

Fill in this information to identify the case:

Debtor 1 Joe Cardozo

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California

Case number 16-40050WJL 7

LM 10:47 AM
FILED
FEB 1 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

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>Joe Cardozo</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>Joe Cardozo</u> Name <u>980 W Taylor St</u> Number Street <u>San Jose</u> <u>CA</u> <u>95126</u> City State ZIP Code Contact phone <u>408 230-5394</u> Contact email <u>joecardozo@msn.com</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? \$ 6,832.64. 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 and never received

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 01/21/2016

MM / DD / YYYY

Signature

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

Name Joe Edward Cardozo
First name Middle name Last name

Title _____

Company _____

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

Address 980 W Taylor St
Number Street

San Jose CA 95126
City State ZIP Code

Contact phone 408 230-5394 Email joecardozo@msn.com

[Print](#)[Close](#)

RE: My Orders

From: **Whitney Jacobson** (whitney@premiercru.net)
Sent: Thu 12/03/15 10:25 AM
To: joe cardozo (joecardozo@msn.com)
1 attachment
Joe Cardozo refund.pdf (5.2 KB)

Joe,

I understand, I can get that in motion for you. I have attached a pdf of your open orders, and the total at the bottom. The total is just an estimation and could vary a little once the accounting dept processes it. Because there are multiple orders, it will have to be a refund check to be mailed to you. The mailing address we have is:

980 W Taylor St
San Jose, CA 95126

Because of the high volume of refunds, at this time the turnaround for check to be processed and mailed is around 4-6 weeks.

Thanks,

Whitney Jacobson
Premier Cru - the world's finest wines
1011 University Avenue
Berkeley, CA 94710
phone (510) 644-9463 ext. 17
whitney@premiercru.net

From: joe cardozo [mailto:joecardozo@msn.com]
Sent: Wednesday, December 02, 2015 5:16 PM
To: Premier Cru
Subject: My Orders

Hello, I would like to exercise my option to get refund on my pre-arrivals.... please contact me at this email address as soon as possible... Below are my orders. Thank you. Joe

Joe Cardozo
980 W Taylor St
San Jose CA 95126

[ml\\$79.991010SO-0000405201 \(Open\)2/16/132010 Clos l'Eglise, 750 ml\\$79.991010SO-0000405098 \(Open\)2/14/132010 Clinet, 750 ml\\$127.991010SO-0000404964 \(Open\)2/12/132010 Gruaud Larose, 750 ml\\$45.003030SO-0000404736 \(Open\)2/9/132010 Clinet, 750 ml\\$127.992020SO-0000403771 \(Open\)1/30/132010 La Conseillante, 750 ml\\$129.991010SO-0000403417 \(Open\)1/25/132010 La Conseillante, 750 ml\\$129.991010SO-0000403413 \(Open\)1/25/132010 Grand Puy Lacoste, 750 ml\\$69.991010SO-0000403353 \(Open\)1/24/132010 Grand Puy Lacoste, 750 ml\\$69.991010SO-0000403344 \(Open\)1/24/132010 Grand Puy Lacoste, 750 ml\\$69.991010SO-0000403342 \(Open\)1/24/132010 La Conseillante, 750 ml\\$129.991010SO-0000403342 \(Open\)1/24/132010 La Conseillante, 750 ml\\$129.991010SO-0000403257 \(Open\)1/22/132010 Troplong Mondot, 750 ml\\$89.991010SO-0000403238 \(Open\)1/22/132010 Troplong Mondot, 750 ml\\$89.991010SO-0000403100 \(Open\)1/21/132010 La Conseillante, 750 ml\\$129.991010SO-0000403039 \(Open\)1/20/132010 La Conseillante, 750 ml\\$129.991010SO-0000402742 \(Open\)1/17/132010 Troplong Mondot, 750 ml\\$89.991010SO-0000402742 \(Open\)1/17/132010 Troplong Mondot, 750 ml\\$89.991010SO-0000402629 \(Open\)1/16/132010 La Conseillante, 750 ml\\$129.991010SO-0000402629 \(Open\)1/16/132010 La Conseillante, 750 ml\\$129.991010SO-0000402535 \(Open\)1/14/132010 La Conseillante, 750 ml\\$129.991010SO-0000402307 \(Open\)1/10/132010 La Conseillante, 750 ml\\$129.991010SO-0000402225 \(Open\)1/8/132010 Troplong Mondot, 750 ml\\$89.991010SO-0000402179 \(Open\)1/7/132010 Troplong Mondot, 750 ml\\$89.991010SO-0000402063 \(Open\)1/6/132010 Clinet, 750 ml\\$89.991010SO-0000401027 \(Open\)12/29/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000400846 \(Open\)12/28/122010 Ducru Beaucaillou, 750 ml\\$149.991010SO-0000400804 \(Open\)12/28/122010 Clinet, 750 ml\\$89.992020SO-0000400461 \(Open\)12/27/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000400115 \(Open\)12/21/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000400114 \(Open\)12/21/122010 Montrose, 750 ml\\$149.991010SO-0000400027 \(Open\)12/20/122010 Angelus, 750 ml\\$159.992020SO-0000399993 \(Open\)12/19/122010 Angelus, 750 ml\\$159.993030SO-0000399992 \(Open\)12/19/122010 Angelus, 750 ml\\$159.991010SO-0000399977 \(Open\)12/19/122010 Angelus, 750 ml\\$159.991010SO-0000399968 \(Open\)12/19/122010 Angelus, 750 ml\\$159.992020SO-0000399954 \(Open\)12/18/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000399947 \(Open\)12/18/122010 Troplong Mondot, 750 ml\\$89.992020SO-0000399946 \(Open\)12/18/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000399898 \(Open\)12/17/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000399897 \(Open\)12/17/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000399755 \(Open\)12/16/122010 Troplong Mondot, 750 ml\\$89.991010SO-0000399745 \(Open\)12/16/122010 Angelus, 750 ml\\$159.991010SO-0000399698 \(Open\)12/15/122010 Angelus, 750 ml\\$159.991010SO-0000399695 \(Open\)12/15/122010 Angelus, 750 ml\\$159.991010SO-0000399694 \(Open\)12/15/122009 Pichon Baron, 750 ml\\$149.991010SO-0000397749 \(Open\)11/23/12](#)

12/15/2012	0000399694	44115	2010 Angelus	\$159.99	1	\$159.99
12/15/2012	0000399695	44115	2010 Angelus	\$159.99	1	\$159.99
12/15/2012	0000399698	44115	2010 Angelus	\$159.99	1	\$159.99
12/18/2012	0000399954	44115	2010 Angelus	\$159.99	2	\$319.98
12/19/2012	0000399968	44115	2010 Angelus	\$159.99	1	\$159.99
12/19/2012	0000399977	44115	2010 Angelus	\$159.99	1	\$159.99
12/19/2012	0000399992	44115	2010 Angelus	\$159.99	3	\$479.97
12/19/2012	0000399993	44115	2010 Angelus	\$159.99	2	\$319.98
12/27/2012	0000400461	43937	2010 Clinet	\$89.99	2	\$179.98
12/29/2012	0000401027	43937	2010 Clinet	\$89.99	1	\$89.99
01/30/2013	0000403771	43937	2010 Clinet	\$127.99	2	\$255.98
02/12/2013	0000404964	43937	2010 Clinet	\$127.99	1	\$127.99
02/14/2013	0000405098	44143	2010 Clos l'Eglise	\$79.99	1	\$79.99
02/16/2013	0000405201	44143	2010 Clos l'Eglise	\$79.99	1	\$79.99
12/28/2012	0000400804	44063	2010 Ducru Beaucaillou	\$149.99	1	\$149.99
01/24/2013	0000403342	43914	2010 Grand Puy Lacoste	\$69.99	1	\$69.99
01/24/2013	0000403344	43914	2010 Grand Puy Lacoste	\$69.99	1	\$69.99
01/24/2013	0000403353	43914	2010 Grand Puy Lacoste	\$69.99	1	\$69.99
02/09/2013	0000404736	43863	2010 Gruaud Larose	\$45.00	3	\$135.00
01/08/2013	0000402225	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/10/2013	0000402307	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/14/2013	0000402535	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/16/2013	0000402629	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/17/2013	0000402742	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/20/2013	0000403039	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/22/2013	0000403257	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/24/2013	0000403342	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/25/2013	0000403413	44080	2010 La Conseillante	\$129.99	1	\$129.99
01/25/2013	0000403417	44080	2010 La Conseillante	\$129.99	1	\$129.99
12/20/2012	0000400027	43927	2010 Montrose	\$149.99	1	\$149.99
11/23/2012	0000397749	41676	09 Pichon Baron	\$149.99	1	\$149.99
12/16/2012	0000399745	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/16/2012	0000399755	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/17/2012	0000399897	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/17/2012	0000399898	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/18/2012	0000399946	44069	2010 Troplong Mondot	\$89.99	2	\$179.98
12/18/2012	0000399947	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/21/2012	0000400114	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/21/2012	0000400115	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
12/28/2012	0000400846	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
01/06/2013	0000402063	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
01/07/2013	0000402179	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
01/16/2013	0000402629	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
01/17/2013	0000402742	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
01/21/2013	0000403100	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
01/22/2013	0000403238	44069	2010 Troplong Mondot	\$89.99	1	\$89.99
						\$6,268.48

w/ tax	\$6,832.64
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SENT PDF from Premier Cru