

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: N District of CA  
 Case number 16-40050 WJL7

dba PremierGro  
 Chapter 7

CP

2016 FEB -1 AM 10:18  
 U.S. BANKRUPTCY COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

FILED

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?

Joshua Adler

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?

Joshua Adler

Name

23 Running Cedar Rd

Number

Street

Princeton, NJ 08540

City

State

ZIP Code

Contact phone 732-225-5000

Contact email joshua@adlerdev.com

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

Joshua Adler

Name

23 Running Cedar Rd

Number

Street

Princeton, NJ 08540

City

State

ZIP Code

Contact phone 732-225-5000

Contact email joshua@adlerdev.com

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: \_\_\_\_\_

Case No: 16-40050 WJL7

7. How much is the claim? \$ 3,977.50 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 & 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: Wine

**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: \$ 3,977.50

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).

Amount entitled to priority

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

☐ 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

MM / DD / YYYY

Signature

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

Name

Joshua

First name

Middle name

Adler

Last name

Title

Company

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

Address

23 Running Cedar Rd

Number

Street

Princeton, NJ

City

State

ZIP Code

08540

Contact phone

732-225-5000

Email

joshua@adlerdev.com

**UNITED STATES BANKRUPTCY COURT  
Northern District of California**

In Fox Ortega Enterprises, Inc.  
Re:  
dba Premier Cru  
Debtor(s)

Case No.: 16-40050 WJL 7

Chapter: 7

**NOTICE OF POSSIBLE DIVIDEND**

**TO THE DEBTOR AND ALL INTERESTED PARTIES:**

Notice is given that the notice of meeting of creditors advised you that there were no assets in this case. It now appears that a payment of a dividend may be possible.

**Pursuant to Federal Rule of Bankruptcy Procedure 3002(c)(5), creditors may file proofs of claim on or before 4/8/16.**

A proof of claim form, in blank with instructions for completion, is available from the Court at the address listed below, or online at: <http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx>.

In order to receive a copy of your proof of claim you must:

1. Enclose with your proof of claim one (1) original and one (1) copy of your proof of claim.
2. You must also enclose a self-addressed, postage paid envelope large enough to accommodate your conformed copy of the claim.
3. Please sign and print or type your name clearly underneath your signature.

Unless all of the above steps are completed, no return conformed copy of your claim will be sent out.

**NO FEE FOR FILING CLAIMS**

**MAIL CLAIMS TO:**

U.S. Bankruptcy Court  
1300 Clay Street #300 (94612)  
Post Office Box 2070  
Oakland, CA 94604-2070

Dated: 1/10/16

For the Court:

Edward J. Emmons  
Clerk of Court  
United States Bankruptcy Court

Doc # 7

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000394951  
Order Date: 10/19/2012  
Web Order No: 113545  
Salesperson: PB  
Customer: jadle  
Customer PO:

Sold To	Ship To
Joshua Adler 23 Running Cedar Rd. FEDEX #103286514 Princeton, NJ 08540 USA	Joshua Adler 65 West 13th Street Apt 10D (732) 742-8142 New York, NY 10011 USA

Contact: Joshua Adler  
Phone: (732) 225-5000

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

Item	Ordered	Quantity Shipped	Unit Price	Amount
43924 2010 Leoville Barton	3.00	0.00	114.99	344.97
46072 2011 Sociando Mallet	6.00	0.00	29.99	179.94
44149 2010 Forts de Latour	3.00	0.00	249.99	749.97
44110 2010 Leoville las Cases	3.00	0.00	169.99	509.97
43914 2010 Grand Puy Lacoste	3.00	0.00	89.95	269.85
43942 2010 Lynch Bages	3.00	0.00	155.00	465.00
96B04 96 Grand Puy Lacoste	3.00	0.00	109.99	329.97

				Net Order:	2,849.67
Payments: 2,849.67				Freight:	0.00
				Sales Tax:	0.00
10/20/2012	VRCE7BAB8887	*****7008	2,849.67		
				USD	2,849.67

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000433332  
Order Date: 1/7/2014  
Web Order No: 141577  
Salesperson: JG  
Customer: jadle  
Customer PO:

### Sold To

Joshua Adler  
23 Running Cedar Rd.  
FEDEX #103286514  
Princeton, NJ 08540 USA

### Ship To

Joshua Adler  
65 West 13th Street  
Apt 10D  
(732) 742-8142  
New York, NY 10011 USA

Contact: Joshua Adler  
Phone: (732) 225-5000

15% discount applied!  
This order has been paid by American Express - Thank You!

Item	Ordered	Quantity Shipped	Unit Price	Amount
43914 2010 Grand Puy Lacoste	6.00	0.00	67.99	407.95

Payments: 407.95

1/7/2014	VTYEB5BBCE4E	*****8006	407.95
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Net Order: 407.95

Freight: 0.00

Sales Tax: 0.00

USD 407.95

# PREMIER CRU

1011 University Avenue  
Berkeley, CA 94710

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

## Sales Order

Page: 1  
Order Number: 0000391968  
Order Date: 9/14/2012  
Salesperson: MR  
Customer: jadle  
Customer PO:

### Sold To

Joshua Adler  
23 Running Cedar Rd.  
FEDEX #103286514  
Princeton, NJ 08540 USA

### Ship To

Joshua Adler  
65 West 13th Street  
Apt 10D  
(732) 742-8142  
New York, NY 10011 USA

Contact: Joshua Adler  
Phone: (732) 225-5000

Item	Ordered	Quantity Shipped	Unit Price	Amount
46550 06 Brunello Riserva Vigna Paganelli, Il Poggione	12.00	0.00	59.99	719.88

Payments: 719.88

9/14/2012	VRCE7A35EBFD	*****7008	719.88
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Net Order: 719.88

Freight: 0.00

Sales Tax: 0.00

USD 719.88