## 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: Northern District of California Case number 16-40050 WJL 7

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Official Form 410

## **Proof of Claim**

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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?	Scott Fitzy	water		, , , ,				
	oreanor r	Name of the c	urrent creditor (th	ne person or	entity to be paid for this cla	aim)			
		Other names t	the creditor used	with the debt					
2.	Has this claim been acquired from someone else?	Mar No Ves. Fro	om whom?						
3.	Where should notices and payments to the creditor be sent?	Where shou Scott Fitzy	ild notices to f	the credito	r be sent?	Where shou different)	ld payments to th	ne creditor b	e sent? (if
	Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name 3553 NE I	Hancock St	1		Name			
		Number Portland	Street	OR	97212	Number	Street	1	
		City Contact phone Contact email	503-702-42 scott.fitzh20		ZIP Code	City Contact phone Contact email		ate	
		Uniform claim		1	nts in chapter 13 (if you us				_
4.	Does this claim amend one already filed?	☑ No □ Yes. Cla			s registry (if known)		Filed on	MM / DD	/ үүүү
5.	Do you know if anyone else has filed a proof of claim for this claim?	<ul><li>✓ No</li><li>❑ Yes. Wh</li></ul>	o made the ear						

Official Form Gase 16-40050 Claim 797 Filed 02/09/16 Desc Main Document Page 1 of 16

6.	Do you have any number you use to identify the debtor?	Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:
7.	How much is the claim?	\$1495.32. Does this amount include interest or other charges?
		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 (fine wine futures presale) but not delivered.
ə.	Is all or part of the claim	K No
	secured?	Q 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)%
		<ul> <li>Fixed</li> <li>Variable</li> </ul>
	Is this claim based on a	No .
	lease?	☐ Yes. Amount necessary to cure any default as of the date of the petition. \$
	Is this claim subject to a right of setoff?	2 No
		☐ Yes. Identify the property:
	Case 16-400 icial Form 410	50 Claim 797 Filed 02/09/16 Desc Main Document Page 2 of 16
. • •		Proof of Claim page 2

2. Is all or part of the claim entitled to priority under	No No							
11 U.S.C. § 507(a)?	Yes. Che	ck all that apply:			Amount entitled to priorit			
A claim may be partly priority and partly		stic support obligations (includ S.C. § 507(a)(1)(A) or (a)(1)(B)		port) under	\$			
nonpriority. For example, in some categories, the law limits the 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).							
	bankr	s, salaries, or commissions (up uptcy petition is filed or the deb S.C. § 507(a)(4).			\$			
	🗋 Taxes	s or penalties owed to governm	ental units. 11 U.S.C. § 50	)7(a)(8).	\$			
	🔲 Contri	ibutions to an employee benefi	t plan. 11 U.S.C. § 507(a)	(5).	\$			
	C Other	. Specify subsection of 11 U.S.	C. § 507(a)() that appli	es.	\$			
	* Amounts	s are subject to adjustment on 4/01	/16 and every 3 years after th	at for cases begun on or a	fter the date of adjustment.			
Part 3: Sign Below								
The person completing his proof of claim must	Check the app	propriate box:						
sign and date it.	I am the c							
FRBP 9011(b).	_	creditor's attorney or authorized						
If you file this claim electronically, FRBP	_	rustee, or the debtor, or their a arantor, surety, endorser, or ot		-				
5005(a)(2) authorizes courts to establish local rules			• •					
specifying what a signature is.		nat an authorized signature on claim, the creditor gave the de						
A person who files a	amount of the	ciaim, the creditor gave the de	biol credit for any paymen	its received toward the				
fraudulent claim could be fined up to \$500,000, imprisoned for up to 5	I have examine and correct.	ed the information in this Proof	of Claim and have a reas	onable belief that the in	formation is true			
years, or both. 18 U.S.C. §§ 152, 157, and	I declare unde	r penalty of perjury that the for	egoing is true and correct.					
3571.	Executed on d	01/19/2016						
	Executed on a	MM / DD / YYYY	_					
	<u>Signature</u>	At 7 Aura	<u>R</u>					
	Print the nam	e of the person who is comp	leting and signing this c	laim:				
		Scott		Fitzwater				
	Name	First name	Middle name	Last name				
	Title							
	Company	Identify the corporate servicer	as the company if the author	ized agent is a servicer				
				Les agent le a berviour.				
	Address	3553 NE Hancock St						
		Number Street Portland		OR 97212				
		City		State ZIP Code				

Contact phone

503-702-4291

Case 16-40050 Claim 797 Official Form 410

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Filed 02/09/16 Desc Main Document

Email scott.fitzh2o@gmail.com

Му Ассонт

	MY ACCOU	INT E	DIT PROFILE	ADDRESS BOO	K BILI	LING INFORMATIC
ORDER HISTORY	S	Sort By Ord	der No	60		
Order Number (Status)	Amount	Qty	Shipped	Remain	Avail	Date
<u>SO-0000471411</u> (Open)	\$877.38	18	· 0	18	0	2/24/15
<u>SO-0000460564</u> (Open)	\$99.99	1	. 0	1	1	11/8/14
		~	0	2	. 0	10/20/14
	\$90.00	2				
<u>SO-0000458676</u> (Open)	\$90.00	2	0	2	0	9/23/14
<u>SO-0000458676</u> (Open) <u>SO-0000456057</u> (Open) <u>SO-0000452700</u> (Open)	1		0	2	0	9/23/14 8/16/14

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Enter Wine	Enter Email
SLARCH	

About Us

We source the world's tinest wines at extremely compatitive prices to provide exceptional experiences for collectors, commissionrs, and everyday wine lovers.

Become a fant

Premier Cru Inti University Ave Berkeley, CA 94700 Cach best for directions Store Hours Tuesday-Friday: toam-opm Sahuday: toam-opm Sunday: Closed

#### 50 Copyright 2013 Premier Cru. All Rights Reserved, Privacy Policy,

Case 16-40050 Claim 797 https://www.premiercru.net/premier/order/AccountOrderHist.do

		MY ACCOUNT		ev profile	ADDRESS	BOOK BELING	2 INFORMATION
ORDER DETAILS Order No.: SO-000046 Order Date.: Nov 8. 2014 Status: Open	0564						
PURCHASE DETAILS					-10-11 + 16-707 - 101 - 10-1-11-11-11-11-11-11-11-11-11-11-11-11		1
Wine		Qty Ship	ped	Remain	Ready To Sh		Total Price
2009 Cornas Vieilles Fo	ntaines, Voge, 750 ml	1	0	1		1 \$99.99	\$99.99
						Subtotal: Tax: Total:	\$99.99 \$0.00 \$99.99
SHIPPING DETAILS		ange annange a samme an annange de Langer ann an angelen a de l'anna an			Ordered	Shipped	Remain
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		MY AC	COUNT	EDIT PROFI	LE ADDRES	S BOOK BILLI	NG INFORMATION
ORDER DETAIL	S						
Order No.: SO-00004 Order Date.: Oct 20, 20 Status: Open							
PURCHASE DETAIL	S						
Wine		Qty	Shipped	Remain	Ready To Sh	ip Price/Bottle	e Total Price
2012 Cornas les Chail	les, Voge, 750 ml	2	0	2		0 \$45.00	\$90.00
			2029 - 12 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 - 19 1 -			Subtotal	: \$90.00
						Тах	\$0.00
						Total	\$90.00
SHIPPING DETAILS							
Wine					Ordered	Shipped	Remain
2012 Cornas les Chail	les, Voge, 750 ml				2	0	2
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					FIND A WINE	GET OL	IR NEWSLETTER
Roman William	Endomer Service Pre-Anhal S. In Sock		sut Us 4 - Phater		Enter Wine	Enter	Email
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About Cs.

We concerne world's finest whites at extremely competitive prince to provide exceptional experiences for collectors. connersecutiv, and every day white lowers.

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#### Order Details

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ORDER DETAILS					,		
Order No.: SO-000043 Order Date.: Sep 23, 200 Status: Open							
PURCHASE DETAILS	<u>}</u>	Qty Shipped	Remain	Ready To	a Shin	Price/Bottle	Total Price
Wine 2011 Cornas V.V., Vog	o. 750 ml	2 0	2		0	\$38.99	\$77.99
2011 Comas 4.9., vog						Subtotal: Tax: Total:	\$77.99 \$0.00 \$77.99
SHIPPING DETAILS				Ordered		Shipped	Remain
er tric							
2011 Cornas V.V., Vog	e, 750 ml			2		0	. 2
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ORDER DETAILS								
Order No.: SO-00004 Order Date.: Aug 16, 201 Status: Open								
PURCHASE DETAILS	}							
Vine		Qty	Shipped	Remain	Ready To S	ihip	Price/Bottle	Total Price
004 Bollinger Grand A	Annee Rose, 750 ml	2	0	2		0	\$89.99	\$179.98
							Subtotal:	\$179.98
							Tax:	\$0.00
				•			Total:	\$179.98
SHIPPING DETAILS					·····			
∕ine					Ordered		Shipped	Remain
	Annee Rose, 750 ml				Ordered 2		Shipped 0	
2004 Bollinger Grand A Browse Whees Peptaeed Wines What Ses	Annee Rose, 750 ml - - - - - - - - - - - - -	Ађау Салура Одн Ур. Хур даг				SEARC	0 GET OUR N Enter En	IEWSLETTER
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		MY ECCOUNT	EDA 98076	ANDRECS 30	ok silling	MFORWATIO
ORDER DETAILS	)					
Order No.: SO-00004 Order Dote.: Feb 6, 201- Status: Opeu						
PURCHASE DETAILS	2 2	Qty Shipp	ed Remain	Ready To Ship	Price/Bottle	Total Price
Wine 2012 Condrieu La Dori	and Cuidal 750 ml	2	0 2	0	\$84.99	\$169.98
2012 Condrieu La Don	ane, Guigar, 750 m				Subtotal:	\$169.98
					Tax:	\$0.00
					Total:	\$169.98
SHIPPING DETAILS	ang na kana ang kana kana kana kana kana			Ordered	Shipped	Remair
2012 Condrieu La Dor	ana Cuical 750 ml			2	0	
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			MY ACCOUNT	EDIT	PROFILE	ADDRESS	S 800K E	ILLING	INFORMATIO
ORDER DETAILS	, )								
order No.: SO-000047 order Date.: Feb 24, 201 tatus: Open									
PURCHASE DETAILS						-			
/ine		Qty 18	Shipped 0	Remain 18	Keady	To Ship	Price/Bo \$48		Total Price \$877.38
illecart Salmon Rose, T							Subto	tal: ax:	\$877.38 \$0.00 \$877.38
HIPPING DETAILS				,	Ordered		Shipped		Remain
illecart Salmon Rose,	750 ml				18		0		18
Par Artival, (a Gassi Comput Yeataeud Wines Slapping bara en Stal		About Os Campuns Ib dea Can Stall Vise Ing. weae Retail story			A WINE er Wine		T OUR N nter Em	EWSLETTER ail SUBSCRIBE	
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## PREMIER CF 1011 University Avenue

Berkeley, CA 94710

Portland, OR 97212 USA

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

Sales Order

Page: 1 Order Number: 0000471411 Order Date: 2/24/2015 Web Order No: 170376 Salesperson: YW Customer: 5664 Customer PO:

Sold To	Ship To	
Scott Fitzwater 3553 NE Hancock	Scott Fitzwater 3553 NE Hancock	
Cell: 503-702-4291	Cell: 503-702-4291	¥

Contact: Scott Fitzwater Phone: (503) 287-7089 35% Discount Applied! This order has been paid by Visa - Thank You!

Portland, OR 97212 USA

	Item	Ordered	Quantity Shipped	Unit Price	Amount
AEF31	Billecart Salmon Rose	18.00	0.00	48.74	877.38

Payments: 877.38		a a tha ann an an gu an gu an gu an ann an ann an ann an ann an ann an a		Net Orde		877.38
2/25/2015	VLCABE50107C	*********5169	877.38	Freight: Sales Tax:		0.00
	Case 16-40050	Claim 797	Filed 02/09/16	Desc Main Document	USD Page 11 of 16	877.38

<b>DREMIER CRU</b> 1011 University Avenue		S Page: Order Number: Order Date:	0000460564
Berkeley, CA 94710		Web Order No:	
(510) 644-9463 FAX (510) 647-3833		Salesperson: Customer: Customer PO:	
Sold To	Ship To		
Scott Fitzwater	Scott Fitzwater		

3553 NE Hancock Cell: 503-702-4291

Portland, OR 97212 USA

Contact: Scott Fitzwater Phone: (503) 287-7089

3553 NE Hancock

Cell: 503-702-4291

Portland, OR 97212 USA

Item		(	Ordered	Quantity Shipped	Unit Price	Amount
45381	09 Cornas Vieilles Fontaines, Voge		1.00	0.00	99.99	99.99

Poymonte:	99,99	<u></u>		Net Orc	ler:	99.99
Payments:		*****5169	99.99	Freight: Sales Tax:		0.00 0.00
					USD	99.99
	Case 16-40050	Claim 797	Filed 02/09/16	Desc Main Document	Page 12 of 16	

# DREMIER CRU 1011 University Avenue

Berkeley, CA 94710

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

Sales Order

Page: 1 Order Number: 0000458676 Order Date: 10/20/2014 Web Order No: 160546 Salesperson: MR Customer: 5664 Customer PO:

Sold To	Ship To		
Scott Fitzwater	Scott Fitzwater		
3553 NE Hancock	3553 NE Hancock		
Cell: 503-702-4291	Cell: 503-702-4291		
Portland, OR 97212 USA	Portland, OR 97212 USA		

Contact: Scott Fitzwater Phone: (503) 287-7089

This order has been paid by Visa - Thank You!

	Item	Ordered	Quantity Shipped	Unit Price	Amount
50999	2012 Cornas les Chailles, Voge	2.00	0.00	45.00	90.00

<u></u>		an a sugar ann a fhirm a gun a chighnacha		Net Ord	der:	90.00
Payments:	90.00			Freis	ght:	0.00
10/20/2014	VRCAB50417CD	**********5169	90.00	Sales T	ax:	0.00
					USD	90.00
L	Case 16-40050	Claim 797	Filed 02/09/16	Desc Main Document	Page 13 of 16	

# 1011 University Avenue Berkeley, CA 94710

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

Sales Order

Page: 1 Order Number: 0000456057 Order Date: 9/23/2014 Web Order No: 158595 Salesperson: PB Customer: 5664 Customer PO:

Gold To	Ship To	
Scott Fitzwater	Scott Fitzwater	
3553 NE Hancock	3553 NE Hancock	
Cell: 503-702-4291	Cell: 503-702-4291	
Portland, OR 97212 USA	Portland, OR 97212 USA	

Contact: Scott Fitzwater Phone: (503) 287-7089

.

This order has been paid by Visa - Thank You!

	Item	Ordered	Quantity Shipped	Unit Price	Amount
48516	2011 Cornas V.V., Voge	2.00	0.00	38.99	77.99

				Net Ord	er:	77.99
Payments:	77.99			Freig	ht:	0.00
9/24/2014	VRCAB38EEABE	*********5169	77.99	Sales T		0.00
					USD	77.99
	Case 16-40050	Claim 797	Filed 02/09/16	Desc Main Document	Page 14 of 16	

DDCMICR CRU 1011 University Avenue Berkeley, CA 94710 (510) 644-9463 FAX (510) 647-3833				Sales Order Page: 1 Order Number: 0000452700 Order Date: 8/16/2014 Web Order No: 156184 Salesperson: JG Customer: 5664 Customer PO:		
Sold To	 Ship To			an a	4	
Scott Fitzwater 3553 NE Hancock Cell: 503-702-4291 Portland, OR 97212 USA	Scott Fitzwater 3553 NE Hanc Cell: 503-702-4 Portland, OR 9	ock 4291				
Contact: Scott Fitzwater Phone: (503) 287-7089	This order has	been paid by V	isa - Tha	nk You!		
Item	 Ordered	Quantity Shipped		Unit Price	Amount	
47050 04 Bollinger Grand Annee Rose	2.00	0.00		89.99	179.98	
	· · · · · · · · · · · · · · · · · · ·					

Payments:	179.98			Net Order:		179.98
8/16/2014	VPCAB0EE38A6	*****5169	179.98	Freight: Sales Tax:		0.00 0.00
	Case 16-40050	Claim 797	Filed 02/09/16	Desc Main Document	USD Page 15 of 16	179.98

# PREMIER CRU

1011 University Avenue Berkeley, CA 94710

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

Sales Order

Page: 1 Order Number: 0000436558 Order Date: 2/6/2014 Web Order No: 143985 Salesperson: JG Customer: 5664 Customer PO:

Sold To	Ship To			
Scott Fitzwater	Scott Fitzwater			
3553 NE Hancock	3553 NE Hancock			
Cell: 503-702-4291	Cell: 503-702-4291			
Portland, OR 97212 USA	Portland, OR 97212 USA			

Contact: Scott Fitzwater Phone: (503) 287-7089

This order has been paid by Visa - Thank You!

Item		Order	Ordered		Unit Price	Amount
49269	2012 Condrieu La Doriane, Guigal	2.00	ļ	0.00	84.99	169.98

Payments:	169.98			Net Ord	er:	169.98
2/6/2014	VREEA63AB88A	*****5169	169.98	Freig Sales Ta		0.00
	Case 16-40050	Claim 797	Filed 02/09/16	Desc Main Document	USD Page 16 of 16	169.98