

Web Order No: 184816

Salesperson:

Customer: 4082551500

Customer PO:

### Sold To

Harriss King  
751 Natalie Drive  
Windsor, CA 95492 USA

### Ship To

Harriss King  
751 Natalie Drive  
Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

Expect 35% discount per email notice of Septemb...

Item	Ordered	Quantity Shipped	Unit Price	Amount
52112 2014 Suduiraut 1/2	8.00	0.00	18.53	148.20

Payments: 162.28

Net Order: 148.20

Freight: 0.00

Sales Tax: 14.08

9/7/2015	AU3AD84DC2C6	*****1001	162.28
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USD 162.28

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000486445

Order Date: 8/7/2015

Web Order No: 182291

Salesperson: TN

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

25% discount applied!

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
51197 2013 Pommard Rugiens, Boillot	3.00	0.00	44.99	134.98

Payments:	147.80	Net Order:	134.98
8/8/2015 AS3AD528F943 *****1001 147.80		Freight:	0.00
		Sales Tax:	12.82
		USD	147.80

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000485764

Order Date: 8/1/2015

Web Order No: 181751

Salesperson:

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

Will pick up at Berkeley store.

Item	Ordered	Quantity Shipped	Unit Price	Amount
47632 2011 Volnay Caillerets, Pousse d'Or	2.00	0.00	33.74	67.49

				Net Order:	67.49
Payments:	73.90			Freight:	0.00
8/2/2015	AR3AC57BDC55	*****1001	73.90	Sales Tax:	6.41
				USD	73.90

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000483800

Order Date: 7/11/2015

Web Order No: 180159

Salesperson:

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

Will pick up at Berkeley store when available.

Item	Ordered	Quantity Shipped	Unit Price	Amount
52270 2013 Beaucastel	3.00	0.00	45.00	135.00

				Net Order:	135.00
Payments:		147,83		Freight:	0.00
7/12/2015	AT3AD5AC45B9	*****1001	147.83	Sales Tax:	12.83
				USD	147.83

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000481421

Order Date: 6/14/2015

Web Order No: 178266

Salesperson: JJ

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

I'm expecting 35% off on each of these wines, b...  
This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
52294 2014 Doisy Daene	3.00	0.00	28.59	85.78
52111 2014 Suduiraut	3.00	0.00	38.99	116.98
52113 2014 Rieussec	3.00	0.00	38.99	116.98
52266 2014 Coutet	3.00	0.00	20.79	62.38

				Net Order:	382.12
Payments: 418.42				Freight:	0.00
6/15/2015 AX3AD4187D8B *****1001 418.42				Sales Tax:	36.30
				USD	418.42

# PREMIER CF

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000474741

Order Date: 3/30/2015

Web Order No: 173023

Salesperson: MS

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
51230 2013 Suduiraut	3.00	0.00	42.24	126.73

Payments:	138.14	Net Order:	126.73
3/31/2015 AR3ABEBAB444 *****1001 138.14		Freight:	0.00
		Sales Tax:	11.41
		USD	138.14

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# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000453381

Order Date: 8/23/2014

Web Order No: 156687

Salesperson: MR

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751' Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
50284 2012 Chablis Mont de Milieu V.V., Billaud-Simon	6.00	0.00	27.99	167.94

				Net Order:	167.94
Payments:	183.05				
8/25/2014	VPFAB16A4BCB	*****1001	183.05	Freight:	0.00
				Sales Tax:	15.11
				USD	183.05



# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1

Order Number: 0000447863

Order Date: 6/21/2014

Web Order No: 152542

Salesperson: PB

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

Will pick up at store when available.  
This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
49271 2012 Chablis Vaillons, Fevre	6.00	0.00	24.99	149.94

				Net Order:	149.94
Payments:	163.43			Freight:	0.00
6/21/2014	VTHABFD88CC0	*****1001	163.43	Sales Tax:	13.49
				USD	163.43

From: "Premier Cru" <shipping@premiercru.net>  
Subject: Premier Cru Order Acknowledgement  
Date: October 19, 2013 at 2:35:17 PM PDT  
To: <harrissking@comcast.net>

Thank you for your order!

We have received your order request SO-0000425800-135574.

qty	item	Wine	price	ext	status
12	47227	2011 Chablis Vaillons, Billaud-Simon	21.99	263.88	pre-arrival

-----  
Bottles : 12  
Subtotal: 263.88  
Shipping: 0.00  
Tax : 23.75  
Total : 287.63

Will pick up at the store.  
-----

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](mailto: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: 0000404880

Order Date: 2/11/2013

Web Order No: 120240

Salesperson: MR

Customer: 4082551500

Customer PO:

Sold To	Ship To
Harriss King 751 Natalie Drive Windsor, CA 95492 USA	Harriss King 751 Natalie Drive Windsor, CA 95492 USA

Contact: Harriss T King  
Phone: (707) 837-5155

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
43893 2010 Faugeres	6.00	0.00	24.99	149.94

				Net Order:	149.94
Payments:		163.43		Freight:	0.00
2/12/2013	VQFE8A6AC2FB	*****1001	163.43	Sales Tax:	13.49
				USD	163.43

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