

Fill in this information to identify the case:

Debtor 1 Premier Cru

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: _____ District of Northern Dist. of CA

Case number 16-40050 WJL 7

LM 10:50 AM
FILED
 FEB 2 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?
Harvey E. Rich
 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)

<p>Where should notices to the creditor be sent?</p> <p>Name <u>Harvey Rich</u></p> <p>Number <u>2633</u> Street <u>Castillo Circle</u></p> <p>City <u>Thousand Oaks</u> State <u>CA</u> ZIP Code <u>91360</u></p> <p>Contact phone <u>805-390-5208</u></p> <p>Contact email <u>hrick@csun.edu</u></p>	<p>Where should payments to the creditor be sent? (if different)</p> <p>Name <u>Same</u></p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Contact phone _____</p> <p>Contact email _____</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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: _____

7. How much is the claim? \$ 4,688.72 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.

Wines purchased, some as pre-arrivals, others as just new orders

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

01 20 2016
MM / DD / YYYY

Signature

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

Name

Harvey

Eric

Rick

First name

Middle name

Last name

Title

Dr.

Company

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

Address

2633 Castillo Circle

Number

Street

Thousand Oaks,

CA

91360

City

State

ZIP Code

Contact phone

805-390-5208

Email

hrick@csun.edu

Premier Cru Order Acknowledgement

mailbox:///C:/Users/HarveyRich/AppData/Roaming/Thunder.

Melissa

09/10

Subject: Premier Cru Order Acknowledgement
From: Premier Cru <shipping@premiercru.net>
Date: 3/4/2012 12:01 AM
To: "Rich, Harvey E" <harvey.rich@csun.edu>

Thank you for your order!

We have received your order request SO-0000376043-92933.

qty	Item	Wine	price	ext	status
3	41676	2009 Pichon Baron (pre-arrival)	149.99	449.97	pre-arrival
2	41685	2009 Lynch Bages (pre-arrival)	179.99	359.98	pre-arrival

Bottles : 5

Subtotal: 809.95

Shipping: 0.00

Tax : 70.87

Total : 880.82

Please do not ship before middle of October at earliest. I would prefer an email confirmation of shipment before order is shipped. Thank you.

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 510-844-9463.

Premier Cru
1011 University Avenue
Berkeley, CA 94710
(510) 844-9463

Subject: Premier Cru Order Acknowledgement
From: Premier Cru <shipping@premiercru.net>
Date: 3/6/2013 12:50 AM
To: "Rich, Harvey E" <harvey.rich@csun.edu>

Thank you for your order!

We have received your order request SO-0000405790-124593.

qty	Item	Wine	price	ext	status
1	43927	2010 Montrose	195.00	195.00	pre-arrival
5	43919	2010 Smith Haut Lafitte	129.99	649.95	pre-arrival

Bottles : 6

Subtotal: 844.95

Shipping: 0.00

Tax : 76.05

Total : 921.00

This is So. California. Notify before shipping. I'll want the wine shipped from Oct - March, not earlier or later. Thanks.

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: 0000417139

Order Date: 6/29/2013

Salesperson: PB

Customer: 8054924350

Customer PO:

in Jan

Sold To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Ship To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Contact: Harvey Eric Rich
Phone: (805) 492-4350

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47583	08 Grange, Penfolds	2.00	0.00	599.99	1,199.98

Payments: 1,307.98

Net Order: 1,199.98

Freight: 0.00

Sales Tax: 108.00

6/29/2013 VLFE9C0C1C30 *****8427 1,307.98

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000418720

Order Date: 7/19/2013

Salesperson: PB

Customer: 8054924350

Customer PO:

Sold To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Ship To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Contact: Harvey Eric Rich
Phone: (805) 492-4350

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47583	08 Grange, Penfolds	1.00	0.00	599.99	599.99

Payments: 653.99

Net Order: 599.99

Freight: 0.00

Sales Tax: 54.00

7/19/2013 VUHEAC41A7B6 *****8427 653.99

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000422647

Order Date: 9/10/2013

Salesperson: MR

Customer: 8054924350

Customer PO:

Sold To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Ship To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Contact: Harvey Eric Rich
Phone: (805) 492-4350

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
47583	08 Grange, Penfolds	1.00	0.00	599.99	599.99

Payments: 653.99

Net Order: 599.99

9/10/2013 VTJEA71CF2B *****8427 653.99

Freight: 0.00
Sales Tax: 54.00

Premier Cru Order Acknowledgement

mailbox:///C:/Users/HarveyRich/AppData/Roaming/Thunder..

Subject: Premier Cru Order Acknowledgement
From: Premier Cru <shipping@premiercru.net>
Date: 11/4/2013 5:58 PM
To: "Rich, Harvey E" <harvey.rich@csun.edu>

Thank you for your order!

We have received your order request SO-0000427074-136512.

qy	Item	Wine	price	ext	status
1	42752	2009 Chateausneuf Reserve, Pegau	74.99	74.99	pre-arrival
3	44972	2010 Chateausneuf Cuvee Reserve, Pegau	74.99	224.97	pre-arrival

Bottles : 4
Subtotal: 299.96
Shipping: 6.00
Tax : 27.00
Total : 326.96

Include in the other wine I've purchased, when ready to ship. This is So. California and it should be cool enough for shipping in another 2 -4 weeks. Some of my other wine is also on pre-arrival.

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: 0000433754

Order Date: 1/10/2014

Web Order No: 141871

Salesperson: JG

Customer: 8054924350

Customer PO:

Sold To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Ship To

Harvey Rich
2633 Castillo Circle
Thousand Oaks, CA 91360 USA

Contact: Harvey Eric Rich
Phone: (805) 492-4350

This order has been paid by Visa - Thank You!

Item		Ordered	Quantity Shipped	Unit Price	Amount
48882	09 Chateauneuf du Pape Cuvee Laurence, Pegau	2.00	0.00	79.99	159.98

Payments: 174.38

Net Order: 159.98

1/10/2014 VP EEA43F1B6D *****2375 174.38

Freight: 0.00
Sales Tax: 14.40