

Fill in this information to identify the case:

Debtor 1

Fox Ortega Enterprises, Inc.
dba Premier Cru

Debtor 2

(Spouse, if filing)

United States Bankruptcy Court for the:

District of

Case number

16-40050 WJL7

CP FILED
2016 MAR -8 AM 9:40

AMENDED

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?

Wayne Sharp

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?

Wayne Sharp

Name

74 Eastfield Dr

Number

Street

Rolling Hills CA 90274

City

State

ZIP Code

Contact phone 310.544.8005

Contact email

waynesharp@cox.net

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

SAME

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?

☐ No

☒ Yes. Claim number on court claims registry (if known)

Filed on

02/01/2016
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? \$ 523.13 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).
- * NOTE: AMENDED AMOUNT ***

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.
- Credit card charge for wine that was 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 one:

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.

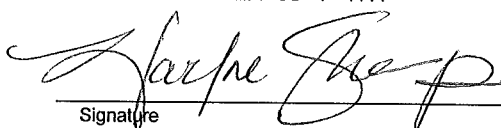
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

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 03/03/2016
MM / DD / YYYY


Signature

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

Name Wayne Steele Sharp
First name Middle name Last name

Title _____

Company _____

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

Address 74 Eastfield Dr
Number Street

Rolling Hills CA 90274
City State ZIP Code

Contact phone 310.544.8005 Email waynesharp@cox.net

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000463048

Order Date: 12/4/2014

Web Order No: 163954

Salesperson: JG

Customer: WSha

Customer PO:

Sold To

Wayne Sharp
74 Eastfield Drive
Rolling Hills, CA 90274 USA

Ship To

Wayne Sharp
74 Eastfield Drive
Rolling Hills, CA 90274 USA

Contact: Wayne Sharp
Phone: (310) 544-8005

This order has been paid by MasterCard - Thank You!

| Item | Ordered | Quantity Shipped | Unit Price | Amount |
|---|---------|------------------|------------|--------|
| 51265 2010 Brunello di Montalcino Tenuta Nuova, di Neri | 6.00 | 0.00 | 79.99 | 479.94 |
| 50696 2010 Vino Nobile di Montalcino Asinone, Poliziano | 6.00 | 0.00 | 53.99 | 323.94 |

6 bottles @ 79.99 = \$ 479.94
9% sales tax = 43.19
\$ 523.13

Payments: 876.23

Net Order: 803.88

Freight: 0.00

Sales Tax: 72.35

| | | | |
|-----------|--------------|-----------|--------|
| 12/4/2014 | VTHAC9299C24 | *****5020 | 876.23 |
|-----------|--------------|-----------|--------|

USD 876.23

Fill in this information to identify the case:

Debtor 1

Fox Ortega Enterprises, Inc
dba Premier Cru

Debtor 2

(Spouse, if filing)

United States Bankruptcy Court for the: _____ District of _____

Case number _____

ORIGINAL -
INCORRECT

Official Form 410

Proof of Claim

12/15

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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?

Wayne Sharp

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?

Wayne Sharp

Name

74 Eastfield Drive

Number

Street

Rolling Hills CA 90274

City

State

ZIP Code

Contact phone 310.544.8005

Contact email

waynesharpe@cox.net

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

SAME

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?

☒ 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? \$ 876.23 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.

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:

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).

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.

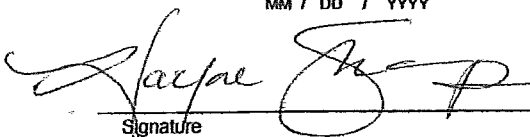
I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

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

02/01/2016
MM / DD / YYYY


Signature

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

Name

Wayne
First name

Steele
Middle name

Sharp
Last name

Title

Company

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

Address

74 Eastfield Drive
Number Street

Rolling Hills
City

CA 90274
State ZIP Code

Contact phone

310.544.8005

Email

waynesharp@cox.net

PREMIER CRU

1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000463048

Order Date: 12/4/2014

Web Order No: 163954

Salesperson: JG

Customer: WSha

Customer PO:

| Sold To | Ship To |
|--|--|
| Wayne Sharp 74 Eastfield Drive Rolling Hills, CA 90274 USA | Wayne Sharp 74 Eastfield Drive Rolling Hills, CA 90274 USA |

Contact: Wayne Sharp
Phone: (310) 544-8005

This order has been paid by MasterCard - Thank You!

| Item | Ordered | Quantity Shipped | Unit Price | Amount |
|---|---------|---------------------|------------|--------|
| 51265 2010 Brunello di Montalcino Tenuta Nuova, di Neri | 6.00 | 0.00 | 79.99 | 479.94 |
| 50696 2010 Vino Nobile di Montalcino Asinone, Poliziano | 6.00 | 0.00 | 53.99 | 323.94 |

| | | | | | |
|------------------|--|--|--|------------|--------|
| | | | | Net Order: | 803.88 |
| Payments: 876.23 | | | | Freight: | 0.00 |
| | | | | Sales Tax: | 72.35 |
| | | | | USD | 876.23 |

12/4/2014 VTHAC9299C24 *****5020 876.23

Fill in this information to identify the case:

Debtor 1 Fox Ortega Enterprises, Inc
dba Premier Cru
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court for the: _____ District of _____
Case number 16-40050

LM 10:55 AM
FILED
FEB 5 2016
BANKRUPTCY COURT
OAKLAND, CALIFORNIA

Official Form 410

Proof of Claim

12/15

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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>Wayne Sharp</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>Wayne Sharp</u> Name <u>74 Eastfield Drive</u> Number Street <u>Rolling Hills CA 90274</u> City State ZIP Code Contact phone <u>310.544.8005</u> Contact email <u>waynesharpe@cox.net</u> | Where should payments to the creditor be sent? (if different) <u>SAME</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? \$ 876.23 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.
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9. Is all or part of the claim secured? ☒ No
☐ Yes. The claim is secured by a lien on property.

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- ☐ 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*.
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☐ Other. Describe: _____

Basis for perfection: _____

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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

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\$ _____

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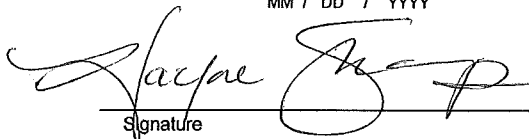
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MM / DD / YYYY


Signature

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

Name

Wayne
First name

Steele
Middle name

Sharp
Last name

Title

Company

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

Address

74 Eastfield Drive

Number

Street

Rolling Hills

CA

90274

City

State

ZIP Code

Contact phone

310.544.8005

Email

waynesharp@cox.net

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1011 University Avenue
Berkeley, CA 94710

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

Sales Order

Page: 1

Order Number: 0000463048

Order Date: 12/4/2014

Web Order No: 163954

Salesperson: JG

Customer: WSha

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| Sold To | Ship To |
|--|--|
| Wayne Sharp 74 Eastfield Drive Rolling Hills, CA 90274 USA | Wayne Sharp 74 Eastfield Drive Rolling Hills, CA 90274 USA |

Contact: Wayne Sharp
Phone: (310) 544-8005

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| Payments: | 876.23 | Net Order: | 803.88 |
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| | | USD | 876.23 |